

Andover Board of Selectmen

Tuesday April 12, 2016 7:00 PM

Town Office Building (Community Room) 17 School Rd, Andover, CT

Regular Meeting Minutes

Agenda Item 1: Call to Order

Robert F. Burbank, First Selectman, called the meeting to order at 7:00PM with the Pledge of Allegiance

BOS Members: Present:

Robert F. Burbank, First Selectman

Jeff Maguire, Vice First Selectman

Julia Haverl

Jay Linddy

Cathy Desrosiers

BOS Members: Absent: None

Other Attendees: Attachment #1

Agenda Item 2: Public Speak :

Ron Mike, Fire Chief talks about about the exhaust and other items for the fire house (inaudible). The ESOP insurance policy is also mentioned. He states that the supplemental insurance is important and that there are holes in the coverage as it is now. **Curt Dowling** hands out to the board information on the Town of Andover Ethics

Commission from the BOS minutes from 2005- 2009 which includes other Towns for their review he believes it needs to be revisited since it has not been active.

Agenda Item 3: Add or Delete Items

Jay Motions to change item 10, Hop River Homes to Item 3a. The Board agrees.

Cathy Desrosiers would like to add 4a. Proposed CNG Station on Rte.6

Agenda Item 3a. Hop River Homes:

Robert Burbank was advised by the Town Assessor that the information he received a few days ago need clarification to meet State statute. The presentation can be made tonight however no action can be taken.

Maria Tulman representing Hop River Homes hands out a presentation (attachment #2) for review and goes through important aspects of it with the Board.

Jay Linddy believes that if the assessor has any concerns he should be at the meeting when it is discussed again.

Jeff Maguire asks Ms. Tulman how many times that they have been approved. She answers that they have been approved 7 times and states that the Town was flagged by the auditor for doing it the way they did there is now a specific statute to follow.

Maria Tulman replies that they use statute 8-215

Jeff Maguire asks Mr. Burbank if he has run this by the Town Attorney?

Robert Burbank states that he has and he agreed with the auditor that we were in violation of State statute. He has not had time to get all the information from the assessor since he just got it yesterday.

Julia Haverl believes that we need a written opinion from the Town Attorney in writing that is current.

Discussion on this among the Board

Jay Lindy Motions that the First Selectman have the assessor attend the next meeting and that there is an opinion from the Town Attorney.

Jeff Maguire Seconded

Motion Passed/Unanimous

Agenda Item 4: 64 Long Hill Road Easement

Jay Lindy Motions that discussion and action on the “64 Long Hill Road Easement” item be postponed indefinitely, except that the following proposal be immediately referred to the Planning and Zoning Commission for a Connecticut General Statute section 8-24 report:

That the Town property located contiguous to 64 Long Hill Road and more fully described in Volume 31, Page 313 and Volume 34, Page 266 of the land Records of the Town of Andover be sold at public auction, subject to a reasonable minimum bid to be determined by the Board of Selectmen.

Under Robert’s Rules, the motion to postpone indefinitely takes priority over any other motion pertaining to the easement and must be addresses first.

Jeff Maguire Seconded

Julia Haverl thought that the letter from Attorney O’Brien, July 2015 clearly stated that that there was a legal determination by the voters so that we can not legally put up for

sale the land, easement, that was voted on. Have to proceed through the avenues that the Attorney has given us. She reads the rules which she has a copy of and recommend no vote on this motion and recommends the motion to rescind. Jay's Motion is not a direction we should follow.

Cathy Desrosiers believes that this is just another stall tactic.

Robert Burbank states that the disadvantage of granting the easement is that you would devalue the worth of the property and recommends that if the property is sold that money goes into open space fund for future purchases, ie Post Farm.

Julia Haverl does not think this is a legal action since the Town voted on it sending the Board a clear and decisive mandate to approve an easement. We need to a vote tonight to rescind as the Town Attorney recommended and she is willing to make a motion. She would like the Board to consider that the Town really does not use this land. Doesn't see why it needs to go back to P&Z.

Cathy Desrosiers does not understand why this Board is not listening to P&Z when they made their recommendations to the Board in the past.

Jeff Maguire states that the issue he has is that if the property is sold we will have eliminated the liability to the Town and the fact that there were no documents at the vote for review. This easement has been changed at least 4 times. The voters should have had the final document prior to the vote. If they did we wouldn't have this problem.

Julia Haverl believes that it was clear in the minds of the voters that this was an easement on Town owned land that would give access to only two homes. Not two homes only on private property. She stated again as in previous meetings that voters have no jurisdiction on private property. It is only P&Z and the BOS acting together. This would have to go to a Town meeting to see if the Town could sell this property for the voters to decide.

Discussion among the Board Members

Motion Passed 3/0/2 Cathy Desrosiers and Julia Haverl Opposed

Jay Linddy Motions that the First Selectman gather information from the Town Attorney on how we can move forward with the sale of the land before the next meeting.

Jeff Maguie Seconded

No Vote

Julia Havel Motions that to see how we set a date for a Special Meeting/executive session with the Town Attorney, the applicants Attorney, The Board of Selectman and the Applicants on how we can move forward with putting the land up for sale and to discuss the issues in regards to this easement.

Cathy Desrosiers Seconded

Motion Passed/Unanimous

Robert Burbank will contact the Town Attorney to see when he is available for a Special Meeting.

4a. CNG

Robert Burbank talks about the company that wants to lease property on Route 6, There is no action required at this time.

Cathy Desrosiers speaks on this application that was presented to the Inland Wetlands Watercourses Commission meeting. There will be five trucks in and out every hour, 24 hours a day. She believes that everyone should educate themselves on it and get involved.

She then asks John Valente to speak on it.

John Valente gives a brief summary on this application and clarifies a few things.

There is a discussion between the Board and Mr. Valente.

Agenda Item 5: Town Garage Furnace

Julia Haverl Motions that the contract be awarded to C.W. Knight for the furnace for the Town Garage.

Jay Linddy Seconded

Julia Haverl backs up her motion with information/research on the furnaces.

Motion Passed/Unanimous

Agenda Item 6: Soccer Fields

Jeff Maguire will have a meeting next week, got the bid documents today and they will hopefully start the fields in the next month. He asks, would like to make a motion that the First Selectman authorize him to utilize the Public Works Dept. to do some of the up front work. He will provide a list of what needs to be done To the First Selectman. He then states that a motion is not necessary at this time.

Julia Haverl asks if it will be able to be used for baseball at all?

Jeff Maguire replies that it can not. The lease for the field has lapsed and he has spoken with some of the parents involved and it can be used for softball/baseball.

Julia Haverl when will the bids go out and when do you expect them to be in.

Jeff Maguire expect them back within 30 days and they want to begin by June 1st.

He then describes the procedure. He also explains that the fields will be used in the

Spring however beginning June 1st until the completion in the Fall.

7.0 Assistant Town Treasurer Hours

Robert Burbank he believes that the Board should make the Assistant Town Treasurer a 30 hour job. He would like her to start a procedure manual since it is holding up our entire policy manual.

Julia Haverl Motions that we approve an increase of up to 30 hours per week for the Assistant Town Treasurer.

Jay Linddy Seconded

Jeff Maguire thinks that this is too much he does not see the need for that many hours. The position needs to be looked at.

Discussion among the Board on the hours/benefits and creating a new title for the position.

Motion Passed/ 4/0/1 Jeff Maguire Opposed

Agenda Item 8. Town Clerk Funding Request:

Jay Linddy Motions that we approve \$5,762.00 for the Laserfiche Program and replacement computers.

Jeff Maguire Seconded

Discussion and a second motion

Jeff Maguire Motions that the First Selectman put together put together a plan to review the technology that is currently being used by all personnel at the Town Hall.

Cathy Desrosiers Seconded

Motion Passed/Unanimous

Discussion

Agenda Item 9. Terms for Committees Needed for the Annual Report:

Julia Haverl speaks on this explaining the item. They need a letter to tell them that they need to go to the Town Hall to get sworn in. This somehow got dropped. They also need to know how long the term is. Jay Linddy replies it is a one year term. She says that we did not state that and what their function is.

Robert Burbank will address this with the Board Clerk and the Town Clerk.

Need letters for Committees that were voted on Sept-Oct.

Agenda Item 10. Hop River Homes:

Discussed as item 3a

Agenda Item 11. Health Insurance:

Jeff Maguire Motions that the Board obtain a detailed census from all Town employees that contains all of their dependents that are being covered by Insurance.

Jay Lindy Seconded

Discussion

Motion Passed/Unanimous

Agenda Item 12. Treated Road Salt Contract:

Robert Burbank speaks on the annual contract for salt. There really is no other option.

Cathy Desrosier asks if you have tried another chemical besides salt, it works on Rte 6.

Robert Burbank replies that the Town has tried it before and it does not work since the volume of traffic is not as high as Route 6. The contract that was Presented is time sensitive and it has not yet been signed yet.

Discussion on the volume of salt and the terms of the contract.

Julia Haverl Motions that the First Selectman sign the current contract for salt.

Cathy Desrosiers Seconded

Motion Passed 4/0/1 Jeff Maguire Opposed

Agenda Item 13. Transfer Station:

Jay Linddy explains the Transfer Station information in detail and the contract Attachment #3

Discussion on the contract. Jeff would like additional detail/documentation.

Agenda Item 14. Old Fire House:

Robert Burbank talks about an evaluation that may be necessary on the Old Fire House and would need a \$15,000 appropriation for this.

Discussion between Cathy Desrosiers and Robert Burbank.

Julia Haverl Motions that we get three bids to evaluate the leaks at the Old Fire House.

Discussion among the Board Members

Cathy Desrosiers Motions that the Board give the First Selectman permission to appropriate no more than \$15,000.00 for the Old Fire House/Senior Center facility evaluation.

Jeff Maguire Seconded

Motion Passed/Unanimous

Agenda Item 15. Set the Date for Annual Town Budget Meeting:

Robert Burbank states that the proposed date is Thursday May 5,2016 at 7PM.

He proceeds to read attachment #4

Julia Haverl Motions that we choose a Moderator for the Fiscal year 2016-2017 and approve the Budget for the Fiscal year July 1, 2016 to June 30, 2017.

Cathy Desrosiers Seconded

Discussion on the date

Motion Passed 4/0/1 Jeff Maguire Opposed

16.0 Approval of Board of Selectmen Minutes

- a. 2/29/2016 Budget Workshop**
- b. 3/2/2016 Budget Workshop**
- c. 3/8/2016 Regular Meeting**
- d. 3/10/2016 Budget Workshop**
- e. 3/14/2016 Budget Workshop**
- f. 3/16/2016 Budget Workshop**

Julia Haverl Motions to approve all the minutes listed in one motion

Jeff Maguire Seconded

Motion Passed/Unanimous

Agenda Item 17: Treasure's Monthly Report

5a. Monthly Fund Balance: (Bank Account Summary)

5b. Monthly Financial Report: (Budget Summary)

Julia Haverl Motions that we accept the Monthly Fund Balance and the Monthly Financial Report in one motion.

Cathy Desrosiers Seconded

Jeff Maguire has some comments on information that he believes should be looked at and understood.

Motion Passed/ Unanimous

Agenda Item 18: Tax Refunds

Ross, Justin C or James	\$23.90
Toyota Lease Trust	\$455.08
Keener, Donald	\$33.95
Keener, Donald`	\$46.76
Gagnon, Michael	\$91.54

Julia Haverl Motions that we accept the tax refunds as listed by the Tax

Collector.

Robert Burbank Seconded

Jeff Maguire and the Board discusses this process

Motion Passed 3/0/2 Jeff Maguire and Jay Lindy Opposed

Agenda Item 19: Tax Collectors Monthly Report

a. Monthly Cash Report

b. Grand Rate Book Balance Sheet Report

No Action

Agenda Item 20. Fire Dept Monthly Report:

Review of document presented to the Board

Agenda Item 21: Public Speak

Curt Dowling brings up the Fire Department insurance, the Chief wanted it to be discussed. The the concerns that he has with the CNG application with the Natural Gas and the Rte 6 traffic. The Fire Dept would need additional training on how to handle a Natural gas explosion. He is concerned about the members and the land owners.

Catherine Lewis would like additional information on the CNG application.

Eric Anderson answers her questions the best he can at this time.

Catherine Lewis asks if the DOT will way in on this

Eric Anderson replies that the Commission is still finding answers to everyone's questions as they just received the application.

Jeff Maguire asks Eric Anderson if they are paying for an engineer is part of the application?

Eric Anderson explains the fee schedule that includes an engineering fee.

Discussion between Jeff Maguire and Eric Anderson about the fee.

Eric Anderson would like the BOS to consider a safety improvement at the crossing At the Church and the entrance to the trail.

Robert Burbank replies that the Town can not do this since it is State Property. He can however request it from the State but makes no promises.

Julia Haverl asks about the Incentive Housing handout.

Eric Anderson explains what it is about

Discussion between Eric Anderson and Jeff Maguire on the POCD.

Agenda Item 22: Next Board of Selectman Meeting Monday May 10, 2016

Agenda Item 23: Adjourn

Julia Haverl Motions to adjourn at 9:45 PM

Robert Burbank Seconded

Motion Passed/Unanimous

Minutes respectfully submitted by: Sandra Nichols

All attachments are filed with the official copy of the minutes in the office of the Town Clerk. Unofficial copies of the minutes are posted on the Town of Andover Web site

www.andoverct.org