

**Town of Andover**  
Board of Selectmen  
Monday, March 9, 2020 at 7:00 P.M.  
Town Hall Community Room, 17 School Road

Regular Meeting Minutes

1. Call to Order/Pledge of Allegiance

First Selectman Jeff Maguire called the Regular Meeting to order at 7:04 P.M.

The Pledge of Allegiance was recited.

Members Present: Jeff Maguire, Adrian Mandeville, Scott Person, Jeff Murray, Paula King

Town Administrator: Eric Anderson

Board Clerk/Administrative Assistant: Amanda Gibson

Assessor: John Chaponis

Sign-in Sheet: **\*See included.**

2. Public Speak

Dianne Grenier: Hosted the kickoff meeting for the 175<sup>th</sup> Anniversary Celebration in 2023. She requested for the Board of Selectmen to appoint a committee to organize the event and provided a list of 7 interested members.

Joanne Hebert: Shared various feelings regarding the proposed budgets for the town and RHAM, and questioned why the Andover Elementary School proposed budget was not posted.

3. Additions/Deletions to the Agenda

Jeff Maguire MOVED to approve the following 3 additions to the agenda: 5c. 175<sup>th</sup> Anniversary Celebration Committee, 8g. COVID-19 Preparation, 8h. Conservation Commission Litter Walk on Saturday, April 18<sup>th</sup>

Paula King SECONDED

MOTION CARRIED 5:0:0

4. Assessor's Report

a. Revaluation Services RFP

Assessor John Chaponis requested for the Town of Andover to choose Vision Government Solutions as the vendor for the Assessor's Office revaluation services.

Adrian Mandeville MOVED to accept the Vision Government Solutions bid for \$77,500 and allow the Town Administrator to enter into the contract.

Scott Person SECONDED

MOTION CARRIED 5:0:0

5. Board and Commission Presentations and Appointments

a. BOE Shared Educational Services Committee

Paula King attended the initial meeting and shared that the committee is waiting for information from Andover Elementary School regarding list of current contracts and grants. The committee is also searching for the school charter to determine restrictions.

b. BOS Community/Senior Center Building Committee

Jeff Murray announced that the initial meeting is scheduled for Wednesday, April 1<sup>st</sup> at 7:00 P.M. in the Town Hall Community Room.

c. 175<sup>th</sup> Anniversary Celebration Committee

Jeff Maguire MOVED to appoint the following members to the committee for an 18-month term: Linda Armstrong, Barbara Coli, Shirley DeFlaviis, Catherine Magaldi-Lewis, Caren Osborne, Cathy Palazzi, Tina Wilsey.

Scott Person SECONDED

MOTION CARRIED 5:0:0

6. Town Administrator's Report

Eric Anderson provided his monthly report. **\*See included.**

The Board of Finance requested to transfer the volunteer firefighter physicals from the town budget back into the Fire Department budget.

Eric Anderson will present Street Scan information on town road projects at the Board of Selectmen Regular Meeting on Monday, April 13, 2020 at 7:00 P.M. in the Town Hall Community Room.

Adrian Mandeville requested plans for the electrical work at the Transfer Station.

Eric Anderson provided a written letter from the Town Attorney Dennis O'Brien Re: Opinion regarding Board of Selectmen/Board of Finance authority to transfer dormant specially purposed capital improvement fund balances to a special Building Maintenance Fund. **\*See included.**

7. Old Business

Discuss and act upon the following:

a. Town's Personnel Policies

Eric Anderson shared that the Town Attorney Dennis O'Brien is reviewing the draft document.

b. Community Connectivity Grant

This is an ongoing project.

c. Potential establishment of a combined Financial Department

Eric Anderson provided the Board of Selectmen with a draft of the job description for the positions.

d. Recap of Proposed Budget FY 2020-2021

The Andover Elementary School Board of Education will be sharing their proposed budget to the Board of Finance in the near future. Region 8 RHAM is presenting their proposed budget at the Board of Finance Regular Meeting on Wednesday, March 25, 2020 at 7:00 P.M. in the Town Hall Community Room.

8. New Business

Discuss and act upon the following:

a. Meeting Date for the dedication of the Historic District sign

Town Historian Scott Yeomans received a historic district sign through a grant to mount on town property on the corner of Monument Lane and Route 316.

Jeff Maguire MOVED to schedule the Andover Historic District sign ceremony on Saturday, May 2, 2020 at 12:00 P.M. in conjunction with the Andover Museum and the Historical Society.

Paula King SECONDED

MOTION CARRIED 5:0:0

b. Email Provider (0365?)

Town Administrator Eric Anderson to discuss the possible transition to Office 365 with the town's IT tech Dave and share findings at the next Board of Selectmen Regular Meeting.

c. Eversource Tree Work

Provided in the Town Administrator's Report.

d. Bond Funded Grant 2020

e. Annual Report 2018-2019

Amanda Gibson shared that the town's annual report is almost complete, pending receiving a few more commissions' reports and the town audit report.

f. Events Permits Applications:

i. Saturday, August 29<sup>th</sup> RiMaConn Relay: Waiting for more information from the organizers.

g. COVID-19 Preparation

Eric Anderson shared that the state's goal is to slow down the rate of the total infection and mitigation is the new protocol, taking care of the sickest and most vulnerable of the population. The state has cancelled all out of state travel for all employees and advises others to do the same. He was invited to the Eastern Highlands Health District meeting at the Mansfield Community Center on Friday, March 13<sup>th</sup> for town officials and emergency management. He asked the town to consider cancelling the senior trip scheduled for Tuesday, March 17<sup>th</sup> at the Aqua Turf Club in Plantsville, CT as the seniors must inform the organizers by this Friday, March 13<sup>th</sup>.

Adrian Mandeville MOVED that the Board of Selectmen advise the senior trip be cancelled provided the severity of the COVID-19 virus.

Jeff Murray SECONDED

Discussion: Members discussed that since the trip is funded mainly by the attendees, it should be the decision of the seniors.

Adrian Mandeville MOVED to revise the original motion for the Municipal Agent Roberta Dougherty to contact all attending seniors to inform them of the risks involved, that it is their own decision and they must decide prior to Friday.

Jeff Murray SECONDED

MOTION CARRIED 5:0:0

Eric Anderson shared that AES is considering the potential actions of closing the school for a period of time and Principal Briody is putting measures in place for online learning during the break.

h. Conservation Commission Litter Walk on Saturday, April 18<sup>th</sup>

Chair Mike Palazzi provided initial plans for the annual litter walk hosted by the Conservation Commission. The event will utilize the Town Hall Community Room and Public Library parking lot to host the event. Jeff Murray suggested a rain date.

9. Approval of Meeting Minutes

a. Approval of Monday, February 10, 2020 Regular Meeting Minutes

b. Approval of Monday, February 24, 2020 Special Meeting Budget Workshop Minutes revised

Paula King MOVED to approve the Monday, February 10, 2020 Regular Meeting Minutes and the Monday, February 24, 2020 Special Meeting Budget Workshop Minutes revised.

Adrian Mandeville SECONDED

MOTION CARRIED 4:0:0

10. Treasurer's Report

- a. Revenue Summary – provided.
- b. Town Budget Summary – provided.
- c. Town Aid Road (TAR) Update – provided.
- d. Town Cash Report – provided.
- e. Tax Collections YTD – provided.
- f. Over Expenditure Report - provided.

11. Budget

- a. Transfers
- b. Refunds
- c. Over Expenditure Requests *\*See included.*

Adrian Mandeville MOVED to approve the Over Expenditure Request for budget line item 0313-420 Mowing and Grounds Care, additional amount requested \$5,000 for costs associated with the sprinkler system.

Paula King SECONDED

MOTION CARRIED 4:0:0 Jeff Murray abstained

Adrian MOVED to approve the Over Expenditure Request for budget line item 0301-390 Tree Work, additional amount requested \$4,000 for removal of trees at Athletic Fields.

Scott Person SECONDED

MOTION CARRIED 5:0:0

12. Tax Collector's Report

a. Refunds Requests

Jeff Maguire MOVED to approve the tax refund for the period ended March 6<sup>th</sup>, 2020.

Adrian Mandeville SECONDED

MOTION CARRIED 5:0:0

13. Department Reports

- a. Fire Department – provided.
- b. Resident State Trooper – provided.
- c. Town Clerk
- d. Building Department – provided.
- e. Assessor's Office – provided.
- f. Town Garage
- g. Transfer Station
- h. Library – provided.
- i. Senior Transportation – provided.
- j. Registrars – provided.

14. Resignations

Eric Anderson shared that Chair Robert Hamburger resigned from the Planning and Zoning Commission.

Susan England sent a letter requesting to be an Alternate Member. Susan was the former commission chair.

Paula King MOVED to accept the resignation of Chair Robert Hamburger from the Planning and Zoning Commission effective immediately.

Jeff Maguire SECONDED

MOTION CARRIED 4:1:0 Adrian Mandeville opposed

15. Correspondence – None.

16. Public Speak

Dianne Grenier: Expressed appreciation for the Community Voice Channel videotaping of the Board of Selectmen Regular Meetings, however, the audio needs to be improved.

17. Adjournment

Scott Person MOVED to adjourn the Regular Meeting

Paula King SECONDED

MOTION CARRIED 5:0:0

Jeff Maguire adjourned the Regular Meeting at 8:35 P.M.

Helpfully submitted by the Board Clerk/Administrative Assistant, Amanda Gibson. ~~Amanda Gibson~~

*Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.*

# SIGN IN SHEET

Town of Andover

Board of Selectmen

Monday, March 9, 2020 at 7:00 P.M.

Town Hall Community Room, 17 School Road

Regular Meeting Sign-in Sheet

1. Caren Osborne
2. Dianne Grenier
3. Joanne Hebert
4. Lance Goodwin
5. Kim Bodnar
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# **Town Administrator's Report**

## **For the Monday, March 9, 2020 BOS Regular Meeting**

February was a busy month. Here are some of the Highlights:

### **Corona virus**

There will be a meeting on March 13 at the Mansfield community center- community room from 9-11. This is a briefing on Eastern Highlands Health district response to COVID 19 response. If any BOS members want to attend, let me know. I invited the AES principal, Senior Services Coordinator and Emergency Coordinator to attend.

### **Town Hall and Employee**

#### **Building IT upgrade project**

Work is underway- The server Cabinet is installed downstairs. Lenco Electric was awarded the contract for rewiring, and the wiring is underway. Most equipment will arrive in the next 10 days.

I am getting a second quote on the VOIP part of the upgrade to see if we and the school can do it at the same time. Also talking Thursday with the Fire Department and David Hicks to Coordinate VoIP and data needs with them.

### **Town Attorney**

Town Attorney is working on the Personnel Policy. He has also given us a couple of legal opinions recently.

### **Accounting Software**

We still need to make a decision about software. I spoke with the accountant who does Sprague, and am trying to set up a meeting to discuss using QuickBooks with her. Probably will be mar 12 at noon. I have also discussed this with finance/ treasurers at Lisbon (Chris Maynard, town treasurer) and Canterbury (Michele Dimicco- finance director for Canterbury schools). In both cases the Town uses Quick books, but the school uses something else. Canterbury Schoolboard is switching to Efinance plus now from SunGard. They considered switching to QuickBooks, but ultimately decided it would not easily do what they needed.

Lisbon the school board gives the town a check register every 2 weeks, and the book keeper manually enters in all the checks into QuickBooks, Monthly the treasurer and school finance director review and reconcile the towns books to make sure the town and school match.

I would note that all the schools I talked to use QuickBooks for their student activity funds.

I might have found a Charter School (Integrated Day Charter School) in Norwich that uses QuickBooks. I will reach out to them also.

We are trying to schedule a meeting of the financial software review committee to discuss the software packages we have already looked at, and plot our next steps.

### **Job description for the Finance Director Position**

I have an initial job description for a finance director that I have circulated. Additionally, Laura has given us a complete description of her responsibilities for the school.

### **Website**

New website design underway with Civic Plus. Website committee meets on March 11. Hope to launch in about 3 months

### **Town Wide Communications**

Civic Ready Communication Platform is up and running we have an internal web list for town employees. We are working on expanding the capabilities. We plan to launch it town wide with the launch of the website

### **Budget stuff**

The Budget has been delivered to the Board of finance, and they met to discuss it on March 5<sup>th</sup>.

I met with the CEO's of the other RHAM towns and we discussed the RHAM Budget and the impacts to the towns.

I received a legal opinion on the creating and deleting of funds which I will forward to both boards once I get a final draft.

I should have final numbers from CIRMA early this week, we are locking into a fuel contract for heating oil and Diesel fuel for busses and town Vehicles.

BOF feels it would be smarter to put a line item in the Board of Fire Commissioners budget to cover fire Dept. Physicals.

Chief Mike also gave me description of what the physical for fire dept. members entails. Basically they get a DOT physical, plus a lung function test, plus another test for using SCBA, EKG, and the Fire Commission requires a drug screen also since they are not part of the towns random drug test program.

### **Infrastructure**

#### **Town Aid Road**

Town Aid Rd fund is still up in the air for bond funding. As many of you know the State is about \$187,000 behind in payments to the town

#### **LOCIP funding**

Locip funding if approved will be approximately \$60,000 available to Andover.

#### **Bridges and Culverts**

Brandon Hanfield was injured (broken neck) so I do not have any updates for you at this time. As far as I know he will recover. Analysis of our culvert projects will be delayed.

#### **Streetscan**

Work is in progress. Ed and I have had a web meeting with them. I Hope to have an initial plan to present to the BOS at the April Meeting with a proposed roadwork list, as well as a 5-10-year plan. We will try to coordinate this with the drainage work that needs to be complete

**Tree work-**

Eversource cleaned up the trees on the side of Long Hill Rd

4 Trees along the river next to the soccer trees have been removed.

**Transfer Station**

Working on transfer station rebuilding Project.

We need to submit RFP for the electrical work. We have a revised plan from Lenco that we will submit for RFP

Met with MG masonry about pouring pads for electrical work, revised compactor location as well as under the new shed. It is probably easier at this time to do the whole slab in the blue shed (per conversation with MG.

I also got a reinforcement schedule from Gerry Hardisty for the slabs.

We also met with atlas concrete and we are pricing several wall replacement options, and hope to make a decision shortly

**Energy Efficiency**

Met with Eversource re EE upgrades. As a first step I am going to use a program that energize Ct runs with UCONN to benchmark the energy usage of our buildings.

**Town Garage**

MG masonry will send me a new quote for filling in the holes in the outside walls of the garage, not including the side door.

I also have a quote for adding an exterior door at the rear of the building from MG.

Lenco is still working on a plan for the required electrical upgrades for the Garage to become code compliant.

If we do get through March and early April, I will shift some of the funds in the overtime and sand/salt budget into building maintenance to work off some of the priorities.

Cheers,

Eric Anderson

Andover Town Administrator



# Attorney Dennis O'Brien

120 Bolivia Street, Willimantic, Connecticut 06226 Tel (860) 423-2860 Fax (860) 423-1533

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March 4, 2020

Mr. Eric Anderson  
Town Administrator  
Town of Andover  
17 School Road  
Andover, CT 06232

**Re: Opinion regarding Board of Selectmen/Finance authority to transfer dormant specially purposed capital improvement fund balances to a special building maintenance fund.**

Dear Eric:

You recently informed me as town attorney of the existence of **four separate capital project funds** maintained by the Town which are virtually dormant while containing **fund balances** that the Selectmen and Board of finance may wish to use for other related and necessary purposes.

The Government Accounting Standards Board (GASB), an independent private sector organization located in Norwalk, CT, has noted that "Most simply, **fund balance** is the difference between assets and liabilities in a government fund." Moreover, "**Capital project funds** [like these four] track the accumulation and use of resources for constructing, acquiring, and **rehabilitating capital assets, such as buildings and roads.**" (emphasis added).

Our four dormant **capital project funds** and their approximate **fund balances** are the new library fund (\$181,000.00), the public works building fund (\$20,000.00), the Andover Elementary School expansion fund (\$8,500.00), and the town garage fund (\$20,000.00).

Apparently, all money in these four funds, a total of approximately \$230,000, was **legally and officially appropriated** by the Town of Andover via the Annual Town Budget Meeting and Referendum required by Section 803 of the Charter of the Town of Andover. No dollars contained in any of the subject funds originated from any source other than local taxation.

The very specific purposes for which these four funds were created have apparently been either fulfilled or abandoned. You have asked me to determine whether the chief elected officials of the Town of Andover government, namely, the Boards of Selectmen and Finance, have the legal authority to transfer the balances of these previously appropriated funds to a new **building maintenance fund** to be expended by the two boards for capital improvements to town buildings as needed and as they see fit in the best interests of the townspeople.

Mr. Eric Anderson  
Town Administrator  
Town of Andover  
March 4, 2020  
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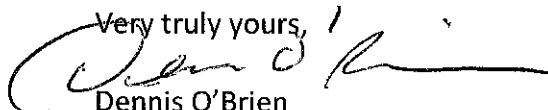
To begin, the board action you have proposed is **not a "supplemental appropriation"** controlled in some detail by Section 805 of the Town Charter. Section 105 of the Charter, "Definitions," provides that "'Supplemental appropriation' shall mean an appropriation that is **in addition to the total amount of the budget** at any given point in time. It is not a transfer within or between departments." The funds sitting in the subject **four fund balances were previously legally and officially appropriated** by the Town via the Annual Town Budget Meeting and Referendum required by Section 803 of the Charter of the Town of Andover.

Section 1005 of the Town Charter, "**Continuation of Appropriations and Town Funds,**" provides that "All appropriations approved and in force, and **all funds**, including special or reserve funds in the name of the Town, at the time of the adoption of this Charter, **shall remain in full force and effect unless and until the same shall be amended, transferred or abolished by the Board of Selectmen under the provisions of this Charter.**" (Emphasis added).

The upshot is that it is the law of the Town of Andover, as set forth in the Town Charter duly enacted and recently amended (implemented July 1, 2017, by Charter Section 1011) per the Connecticut Home Rule Act, Chapter 99 of the Connecticut General Statutes, that **the Board of Selectmen, the executive authority of the Town** per General Statutes section 7-12 and Charter Section 402, and thereby provided with authority and control of **previously appropriated fund balances** like those remaining in the four dormant **capital project funds**, may, **pursuant to Charter Section 1005, by resolution of the Board of Selectmen**, abolish the funds and transfer their contents to a new **capital project fund called the building maintenance fund**, whose purpose is limited to capital improvements to town buildings as needed by the Town.

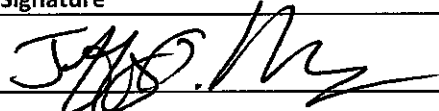
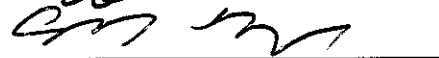
If the **four fund balances** whose funds were previously appropriated by town meeting and referendum pursuant to Charter Section 803 are in fact transferred to a newly created **building maintenance fund** by resolution of the Board of Selectmen, the funds may then be utilized by the Boards of Selectmen and Finance to maintain town buildings as needed per the applicable Town Charter sections **without the need for repeated resort to the Section 803 processes.**

Please provide copies of this opinion to the members of the Board of Selectmen and Board of Finance, and let me know if you need any more from me on this.

Very truly yours,   
Dennis O'Brien  
Town Attorney

Town of Andover, Connecticut  
Board of Finance  
Request for Overexpenditure of Budget Appropriation

Budget Account #	Account Description	Original Budget	Additional amount requested	Comments
0301-390	Tree Work	\$10,000	\$4,000	Removal of trees at Athletic Fields

Approval	Name	Signature	Date
Dept Head/Board or Commission Chair	JEFF MAGUIRE		03.09.20
Town Administrator up to \$2,000	Eric Anderson		3-2-2020
Board of Selectmen \$2,001 to \$5,000	Meeting date:		
Board of Finance in excess of \$5,000.00 after BOS approval	Meeting date:		

Town of Andover, Connecticut  
Board of Finance  
Request for Overexpenditure of Budget Appropriation

Budget Account #	Account Description	Original Budget	Additional amount requested	Comments
0313-420	Mowing & Grounds Care	\$14,000	\$2,000	Costs associated with sprinkler system
0313-420	Mowing & Grounds Care	\$14,000	\$5,000	Costs associated with sprinkler system

Approval	Name	Signature	Date
Dept Head/Board or Commission Chair	N/A <i>JEFF MANN</i>	<i>[Signature]</i>	3.09.20
Town Administrator up to \$2,000	<i>Eric Andrus</i>	<i>[Signature]</i>	3-2-2020
Board of Selectmen \$2,001 to \$5,000	Meeting date:		
Board of Finance in excess of \$5,000.00 after BOS approval	Meeting date:		