

STATE OF CONNECTICUT – COUNTY OF TOLLAND INCORPORATED 1786

TOWN OF ELLINGTON

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DAVID E. STAVENS Deputy First Selectman

MELINDA M. FERRY MICHAEL B. MADRU JAMES M. PRICHARD RONALD F. STOMBERG JOHN W. TURNER

LORI L. SPIELMAN First Selectman

BOARD OF SELECTMEN Monday, February 13, 2023 Nicholas J. DiCorleto, Jr. Meeting Hall and via ZOOM Conferencing

### **MINUTES**

SELECTMEN PRESENT:Lori Spielman, David Stavens, Melinda Ferry, John Turner, Michael<br/>Madru, Ronald Stomberg, James PrichardOTHERS PRESENT:Walter Lee, Emergency & Risk Management Director; Tiffany<br/>Pignataro, Finance Officer/Treasurer; Peter Hany, Sr., President,<br/>Ellington Volunteer Ambulance Corps (EVAC); Ken Radziwon,<br/>Director, Perry Dikeman, \*Sam Saunders, Department of Public Works<br/>(DPW); Michael Purcaro, Chairman, \*Peg Busse, Board of Finance;<br/>Brian Greenleaf, Director of Finance and Operations, Ellington Public<br/>Schools; James York, Fire Marshal; \*Jack Rich, II, Chief, Robert Smith,<br/>Ellington Volunteer Fire Department (EVFD); \*Sgt. Brian Santa,<br/>Resident State Troopers' Supervisor; \*Sue Phillips, Hall Memorial<br/>Library Director; \*Jen Dzen, Chairman, Board of Education; Tom<br/>Palshaw

\*Attended via ZOOM

- I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE: The Board of Selectmen (BOS) meeting was called to order at 6:30 p.m. The Pledge of Allegiance was recited.
- II. CITIZENS' FORUM [non-agenda items]

Tom Palshaw, 120 Pinney Street, brought up a perceived discrepancy that he had noticed between the Town Administrator job description and the Town Charter in terms of executive leadership of the Town in the temporary absence of the First Selectman. First Selectman Spielman stated that this would be looked into and clarified appropriately.

# III. APPROVAL OF MINUTES

A. January 9, 2023 Regular Meeting

MOVED (TURNER), SECONDED (STAVENS) AND PASSED [AYE: STAVENS/FERRY/ PRICHARD/ TURNER/MADRU; ABSTAIN: STOMBERG] TO APPROVE THE JANUARY 9, 2023 REGULAR MEETING MINUTES.

B. January 10, 2023 Special Town Meeting MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO APPROVE THE JANUARY 10, 2023 SPECIAL TOWN MEETING MINUTES. C. January 23, 2023 Capital Improvements Deliberations MOVED (TURNER), SECONDED (STAVENS) AND PASSED [AYE: STAVENS/ PRICHARD/TURNER/ STOMBERG/MADRU; ABSTAIN: FERRY] TO APPROVE THE JANUARY 23, 2023 CAPITAL IMPROVEMENTS DELIBERATIONS MINUTES.

IV. UNFINISHED BUSINESS: There was no unfinished business to discuss.

V. NEW BUSINESS

A. Tax Refunds/Abatements

MOVED (TURNER), SECONDED (STOMBERG) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$41,159.07 AS RECOMMENDED BY THE TAX & REVENUE COLLECTOR AND AS SPECIFIED IN THE REFUNDS/ABATEMENTS STATEMENT DATED FEBRUARY 2023 [ATTACHED].

B. Re-establish Ad Hoc Emergency Services Committee MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO RE-ESTABLISH THE AD HOC EMERGENCY SERVICES COMMITTEE FOR ONE YEAR TO FEBRUARY 29, 2024.

C. Tax Relief for Seniors

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO REVISE THE MOTION MADE AT THE NOVEMBER 14, 2022 REGULAR BOARD OF SELECTMEN MEETING TO INCLUDE THE STUDY OF OTHER OPTIONS AND TO REVIEW THE PROPOSED ORDINANCE.

D. Youth Services Director Position

1. Resignation – Diane Lasher-Penti, Youth Services Director MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO ACKNOWLEDGE THE RESIGNATION OF DIANE LASHER-PENTI, YOUTH SERVICES DIRECTOR, EFFECTIVE FEBRUARY 9, 2023, WITH APPRECIATION FOR ALL THAT SHE HAS DONE FOR THE TOWN YOUTH OVER HER MANY YEARS OF SERVICE, DELIVERING PROGRAMS AND COUNSELING SERVICES TO THE CHILDREN AND STUDENTS OF ELLINGTON.

2. Approval of Job Description Revisions

It was clarified that despite the removal of in-house counseling from the job description, counseling services would still be available, just administered in a different manner. First Selectman Spielman stated that both legal opinions that the Town received recommended splitting the counseling aspect out of the position; she also shared that there are quite a few external counseling services in the area that can be utilized and referred to. Ms. Ferry shared her disappointment in moving in this direction.

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO APPROVE THE PROPOSED REVISIONS TO THE YOUTH SERVICES DIRECTOR JOB DESCRIPTION, AS RECOMMENDED BY THE FIRST SELECTMAN. 3. Authorization to Fill Full-Time Position MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO FILL THE FULL-TIME YOUTH SERVICES DIRECTOR POSITION.

E. WPCA Technician/Maintainer I Position – Department of Public Works1. Approval of Job Description Revisions

Mr. Stavens confirmed with Mr. Radziwon that the amended job description reflected the reasoning included within the provided memo. Mr. Radziwon stated that it did, and went on to share the reasoning behind the proposed changes, mainly the desire to attract a larger candidate pool, by utilizing more fundamental qualifications for the position. Mr. Turner asked if this vacancy would be open to both current employees and the public; Mr. Radziwon stated that the position would be posted for both internal and external candidates to apply.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO APPROVE THE PROPOSED REVISIONS TO THE WPCA TECHNICIAN/ MAINTAINER I JOB DESCRIPTION, AS RECOMMENDED BY THE DIRECTOR OF PUBLIC WORKS.

2. Authorization to Fill

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO FILL THE FULL-TIME WPCA TECHNICIAN/MAINTAINER I POSITION.

F. DPW 2009 Ford Crown Vic – Approval to Auction MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SEND THE DPW 2009 FORD CROWN VIC TO AUCTION.

G. Town Administrator – Authorization to Fill Full-Time Position Ms. Ferry asked about the process of implementing this position. First Selectman Spielman stated that a panel would be put together to review the applications that are received, likely made up of other Town Administrators and Town Managers. Mr. Stavens clarified that this approval is simply to advertise the position.

MOVED (TURNER), SECONDED (STOMBERG) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO FILL THE FULL-TIME TOWN ADMINISTRATOR POSITION.

H. Waiver of Bid – ARPA: Purchase of DPW Pickup and DPW Staff Vehicle Mr. Radziwon provided the BOS with a more recent quote, which included the addition of rustproofing and a bed liner. Mr. Stavens asked about the \$5,000 "retail stock to fleet charge." Mr. Radziwon shared that there is a very particular manner in which ARPA funds can be used, and these particular vehicles needed to be pulled off of standards lots for the Town to procure them as fleet vehicles; he stated that the original State Bid value was honored as the starting point.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO WAIVE THE FORMAL BIDDING PROCESS AND UTILIZE THE STATE OF CONNECTICUT CONTRACT AWARD NUMBER 19PSX0161 TO PROCURE A DEPARTMENT OF PUBLIC WORKS PICKUP TRUCK AND STAFF VEHICLE. WAIVING THE BID PROCESS IS DUE TO THE SIGNIFICANT COST SAVINGS FOR THE TOWN, TIMELINESS OF THE CAPITAL NEEDS, AS WELL AS THE STATE OF CONNECTICUT CONTRACT ADHERING TO ALL APPLICABLE PROCUREMENT STANDARDS SET FORTH UNDER UNIFORM GUIDANCE.

# I. Earth Day Celebration

It was clarified that the 8:00 am to 3:00 pm time period included vendor set-up and breakdown of displays, and that the event itself would take place from 10:00 am to 2:00 pm.

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO GRANT THE REQUEST OF THE EARTH DAY CELEBRATION COMMITTEE TO HOLD THE 2023 EARTH DAY CELEBRATION ON THE TOWN GREEN ON SATURDAY, APRIL 22, 2023 BETWEEN 8:00 AM AND 3:00 PM INCLUDING SET-UP AND CLEAN-UP, TO BE COORDINATED WITH THE PUBLIC WORKS DEPARTMENT, PROVIDED ALL NECESSARY TOWN APPROVALS ARE OBTAINED. FURTHER RESOLVED, TO CLOSE CHURCH STREET DURING THE 2023 EARTH DAY CELEBRATION EVENT.

J. Ellington Volunteer Fire Department – Engine 243/ET 242

Mr. Smith shared that they have been watching the market for the past few months, and the vehicle that would be sold could go between \$15,000 and \$30,000, though some have been listed for as high as \$90,000. It's a difficult market right now, as there is a surplus of used fire trucks available. First Selectman Spielman asked about how the sale would impact the inspection schedule; Mr. Smith responded that inspections take place July through September, and the vehicle to be sold passed its latest inspections. Mr. Stavens commended the EVFD for noticing the opportunity to switch the newer vehicle into the spare fire apparatus role.

MOVED (TURNER), SECONDED (FERRY) AND PASSED [AYE: STAVENS/FERRY/ PRICHARD/STOMBERG/ MADRU; ABSTAIN: TURNER] TO AUTHORIZE THE ELLINGTON VOLUNTEER FIRE DEPARTMENT AND THE CRYSTAL LAKE FIRE DEPARTMENT TO RETAIN THE 2007 PUMPER TRUCK TO BE UTILIZED AS THE TOWN-WIDE SPARE FIRE APPARATUS, REPLACING THE 1991 PIERCE ARROW FIRE PUMPER (E243) CURRENTLY BEING UTILIZED. FURTHER, TO AUTHORIZE THE ELLINGTON VOLUNTEER FIRE DEPARTMENT CHIEF AND THE TOWN OF ELLINGTON FINANCE OFFICER/TREASURER TO DISPOSE OF THE 1991 PIERCE ARROW FIRE PUMPER WITH A KNOWN BROKER THAT HAS BEEN UTILIZED FOR PAST SALES.

K. Waiver of Bid – ARPA: Middle School Elevator Replacement MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO WAIVE THE FORMAL BIDDING PROCESS AND AWARD THE CONTRACT FOR THE BOARD OF EDUCATION MIDDLE SCHOOL ELEVATOR REPLACEMENT/ MODERNIZATION TO KONE, INC. LOCATED IN MOLINE, IL, NOT TO EXCEED \$95,000. WAIVING THE BID PROCESS IS DUE TO THE SIGNIFICANT COST SAVINGS FOR THE TOWN, TIMELINESS OF THE CAPITAL NEED, AS WELL AS KONE, INC. HAVING A CURRENT CONTRACT THROUGH A NATIONAL COLLABORATIVE BID PROGRAM, ADHERING TO ALL APPLICABLE PROCUREMENT STANDARDS SET FORTH UNDER UNIFORM GUIDANCE.

# L. EVAC Salary Adjustment Transfer FY 2022-23

MOVED (TURNER), SECONDED (STOMBERG) AND PASSED UNANIMOUSLY TO APPROVE THE TRANSFER OF \$7,679 FOR FY 2022-23 FROM ACCOUNT 1065 – SALARY ADJUSTMENT TO ACCOUNT 370 – ELLINGTON VOLUNTEER AMBULANCE TO COVER THE COST OF SALARY INCREASES, AS SPECIFIED IN THE SALARY ADJUSTMENT SCHEDULE, AS RECOMMENDED BY THE FINANCE OFFICER/TREASURER.

M. Draft Town Ordinances

1. Town Ordinance – Establish Special Revenue Fund – Opioid Settlement

Ms. Ferry asked what the amount was that the Town had received from the settlement; Ms. Pignataro shared that she would follow up with Rebecca Stack, Human Services Director, to get this information.

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO RECOMMEND ADOPTION OF THE SPECIAL REVENUE FUND – OPIOID SETTLEMENT, AS RECOMMENDED BY THE FINANCE OFFICER/TREASURER AND THE TOWN ATTORNEY.

a. Set Public Hearing

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO HOLD A PUBLIC HEARING ON MONDAY, MARCH 13, 2023 AT 6:30 PM IN THE NICHOLAS J. DICORLETO, JR. MEETING HALL, ELLINGTON TOWN HALL, TO ALLOW CITIZENS TO COMMENT ON THE SPECIAL REVENUE FUND – OPIOID SETTLEMENT ORDINANCE.

b. Set Town Meeting

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO HOLD A SPECIAL TOWN MEETING ON MONDAY, MARCH 13, 2023, IMMEDIATELY FOLLOWING THE PUBLIC HEARING SCHEDULED FOR 6:30 PM, TO DISCUSS AND VOTE UPON THE ADOPTION OF THE SPECIAL REVENUE FUND – OPIOID SETTLEMENT ORDINANCE.

2. Town Ordinance – Establish Special Revenue Fund – Recreation Donations

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO RECOMMEND ADOPTION OF THE SPECIAL REVENUE FUND – RECREATION DONATIONS, AS RECOMMENDED BY THE FINANCE OFFICER/TREASURER AND THE TOWN ATTORNEY.

a. Set Public Hearing

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO HOLD A PUBLIC HEARING ON MONDAY, MARCH 13, 2023 AT 6:30 PM IN THE NICHOLAS J. DICORLETO, JR. MEETING HALL, ELLINGTON TOWN HALL, TO ALLOW CITIZENS TO COMMENT ON THE SPECIAL REVENUE FUND – RECREATION DONATIONS ORDINANCE.

#### b. Set Town Meeting

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO HOLD A SPECIAL TOWN MEETING ON MONDAY, MARCH 13, 2023, IMMEDIATELY FOLLOWING THE PUBLIC HEARING SCHEDULED FOR 6:30 PM, TO DISCUSS AND VOTE UPON THE ADOPTION OF THE SPECIAL REVENUE FUND – RECREATION DONATIONS ORDINANCE.

# VI. ADMINISTRATIVE REPORTS

- A. Building Department
- B. Emergency Services
  - 1. Resident State Troopers' Office
  - 2. Ellington Volunteer Ambulance Corps
  - 3. Ellington Volunteer Fire Department
  - 4. Crystal Lake Fire Department
  - 5. Emergency & Risk Management Director

C. Fire Marshal: Mr. York shared a follow-up to his monthly report, sharing that during the investigation of the Crescent Circle car fire that took place 13 months ago, it was determined that the fire was set deliberately; recently, the responsible individual pled guilty to third degree arson.

- D. Hall Memorial Library
- E. Tax & Revenue Collector
- F. Town Planner
- G. Finance Department
- H. Human Services
- I. Youth Services
- J. Senior Center
- K. Recreation Department

#### VII. SELECTMEN COMMITTEE REPORTS

- A. Personnel Committee
  - 1. Resignations: None
  - 2. Appointments:

MOVED (PRICHARD), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO APPOINT MIRIAM UNDERWOOD TO THE AD HOC TAX RELIEF PROGRAM REVIEW COMMITTEE.

MOVED (PRICHARD), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO REAPPOINT GARY FELDMAN, SR., JACK RICH II, ROBERT EDWARDS, TIMOTHY SEITZ, PETER HANY, SR., BRUCE HOFFMAN, AND WALTER LEE TO THE AD HOC EMERGENCY SERVICES COMMITTEE TO SERVE ONE-YEAR TERMS ENDING FEBRUARY 29, 2024.

3. First Selectman's Salary Review – FY 2023-2024 MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO GO OUT OF AGENDA ORDER TO MOVE ON TO ITEM VII.B – TOWN POLICIES COMMITTEE UPDATE(S) – AND TO ADDRESS ITEM VII.A-3 – FIRST SELECTMAN'S SALARY REVIEW – FOLLOWING ITEM XI. EXECUTIVE SESSION.

This agenda item was taken out of order and discussion took place after Item XI. Executive Session.

a. Exempt Salary Range Review – Level E-9, First Selectman

i. Full-Time (July 1, 2023 to December 3, 2023)

Mr. Stavens shared that the Personnel Committee was recommending a 3% range increase.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO REVISE THE SALARY RANGE FOR THE FULL-TIME FIRST SELECTMAN'S POSITION (LEVEL E-9) AS FOLLOWS: MINIMUM RANGE \$84,826.68, MIDPOINT RANGE \$101,137.76, AND MAXIMUM RANGE \$117,450.90.

ii. Transition to Part-Time (December 4, 2023 to June 30, 2024)

Mr. Stavens shared that more information should be gathered prior to the discussion on this transition to a part-time First Selectman position; it's important that all relevant information is available prior to the political party caucuses so that potential candidates understand all aspects of the role, including compensation and potential benefits available.

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO TABLE DISCUSSION ON THE TRANSITION OF THE FIRST SELECTMAN POSITION TO PART-TIME TO A SPECIAL MEETING TO BE HELD AT APPROXIMATELY 7:15 PM ON MONDAY, MARCH 20, 2023, FOLLOWING THE FREEDOM OF INFORMATION ACT WORKSHOP SCHEDULED FOR 6:00 PM.

b. **EXECUTIVE SESSION:** For the Purpose of Discussing Personnel Performance

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION AT 7:47 PM FOR THE PURPOSE OF DISCUSSING PERSONNEL PERFORMANCE.

Present: David Stavens, Melinda Ferry, James Prichard, Lori Spielman, John Turner, Ronald Stomberg, Michael Madru

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO COME OUT OF EXECUTIVE SESSION AT 8:24 PM.

c. Set Salary for the First Selectman (July 1 – December 3, 2023)

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO SET THE SALARY FOR THE FULL-TIME FIRST SELECTMAN IN THE AMOUNT OF \$102,085.81, FOR THE PERIOD OF JULY 1, 2023 THROUGH DECEMBER 3, 2023.

B. Town Policies Committee

1. Update(s): Mr. Turner shared that this is still being worked out between Sgt. Santa and Attorney Famiglietti; he will reach out to for a status update.

#### VIII. SELECTMEN LIAISON REPORTS

EVFD: Mr. Turner shared that he had previously spoken on the recent Orchard Street fire, and wanted to further recognize the efforts of the responding fire departments, the Fire Marshal's Office, and the resources that were offered and utilized to bring this to a conclusion.

#### IX. FIRST SELECTMAN'S REPORT

- A. Staffing:
  - 1. New Hires
  - 2. Resignation/Retirement/Termination
    - Richard Daugherty, Maintainer I, Retirement
    - Diane Lasher-Penti, Youth Services Director
    - Aaron Virkler, EMT
    - Mark Balkan, Senior Center Van Driver
  - 3. Promotions/Transfers/Probations
    - Donna G. Hosey, CCTC, Town Clerk
    - Successfully Passed Probation:
      - ✓ Elizabeth Hoyt, EMT
      - ✓ Samuel Saunders, Refuse and Recycling Coordinator
- B. Other Mr. Turner shared that he attended the recent Open House event at The Barn Yard; it was well organized and well run, and it is a great business to have in Town.
- **CORRESPONDENCE:** None Х.
- XI. EXECUTIVE SESSION
  - A. To Discuss Privileged Communications Provided by Labor Counsel

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO ENTER INTO EXECUTIVE SESSION AT 7:12 PM FOR THE PURPOSE OF DISCUSSING PRIVILEGED COMMUNICATIONS PROVIDED BY LABOR COUNSEL.

Present: Lori Spielman, David Stavens, Melinda Ferry, James Prichard, John Turner, Ronald Stomberg, Michael Madru, Tiffany Pignataro, Michael Purcaro

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO COME OUT OF EXECUTIVE SESSION AT 7:36 PM.

# XII. ADJOURNMENT

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO ADJOURN THE REGULAR MEETING OF THE BOARD OF SELECTMEN AT 8:27 PM.

Respectfully submitted,

Julia ConnorLori L. SpielmanJulia Connor, Recording SecretaryLori Spielman, First Selectman

Amount	Name	Іах	UL YEar	GL Year Requesting Dept.	Keason
548.35	ACAR Leasing LTD	Mν	2021	Assessor	Registered to Lessee November 2021
46.19	Caso Roy R Jr	MV	2021	Assessor	Totalled August 2022
366.47	CCAP Auto Lease LTD	MV	2021	Assessor	Registered to Lessee November 2021
467.23	CCAP Auto Lease LTD	MV	2021	Assessor	Registered to Lessee February 2022
1,223.30	Corelogic Centralized Refunds (1 Abbott Rd Unit 7)	RE	2021	Тах	Overpayment
2,630.88	Corelogic Centralized Refunds (37 Grand Blvd)	RE	2021	Тах	Overpayment
2,508.52	Corelogic Centralized Refunds (12 Laurel Rd)	RE	2021	Тах	Overpayment
485.60	Harper Paul R	MV	2021	Assessor	Applied AOA Exemption
7,769.45	Kligfeld Adam + Havi (161 West Shore Rd)	RE	2021	Тах	Overpayment
37.50	Levesque Abiodun A	MV	2021	Assessor	Stolen November 2021
125.30	Maurer Roberta	MVS	2021	Assessor	Sold April 2022
449.48	Nissan Infiniti LT LLC	MV	2021	Assessor	Registered to Lessee October 2021
1,978.60	Peoples Bank (11 Buff Cap Rd)	RE	2021	Тах	Overpayment
5.39	Rachek John P	MVS	2021	Assessor	Paid in full on 2021GL
26.97	Rinaldi Neil J	MV	2021	Assessor	Sold August 2022
3 22,489.84	Three Seventy Four (374) Somers Rd Co LLC (368 Somers Rd)	RE	2021	Тах	Duplicate Payment

# TAX AND REVENUE COLLECTOR'S REFUND REPORT February 2023