



LORI L. SPIELMAN  
First Selectman

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

## BOARD OF SELECTMEN

Monday, September 11, 2023

Nicholas J. DiCorleto, Jr. Meeting Hall  
and via ZOOM Conferencing

## MINUTES

SELECTMEN PRESENT: Lori Spielman, David Stavens, Melinda Ferry, James Prichard, John Turner, Michael Madru

SELECTMAN ABSENT: Ronald Stomberg

OTHERS PRESENT: Matthew Reed, Town Administrator; Tiffany Pignataro, Finance Officer/Treasurer; Tom Modzelewski, Director, Sam Saunders, Perry Dikeman, Department of Public Works (DPW); John Rainaldi, Town Assessor; Peter Hany, Sr., President, Ellington Volunteer Ambulance Corps (EVAC); \*Susan Phillips, Director, Hall Memorial Library; \*Peg Busse, Board of Finance (BOF); Liz Nord, \*Miriam Underwood, Board of Education; Dale and Evin Roberson, Marcia Kupferschmid, Warren McGrath, Ad Hoc Committee for the Preservation of the Pinney House; Cynthia Soto, Jamie Boucher, Joseph Burns

*\*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]

Joseph Burns, 228 Windsorville Road, lives across from Windermere School, where a lot of construction is taking place. He shared a complaint about speeding on Windsorville Road and he does not feel that there is enough police presence to control traffic in the area. He also shared that the addition of construction vehicles has created more hazards.

### III. APPROVAL OF MINUTES

#### A. August 14, 2023 Regular Meeting

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO APPROVE THE MINUTES OF THE AUGUST 14, 2023 REGULAR MEETING.

#### IV. UNFINISHED BUSINESS

##### A. Board of Finance Recommendation – Daycare Tax Abatement

Mr. Stavens asked if this would be a permanent policy or a pilot program. Mr. Reed shared that the program is authorized for five years, though when that starts can be flexible if an eligible childcare center opens a year or two into the program, allowing them a full five years of abatement. He doesn't believe that the statute allows for renewal of the program after the initial five years. Mr. Turner asked if the five years started when the program was authorized by the State or if it starts when the program is adopted by the municipality; Mr. Reed answered that it is a five-year period for the individual taxpayer. Discussion was held on whether this program could be ended prior to the end of the five-year period. Mr. Madru feels that having a review period to assess the impacts of the program would be beneficial. Jamie Boucher, 319 Somers Road, asked what the Board of Finance had recommended. Mr. Reed stated that he believed the BOF had proposed an abatement of both the house and the property used in the operation of the childcare center, but to alleviate the burden on staff, the current proposal is a 50% tax abatement of the house only.

MOVED (TURNER), SECONDED (MADRU) AND PASSED [AYE: FERRY/PRICHARD/TURNER/MADRU; NAY: STAVENS] TO ADOPT THE FOLLOWING RESOLUTION:

BE IT RESOLVED THAT THE TOWN OF ELLINGTON, UPON PROPER APPLICATION, WILL ABATE 50% OF THE PROPERTY TAXES DUE FOR ANY HOME USED IN THE OPERATION OF A GROUP CHILD CARE HOME, LICENSED PURSUANT TO SECTION 19a-80 OF THE GENERAL STATUTES, OR A FAMILY CHILD CARE HOME, LICENSED PURSUANT TO SECTION 19a-87b OF THE GENERAL STATUTES, PURSUANT TO SECTION 13 OF PUBLIC ACT 22-81, PROVIDED THAT SUCH HOME IS OWNED BY THE PERSON HOLDING SUCH LICENSE. SUCH ABATEMENT SHALL APPLY TO THE HOME ONLY AND NOT THE SURROUNDING LAND OR ANY OTHER PERSONAL PROPERTY. SUCH ABATEMENT WILL TERMINATE AFTER FIVE CONSECUTIVE TAX YEARS OR UPON TERMINATION OF THE CHILD CARE LICENSE, WHICHEVER IS EARLIER.

BE IT FURTHER RESOLVED THAT SUCH ABATEMENT PROGRAM WILL BE MANAGED AND MONITORED BY THE TOWN ASSESSOR.

##### B. Ad Hoc Committee for the Preservation of the Pinney House – Update

Warren McGrath, 155 Windermere Avenue - Unit 1708, shared the activity that the Committee has undertaken since the last meeting. All grant/funding programs that the Committee has looked into would need to be managed by the Town or a 501(c)(3); the group does not actively hold this status. The only option for any immediate applications would be for the Town to be involved in the process. Mr. McGrath shared some obstacles that the Committee is facing during the remaining period they have been allotted at this time. He feels that there is a safety and security issue; the site has no electricity and continues to deteriorate, and he asked the Town to restore power to the site. He shared that several other organizations have steered the Committee in the direction of other potential grants. First Selectman Spielman asked if a long-term goal has been established; Mr. McGrath answered that restoration is the immediate goal, and that eventually the Committee would like to see the property used as an educational resource and museum. There is currently \$470 in an account under the 501(c)(3). Mr. Prichard asked how long it would take to restore this

status and asked when it lapsed; Evin Roberson responded that it lapsed earlier this year and needed to be refiled with the IRS, which has been done. Mr. Turner strongly recommended that this reinstatement should be the absolute priority so that the group can officially go about its business raising money and working towards other restoration efforts; he would be reluctant to commit Town funds before that happens. Discussion was held on the property's status as a historical site. Mr. Madru echoed the sentiments shared by other BOS members and asked for a detailed plan to be provided to the BOS prior to the October meeting, including records and formal documentation. Mr. Stavens would also like to see a strategic plan presented for the next BOS meeting.

#### C. Town Charter Review

First Selectman Spielman shared that there is a lot that goes into the Charter Review process, and she would like to put this off until after the election to allow any new BOS members to review this.

#### V. NEW BUSINESS

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA, UNDER NEW BUSINESS, ITEM P. EXPENDITURE REQUEST – OPIOID SETTLEMENT FUNDS.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA, UNDER NEW BUSINESS, ITEM Q. GENERATOR SERVICES CONTRACT.

#### A. Tax Refunds/Abatements

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$38,573.82 AS RECOMMENDED BY THE TAX & REVENUE COLLECTOR AND AS SPECIFIED IN THE REFUNDS/ABATEMENTS STATEMENT DATED SEPTEMBER 2023 [ATTACHED].

#### B. Modification of DPW Recycling/Refuse Position from Coordinator to Manager

##### 1. Approval of DPW Recycling/Refuse Manager Job Description and Reclassification to Exempt

Mr. Prichard asked what staff this individual would oversee; Mr. Modzelewski shared that the Recycling/Refuse Manager would supervise the Brush Dump Attendant and likely other part-timers and volunteers working the recycling shed and other recycling programs. The goal of these programs is to reduce overall tonnage and limit unnecessary items going into the trash.

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO APPROVE THE RECYCLING/REFUSE MANAGER JOB DESCRIPTION. FURTHER, TO APPROVE THE CLASSIFICATION OF THE POSITION AS EXEMPT LEVEL E-4.

#### C. Re-establish Ad Hoc Committees

##### 1. Diversity and Inclusion

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO RE-ESTABLISH THE AD HOC COMMITTEE ON DIVERSITY AND INCLUSION FOR ANOTHER YEAR TO SEPTEMBER 30, 2024.

## 2. Drug Free Graduation Party

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO RE-ESTABLISH THE AD HOC DRUG FREE GRADUATION PARTY COMMITTEE FOR ANOTHER YEAR TO SEPTEMBER 30, 2024.

### D. CRCOG Policy Board Membership – Town Administrator

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO APPOINT TOWN ADMINISTRATOR MATTHEW REED AS AN ALTERNATE MEMBER OF THE CAPITOL REGION COUNCIL OF GOVERNMENTS POLICY BOARD, REPRESENTING THE TOWN OF ELLINGTON.

### E. Approval of Job Description – Animal Control Officer Part-time (<19 hours/week)

Mr. Stavens asked about the nineteen-hour limit; Ms. Pignataro answered that this was based on the benefit eligibility threshold. Mr. Turner confirmed that this position was in line with all of the new police acts and requirements.

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO APPROVE THE ASSISTANT ANIMAL CONTROL OFFICER PART-TIME (UNDER 19 HOURS PER WEEK) JOB DESCRIPTION.

### F. Winterfest 2023

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO GRANT THE REQUEST OF THE WINTERFEST COMMITTEE TO HOLD THE 2023 WINTERFEST ON THE TOWN GREEN ON SATURDAY, DECEMBER 2, 2023 BETWEEN 3:45 PM AND 7:00 PM, INCLUDING SET-UP AND CLEAN-UP, FOR A TREE LIGHTING CEREMONY TO BE COORDINATED WITH THE PUBLIC WORKS DEPARTMENT, PROVIDED ALL NECESSARY TOWN APPROVALS AND STATE PERMITS ARE OBTAINED. FURTHER, THAT POLICE COVERAGE AND TWO SANI-CANS SHALL BE PROVIDED BY THE TOWN FOR THE WINTERFEST ACTIVITIES. FURTHER RESOLVED, TO CLOSE CHURCH STREET DURING THE 2023 WINTERFEST EVENT.

### G. Review of Personnel Rules & Regulations – Personnel Policies Committee

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO REFER THE TOWN OF ELLINGTON PERSONNEL RULES AND REGULATIONS TO THE PERSONNEL POLICIES COMMITTEE FOR REVIEW AND RECOMMENDATION TO THE BOARD OF SELECTMEN.

### H. Contract Renewals

#### 1. State of Connecticut – Resident Troopers

Mr. Madru confirmed that the number of Troopers is unchanged from prior years.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED THAT LORI SPIELMAN, FIRST SELECTMAN, BE AND HERewith IS AUTHORIZED TO EXECUTE A CONTRACT ON BEHALF OF THE TOWN OF ELLINGTON WITH THE CONNECTICUT DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, DIVISION OF STATE POLICE, FOR THE SERVICES OF FIVE (5) RESIDENT STATE TROOPERS FOR THE PERIOD OF JULY 1, 2023 TO JUNE 30, 2025.

## 2. Quality Data Service

Mr. Turner asked if this was a new company; Ms. Pignataro answered that the Town has been working with them and that this is a renewal.

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO AWARD THE TAX SOFTWARE CONTRACT TO QUALITY DATA SERVICE, INC OF WATERBURY, CT AS RECOMMENDED BY THE FINANCE OFFICER/TREASURER. THE TERM OF THE CONTRACT SHALL BE FOR ONE YEAR, EFFECTIVE SEPTEMBER 12, 2023, WITH THE TOWN HAVING THE OPTION TO RENEW FOR FOUR ADDITIONAL ONE-YEAR TERMS.

### I. Award Bid – Health and Benefits Brokerage Consulting Services

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO AWARD THE CONTRACT FOR HEALTH AND BENEFITS BROKERAGE CONSULTING SERVICES TO USI INSURANCE SERVICES, LLC OF MERIDEN, CT FOR THE TERM OF AUGUST 30, 2023 TO AUGUST 29, 2024 WITH THE OPTION TO EXTEND THE CONTRACT FOR FOUR ADDITIONAL ONE-YEAR PERIODS, AS RECOMMENDED BY THE INSURANCE ADVISORY BOARD, THE FINANCE OFFICER, THE FIRST SELECTMAN AND THE TOWN ADMINISTRATOR.

### J. Grant Acceptance – Local Transportation Capital Improvement Program, Windermere Avenue

Mr. Stavens asked if this was a different sidewalk project than Route 83, and Mr. Modzelewski responded yes, that this is one of three sidewalk projects in the queue. This project will include sidewalks from the Vernon town line on Windermere Avenue, by the new athletic fields that were recently built, connecting to CT-286 in the Gasek Farms area. Some drainage improvements will also be incorporated into project.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY THAT THE ELLINGTON BOARD OF SELECTMAN ENDORSE STATE PROJECT L047-0003 WINDERMERE AVENUE, WITH 100% OF RELOCATION CONSTRUCTION TO BE FUNDED UNDER THE LOCAL TRANSPORTATION CAPITAL IMPROVEMENT PROGRAM (LOTICIP) AND WITH 100% OF RELOCATION DESIGN/ENGINEERING TO BE FUNDED BY THE TOWN OF ELLINGTON.

### K. Senior Center Rental Agreement Termination

Mr. Prichard asked for the reasoning behind ending this rental practice. First Selectman Spielman and Mr. Modzelewski shared some of the justification behind the request; the rental fee does not justify the costs of off-hour staffing, things have gone missing or aren't left in good condition, and the Town cannot continue to subsidize these private events. Mr. Turner asked if Town agencies could continue to use this space for certain programs; Mr. Modzelewski said that the Senior Center will still be available for this purpose, under the advisement of Director Sheila Grady, and commented that Hall Memorial Library is available to hold programs as well. Mr. Modzelewski clarified that this termination was geared towards private events held by external entities.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO DISCONTINUE THE OPTION TO RENT THE ELLINGTON SENIOR CENTER FACILITY, AS RECOMMENDED BY THE DIRECTOR OF PUBLIC WORKS/WPCA ADMINISTRATOR.

#### L. FY 2022-23 Budget Transfers

It was confirmed that the transfer from the EVAC fund was to cover an overage in their operating budget.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO TRANSFER FY 2022-23 FROM THE FOLLOWING ACCOUNTS: 1010-CONTINGENCY \$200,000; 5106-AMBULANCE FEE FUND \$9,895; 950-INSURANCE \$50,048 TO THE FOLLOWING ACCOUNTS: 120-BOARD OF FINANCE \$1,242; 121-AUDITORS \$10,158; 150-TOWN COUNSEL \$15,265; 320-CRYSTAL LAKE FIRE \$16,512; 321-PUBLIC FIRE PROTECTION \$24,584; 331-POLICE SPECIAL DUTY \$7,491; 333-DARE \$1,107; 360-BUILDING DEPARTMENT \$215; 370-EVAC \$9,895; 451-MUN-SOLID/BULKY WASTE CURB \$59,852; 455-SANITARY RECYCLING \$43,388; 456-HOUSEHOLD HAZARDOUS WASTE \$3,227; 512-SUMMER PLAYGROUNDS \$35,059; 513-WATERFRONT \$2,654; 536-MINI-PROGRAMS \$2,234; 838-EVFD MAIN ST BUILDING \$259; 910-PAYMENT ON DEBT \$21,420; 920-INTEREST ON INDEBTEDNESS \$3,306; 1030-MISCELLANEOUS \$1,575; 1090-GIS \$500.

#### M. Budget Execution

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO APPROVE THE BUDGET EXECUTION FOR FISCAL YEAR 2023-24 AS PREPARED BY THE ASSISTANT FINANCE OFFICER/DEPUTY TREASURER.

#### N. Route 83 Sidewalk Appropriation

Mr. Madru commented that the memo referred to 29 easements that have already been signed, with nine remaining that are expected to be obtained in the coming weeks. He asked if the appropriation covered all 38, or just the nine that remain; Ms. Pignataro confirmed that this appropriation is inclusive of all 38 easements.

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO APPROPRIATE AN AMOUNT NOT TO EXCEED \$97,500 FOR UPFRONT COSTS FOR EASEMENTS ASSOCIATED WITH LOTCIP STATE PROJECT NO. L047-002 FROM THE UNDESIGNATED FUND BALANCE TO THE LOTCIP STATE EXPENDITURES ACCOUNT 410-60286, AS APPROVED BY THE BOARD OF FINANCE.

#### O. Pavement Management Services Agreement

Ms. Stavens asked about the scope of work included in the agreement. Mr. Modzelewski shared that this company is well known in municipal work, and that a scan of 106 road miles in Town will be performed to create a 3D digital twin of the roads, which will be useful for road preservation efforts and signage work, among other things. This would also allow DPW to come forward in the future with more solid data related to funding proposals. It was confirmed that this agreement came from the state bid list. Mr. Turner asked if this would encompass roadside hazards such as needs for barricades and guideposts. Mr. Modzelewski responded that it could, although that isn't the general scope of the project and that the analysis isn't going to be focused on that; this will also not identify any issues underneath the road surfaces. It was confirmed that this would only cover Town roadways. This would be a recurring project, with new scans being taken every five years; the Town will also be able to provide additional data to allow for better data and program development.

MOVED (TURNER), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO AWARD THE PAVEMENT MANAGEMENT SERVICES AGREEMENT TO BETA GROUP, INC OF LINCOLN, RI AS RECOMMENDED BY THE DIRECTOR OF PUBLIC WORKS AND FINANCE OFFICER/TREASURER. THE TERM OF THE CONTRACT SHALL BE FOR ONE YEAR, EFFECTIVE SEPTEMBER 12, 2023 WITHOUT THE OPTION TO RENEW.

P. Expenditure Request – Opioid Settlement Funds

MOVED (TURNER), SECONDED (FERRY) AND PASSED UNANIMOUSLY TO AUTHORIZE THE HUMAN SERVICES DIRECTOR TO EXPEND \$144 FROM THE OPIOID SETTLEMENT SPECIAL REVENUE FUND FOR THE PURCHASE OF A BANNER TO BE USED AT COMMUNITY OPIOID/FENTANYL AWARENESS EDUCATIONAL EVENTS.

Q. Generator Services Contract

Mr. Stavens asked about the total cost. Mr. Modzelewski shared that it came to roughly \$10,700 annually for the DPW and WPCA generators, not inclusive of Board of Education generators; they also hold a contract with the same company.

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO AWARD THE GENERATOR SERVICE CONTRACT TO F.M. GENERATOR, INC OF CANTON, MA AS RECOMMENDED BY THE DIRECTOR OF PUBLIC WORKS AND FINANCE OFFICER/TREASURER. THE TERM OF THE CONTRACT SHALL BE FOR ONE YEAR, EFFECTIVE SEPTEMBER 12, 2023, WITH THE TOWN HAVING THE OPTION TO RENEW FOR FOUR ADDITIONAL ONE-YEAR TERMS.

VI. ADMINISTRATIVE REPORTS

A. Building Department

B. Emergency Services

1. Resident State Troopers' Office
2. Ellington Volunteer Ambulance Corps: Mr. Turner mentioned the Stop the Bleed and CPR training being held with different groups in Town. Mr. Hany shared that he would like to get a training program started in the school system for members of the administration as well as graduating seniors. Mr. Turner shared that he had spoken with Walter Lee about the availability of AEDs, as there has been a lot in the news recently about younger folks suffering cardiac arrests. Discussion was held on the number and location of AEDs that are available during athletic events, both at the schools and within recreation programming, and whether AED training was available for participants. Mr. Hany confirmed that this training is occurring at all levels and is available to any groups that should need it.
3. Ellington Volunteer Fire Department: Mr. Turner reported that there had been one serious single family house fire in the past month, assisted by the Crystal Lake Fire Department. Mr. Stavens asked if these

departmental reports included the breakdown of calls that both agencies responded to, as it would be interesting to see that separated out to be able to analyze the cross-reporting.

4. Crystal Lake Fire Department
5. Emergency & Risk Management Director
- C. Fire Marshal
- D. Hall Memorial Library
- E. Tax & Revenue Collector: Mr. Turner referenced the note on the bottom of the report and was curious if the Town had any in-process litigation related to assessments. Ms. Pignataro responded that there is one active case that's been pushed; a hearing hasn't yet been held. She can follow up with Mr. Rainaldi.
- F. Town Planner
- G. Finance Department
- H. Human Services
- I. Youth Services
- J. Senior Center
- K. Recreation Department: Mr. Stavens shared complaints he had heard regarding the beach not being open over Labor Day Weekend; First Selectman Spielman noted that she had spoken about this with Dustin Huguenin to accommodate residents in future years. Discussion was also held about the tree removal at the beach and the master plan that is in the works for the beach area.
- L. Sustainable CT Bi-Monthly Report

## VII. SELECTMEN COMMITTEE REPORTS

### A. Personnel Committee

#### 1. Resignations:

MOVED (PRICHARD), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO ACKNOWLEDGE THE RESIGNATION OF BRETT PALMER FROM THE ETHICS COMMISSION.

#### 2. Appointments:

MOVED (PRICHARD), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO APPOINT DIANE HARDING TO THE HUMAN SERVICES COMMISSION TO COMPLETE AN UNEXPIRED TERM ENDING JANUARY 31, 2024, AS RECOMMENDED BY THE ELLINGTON REPUBLICAN TOWN COMMITTEE.

MOVED (PRICHARD), SECONDED (STAVENS) AND PASSED UNANIMOUSLY TO REAPPOINT BRIAN COCUZZO, LENORA WILLIAMS, RAMONA PUCHALSKI-PIRETTI, ANTHEA GROTTON, AND JULIANA BARBOSA TO THE AD HOC COMMITTEE FOR DIVERSITY AND INCLUSION FOR ONE-YEAR TERMS ENDING SEPTEMBER 30, 2024.

MOVED (PRICHARD), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO REAPPOINT MARY CARDIN AND RACHEL DEARBORN AS ALTERNATES TO THE PLANNING AND ZONING COMMISSION TO SERVE TWO-YEAR TERMS ENDING SEPTEMBER 30, 2025.



## B. Town Policies Committee

### 1. Whistleblower Policy

MOVED (TURNER), SECONDED (MADRU) AND PASSED UNANIMOUSLY TO ADOPT THE WHISTLEBLOWER POLICY [ATTACHED] AS RECOMMENDED BY THE TOWN POLICIES COMMITTEE AND THE FIRST SELECTMAN, AND AS REVIEWED AND REVISED BY THE TOWN ATTORNEY AND TOWN ADMINISTRATOR.

## C. Town Ordinance Committee

### 1. Property Tax Relief Program for Homeowners Age 70 and Over

Mr. Turner shared that a TOC Meeting was held earlier in the evening and identified some concerns brought forward by the Town Attorney and Town Administrator. This item has been tabled awaiting legal clarification. One of the main discussion points in the TOC meeting had been whether or not to add income limits to the program, which the Town has the authority to do. There is more work to do before this item comes forward, and the TOC is open to input.

Mr. Burns shared his belief that seniors in this Town deserve a break. Ms. Ferry stated that the ultimate goal is to develop an equitable and fair program that aligns with the state statute; Mr. Reed shared that this statute sets some standards that need to be abided by within the program.

VIII. SELECTMEN LIAISON REPORTS: There were no further reports shared.

## IX. FIRST SELECTMAN'S REPORT

### A. Staffing:

#### 1. New Hires

- Kimberly Winalski, EMT, Per Diem
- Courtney Spazzarini, Assistant Town Clerk, Per Diem
- Saxon Marselli, Lead Mechanic
- Aiden Ghirolli, EMT, Per Diem
- Olivia Alvesteffer, EMT, Per Diem
- Kylie Logan, EMT, Part-time

#### 2. Resignation/Retirement/Termination

- Jacob Christopher, Library Page, HML
- Anna Bahler, Library Page, HML
- Pamela Scarfo, EMT, Part-time

#### 3. Promotions/Transfers/Probations

- Jim Lockhart, Assistant Animal Control Officer from Part-time to Per Diem Status

B. Other: First Selectman Spielman shared that there is one citizen upset about golf carts traveling on the road to Ellington Ridge Country Club. Ms. Ferry asked how many carts there were that use the roadway; First Selectman Spielman thinks there may be four or five, but definitely fewer than ten. She is looking into a solution on this issue and just wanted to bring it to the attention of the other BOS members.

Mr. Madru shared that he wouldn't be surprised to see a group of residents from the Settlers Way/Old Country Lane area come forward with a series of complaints/requests for a noise ordinance, due to issues with one house in the area that plays very profane music all weekend. First Selectman Spielman commented that the topic of a noise ordinance has been brought up many times in the past but it has never gone anywhere. It was discussed that noise complaints are typically based on a decibel level of the noise over time, not necessarily the content of what's being played. Mr. Reed shared that in his experience in law enforcement, these types of complaints typically fall under the categories of creating a public disturbance, breach of peace, or disorderly conduct.

X. CORRESPONDENCE: No correspondence was discussed.

XI. ADJOURNMENT

MOVED (TURNER), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO ADJOURN THE REGULAR MEETING OF THE BOARD OF SELECTMEN AT 7:52 PM.

Respectfully submitted,

*Julia Connor*

Julia Connor, Recording Secretary

*Lori Spielman*

Lori Spielman, First Selectman

**TOWN OF ELLINGTON**  
**TAX AND REVENUE COLLECTOR'S REFUND REPORT**  
**September 2023**

V.A

Amount	Name	Tax	GL Year	Requesting Dept.	Reason
\$ 863.44	Ally Financial	MV	2022	Assessor	Sold to Lessee September 2022
\$ 27.49	Alqunaybit Gheed A	MV	2022	Assessor	Sold August 2023
\$ 65.64	Berube Nancy E	MV	2022	Assessor	Sold January 2023
\$ 138.51	Burns Doria L	MV	2022	Assessor	Sold December 2022
\$ 182.36	Cartisano Samuel J	MV	2022	Assessor	Stolen May 2023
\$ 142.40	Carver Gordon M + Jean L	MV	2022	Assessor	Registered in FL July 2023
\$ 11.26	Carver Jean L	MV	2022	Assessor	Registered in FL August 2023
\$ 263.09	Chase Auto	MV	2022	Assessor	Sold May 2023
\$ 414.19	Chase Auto	MV	2022	Assessor	Sold March 2023
\$ 1,605.76	Corelogic Centralized Refunds (1 Abbott Rd 175)	RE	2022	Tax	Overpayment
\$ 2,175.06	Corelogic Centralized Refunds (121 Orchard St)	RE	2022	Tax	Overpayment
\$ 2,668.20	Corelogic Centralized Refunds (3 Lanz Ln)	RE	2022	Tax	Overpayment
\$ 49.60	Corelogic Centralized Refunds (34 East Shore Rd)	RE	2020	Assessor	Clerical Error
\$ 51.02	Corelogic Centralized Refunds (34 East Shore Rd)	RE	2021	Assessor	Clerical Error
\$ 7,746.14	Corelogic Centralized Refunds (44 Pinnacle Rd)	RE	2022	Tax	Overpayment
\$ 8,332.84	Corelogic Centralized Refunds (44 Ridgeview Way)	RE	2022	Tax	Overpayment
\$ 4,815.55	Corelogic Centralized Refunds (6 Hemlock Trail)	RE	2022	Tax	Overpayment
\$ 6.65	Every Day Caregivers LLC	PP	2020	Tax	Overpayment
\$ 2,330.90	Gambardella Cipriano Gottlieb & Hathaway PC (9 Heather Rd)	RE	2022	Tax	Overpayment
\$ 480.08	Gjonbalaj Shehide	MVS	2021	Assessor	Total Loss December 2021
\$ 96.73	Gordin Oren	MV	2022	Assessor	Registered in SC June 2023
\$ 237.71	Griffith Brian R	MV	2022	Assessor	Registered in AZ June 2023
\$ 75.47	Griffith Brian R	MV	2022	Assessor	Donated December 2022
\$ 328.40	Griffith Brian R	MV	2022	Assessor	Total Loss December 2022
\$ 194.14	Hopperstad Cathy	MV	2022	Assessor	Registered in VA November 2022
\$ 433.99	Hyundai Lease Titling Trust	MV	2022	Assessor	Sold to Lessee November 2022
\$ 33.21	Johnnys AG Services LLC	MV	2022	Assessor	Sold August 2023
\$ 33.40	Johnson Steven C + Denise L	MV	2022	Assessor	Sold July 2023
\$ 171.61	Kaemmerlen Rachel I	MV	2022	Assessor	Total Loss December 2022
\$ 51.04	Kup S Inc	MV	2022	Assessor	Sold August 2023
\$ 1,609.53	Lereta LLC (10 Garnet Ln)	RE	2022	Tax	Error Made by Escrow Co
\$ 415.81	Ludwig Robert	MV	2022	Tax	Overpayment
\$ 52.85	Magoon Dennis B + Eve A	MV	2022	Assessor	Sold July 2023
\$ 10.51	Malley Erin K	MV	2022	Assessor	Sold July 2023
\$ 34.08	Moon Hwan	MV	2022	Assessor	Sold August 2023
\$ 181.19	Rusakova Elena A	MV	2022	Assessor	Registered in NC June 2023
\$ 8.50	Spielman Earl Cabin Hill Greenhouses	MV	2022	Assessor	Sold June 2023
\$ 109.23	Stewart Daniel C	MV	2022	Assessor	Sold October 2022
\$ 214.64	Terrill Haiden C	MV	2022	Assessor	Registered Out of State July 2023
\$ 522.44	USB Leasing LT	MV	2022	Assessor	Sold January 2023
\$ 636.87	VCFS Auto Leasing Co	MV	2022	Assessor	Sold May 2019
\$ 633.52	VCFS Auto Leasing Co	MV	2022	Assessor	Transferred to Lessee November 2022
\$ 118.77	VW Credit Leasing LTD	MV	2022	Assessor	Sold July 2023
<b>\$ 38,573.82</b>	<b>REFUND TOTAL FOR SEPTEMBER 2023</b>				

# TOWN OF ELLINGTON

## Policies & Procedures

### Whistleblower Policy

#### 1. Purpose

The Town of Ellington is committed to providing a workplace with high standards of business and personal ethics in the conduct of their duties and responsibilities. It is the policy of the Town of Ellington to require employees and public officials to report activities by any other employee or public official in the course of their official duties that they believe to be illegal, dishonest, unethical, or otherwise improper.

Further, it is the policy of the Town of Ellington that any employee or public official who makes such report or participates in the investigation of any such report be protected from retaliation in the form of discharge, discipline or other penalty or adverse employment action as the result of making a whistleblower report.

#### 2. Applicability

This policy is applicable to all employees and public officials, elected or appointed, with or without compensation, of the Town of Ellington and/or Ellington Board of Education.

#### 3. Definitions

A whistleblower, as used in this Policy, means any employee or public official of the Town who, in good faith, reports alleged inappropriate or illegal conduct of an employee or public official as it relates to their official duties for the Town.

Illegal or inappropriate activity, as used in this Policy, includes any of the following:

- Activity that is a violation, or suspected violation, of local, state or federal law, rule or regulation.
- Fraud.
- Theft.
- Malfeasance or misfeasance of state, federal or local resources, such as but not limited to misuse of Town funds, equipment or time.

- Activity that creates a substantial and specific danger to public health and safety.
- Gross mismanagement, gross waste of money, or gross abuse of authority as it relates to their official duties as a Town employee or public official.
- A violation of the Town's Code of Ethics.
- A violation of any of the Town's policies.

#### **4. Reporting Procedure**

If an employee or public official knows of, or has reason to believe that any actual or suspected inappropriate or illegal conduct is occurring or has occurred, they should report that conduct to any one of the following people:

- Their supervisor or manager; or
- Their department head, or the chair of the town board, agency or commission on which the public official serves; or
- The Town Administrator; or
- In the case of an Ethics Code violation, the Town's Ethics Commission.

Violations or suspected violations may also be submitted anonymously, in writing, to the Town Administrator or the Human Resources Director via the Town's tip-line established for such purposes. Such tip-line is accessible through the Town of Ellington's Website using the comments/complaints link: [www.ellington-ct.gov/complaint](http://www.ellington-ct.gov/complaint).

All reports must be alleged in good faith and assert reasonable grounds for believing that the information shared in the report indicates that there has been inappropriate or illegal conduct.

Any supervisor, manager, chair or department head who receives a report about alleged inappropriate or illegal conduct must immediately report it to the Town Administrator.

Should a report include an allegation of inappropriate or illegal conduct against the Town Administrator, the supervisor, manager, or department head must immediately refer the report to the Human Resources Director, who will then notify the First Selectman of the reported conduct.

Should a report include an allegation of inappropriate or illegal conduct against a Board of Education employee or public official, the report shall be referred to the Superintendent of Schools. Should a report include an allegation of inappropriate or illegal conduct against the Superintendent of Schools, the report shall be referred to the Chairperson of the Board of Education.

## **5. Investigation**

The Town shall take all reports of alleged inappropriate or illegal conduct seriously. All reports will be investigated promptly, impartially, and discreetly.

No employee or public official has the authority or responsibility for investigating any inappropriate or illegal activity, deciding fault, or determining correcting measures except as expressly provided herein.

Once a complaint is received, an investigation will be undertaken to determine if there is sufficient evidence to indicate that the alleged act has occurred. Typically, the Town Administrator will investigate such complaint; however, the Town Administrator may assign such investigation to another management staff member, or an outside entity based on the nature and character of the allegations made in the complaint.

Employees and public officials, whether they were the person initiating the complaint or not, have a duty and are obligated to participate in investigations when asked. Investigation of such matters will usually include conferring with the whistleblower, other involved parties, and interviews of any named or apparent witnesses. Additionally, a review will be conducted of any pertinent correspondence, including print or electronic messages, audio and/or video recordings and any other documentation deemed to be relevant to the allegations.

Where an investigation confirms that inappropriate or illegal conduct has occurred, the Town will promptly take corrective action. In all cases, the party against whom the complaint is made shall receive notice of the claims against them and be afforded the opportunity to rebut the allegations of the complaint before an impartial decision maker.

If it is determined that corrective action is appropriate, discipline up to and including discharge from Town service, banning from Town facilities or property, or other appropriate legal action may be initiated by the Town. Depending on the nature and severity of the offense or offenses, more serious discipline, up to and including termination, may be issued without lower levels of discipline having been issued. Discipline of employees will be issued in accordance with procedures outlined in the relevant collective bargaining agreements, or the Town's Personnel Rules as applicable.

## **6. Confidentiality**

Discretion is of utmost importance in these matters. Confidentiality and anonymity, however, cannot be guaranteed and information identifying employees and public officials who have made a report or participated in investigatory proceedings may surface. These matters will be handled as discreetly and respectfully as possible. Confidentiality will be maintained to the extent permissible under Connecticut Freedom of Information Act provisions. Certain documentation related to the report or investigatory proceedings may

be subject to disclosure in accordance with the Freedom of Information Act and other statutes governing such disclosure. Only documents or information required to be disclosed by state or federal law will be released to the requesting individual, agency, or other entity. Documentation will remain on file as required by state records retention requirements, after which time they may be destroyed upon approval by the Connecticut Public Records Administrator.

## **7. No Retaliation**

The Town strictly forbids retaliation against employees or public officials who meet the definition of “whistleblower” as provided in this Policy or who participate in internal or external investigations related to reports of alleged inappropriate or illegal conduct. The Town will not engage in any such retaliation, nor will it permit employees or public officials to do so. Any such action is a violation of this Policy and may also be a violation of state and federal laws, depending on the facts and circumstances. (See CGS 31-51m) Any such retaliatory action shall subject the employee or public official to disciplinary action, up to and including termination of employment.

Instances of retaliation may include, but are not limited to, termination, demotion, suspension, harassment, reduced compensation, changes in terms and conditions of employment, or any other adverse action taken for purposes of retribution or revenge.

Any person who feels he or she has been retaliated against due to having reported inappropriate or illegal activity and/or participated in investigatory proceedings related to the same, should report such retaliation in accordance with Section 4 of this Policy.

## **8. Resolution**

When the investigation is complete, the employee or public official who initiated the report will be informed, to the extent appropriate and allowable by law, of the results of the investigation.

## **9. False Reports**

All reports must be alleged in good faith and assert reasonable grounds for believing that the information shared in the report indicates that there has been inappropriate or illegal conduct. Any reporting party that fails to conform with this requirement shall not be afforded the protections of this Policy.

If the Town determines that a false report was made under this Policy, such action may subject the reporting party to disciplinary action, up to and including termination of employment, banning from Town facilities or property, or other appropriate legal action may be initiated by the Town. Depending on the nature and severity of the offense or offenses, more serious discipline up to and including termination may be issued without

lower levels of discipline having been issued. Discipline of employees will be issued in accordance with procedures outlined in their relevant collective bargaining agreements or the Town's Personnel Rules as applicable.

#### **10. Other Legal Rights**

This Policy is not intended to limit, diminish or replace any other right or remedy that an employee or public official may have under the law with respect to disclosing inappropriate or illegal conduct free from retaliation.

Effective Date: This policy shall be effective immediately and shall remain in effect until revised or rescinded.

BOS APPROVED: 9-11-2023