

## **SUBJECT TO APPROVAL**

**MEETING DATE:** MONDAY, SEPTEMBER 12, 2016  
8:00 A.M.

**MEETING PLACE:** JAMES MADISON ROOM (ROOM A) - TOWN CAMPUS

### **BOARD OF SELECTMEN MEETING MINUTES**

#### **8:00 a.m. Regular Session**

First Selectman Banisch called the Regular Session of Monday, September 12, 2016 to order at 8:00 a.m. Present were First Selectman Banisch, Selectman Goldberg, Selectman Hale, and Selectman Wilson. Selectwoman Walker was not present.

1. Pledge of Allegiance

First Selectman Banisch led the Pledge of Allegiance.

2. Approval of minutes

**MOVED** by Selectman Hale and seconded by Selectman Wilson to **APPROVE** the minutes of the Board of Selectmen Meeting held on August 22, 2016.

**VOTE:** This motion was approved unanimously.

3. First Selectman's Comments:

- a. Reserved for the close of the meeting.

4. Citizen Comments:

Resident Prue Arts stated that she has experience with the Guilford Senior Tax Relief process and that she has volunteered for different senior organizations throughout the Town of Madison and the surrounding areas. She therefore asked for a status of the Senior Tax Relief Program in the Town and noted concern over of the delay in instituting this Ordinance.

#### **NEW BUSINESS**

5. Presentation from the Library Board regarding the Scranton Library Referendum.

**DISCUSSION: The following statement was read into the record:**

My name is Beth Coyne I live at 39 Winter Hill Road. I am the President of the EC Scranton Memorial Library Board. Thank you so much for putting us on the agenda this morning. I'm here today with other board members and some library friends to share that the library board is eager and ready to bring a referendum for the renovation and expansion of our Town's library before the voters in Madison in early 2017, either late January or early February.

Libraries are a critical part of every community. They contribute greatly to the intellectual knowledge base in a town, by offering educational opportunities for all ages. They enrich our communities by providing meeting spaces for the exchange of ideas and learning. Libraries drive economic development by providing resources for small business owners, entrepreneurs and job seekers. Library users report when they visit their local library they also often patronize the local businesses nearby. Even members of the community who don't regularly use the public library benefit from the high quality programs, staff, and a commensurate building as they add value to all of our properties in town. Realtors will share that when people are looking for homes they evaluate the Public Services of the town including the library and schools. Sadly the size of our current library is well under the state guideline for a town of our size. The library board has what we believe to be a very strong proposal to enhance the current library and bring the EC Scranton Memorial Library up to the standards that people in Madison deserve.

We have been working with the architectural firm, Lerner, Ladds, Bartels for 2 years. We sent them back to the drawing board several times to cut back the proposed project until they shared the current set of plans. We feel this was the one that provided the town with what it needs in terms of current library usage and helps us grow in ways we see our patrons needing, though we cannot provide due to the lack of space. The project involves increasing the footprint of the library from 17,144 square feet to 37,189 square feet. This new space more than meets the state's minimum expectations by .5 square feet per capita ensuring that this is a library that Madison can grow with decades into the future. The cost of the entire project, including all of the administrative work and final furnishings is 14 million dollars. As of today 235 people, or about 116 households, have agreed that this Library is worth investing in and have donated 4.5 million dollars toward this project. That is 32% of the entire project. We need to come up with 68% or 9.5 million dollars to finish this project. We continue to look for donors and work with people who are interested in elevating that corner of Wall Street and Main Street to ensure that our historic EC Scranton Library remains the town jewel that we believe it to be. In fact I have packets for each of you today just in case you are interested in our naming opportunities.

We know that a budget-conscious board will see that as a large number, and unfortunately construction costs are what they are, but we respectfully suggest that a high-quality value-added property such as the library will only ensure that our downtown remains a vibrant and well sought after place to be for many on the shoreline. We would like to work with you to secure a date for our referendum and meet the timeline that you set forth, and also to secure the right question to put before the voters. If a vote took place today we would be asking the town to bond up to 9 million dollars or 64% of the total project. We will continue to fund raise in the months ahead and if we raise more we

will lower that ask of the town, as we have demonstrated we have been able to do over these last months. When this plan went before the CIP last winter you may recall we put forth an ask of the town of 12 million and happily share with you this morning that is not the number we need. Without cutting a single service or square inch we can provide the same renovation and expansion that the CIP sent forward then, but with a lower amount bonded.

I realize that today we will not get so far as to determine the exact bonded amount, but we would like to secure the steps that the Board of Selectman needs us to go through in order for you to set a referendum and answer any questions - if we can. These questions we believe will help us move forward and educate Madison voters.

Thank you.

Selectman Hale confirmed that the funding from the state library board was figured into the donations already received.

Selectman Goldberg stated that he was speaking on behalf of Selectwoman Walker as she was unable to attend this meeting. He then read aloud the following statement provided by Selectwoman Walker:

I am sorry that I am unable to attend today's meeting. I would like to have the record show that I believe we should approve the timeline for the Library renovation project that Stacy Nobitz sent to various members of BoS, CIP and BoF. We should make it our goal to secure the February 16th as the date for the referendum and ensure that the process proceeds as requested by the Library Board of Trustees. This organization has worked very diligently for the last eight years to come up with a solid plan for the Library expansion and renovation that is needed. I believe we should allow the requested amount to go to referendum and to let the voters of Madison to decide. The 11 elected officials that sit on BoS and BoF have not been part of the due diligence that Board of Trustees has gone through and should not purport to have a better understanding of what is required and what should be done for the Library.

Selectman Goldberg stated that he found the timeline provided by Town staff for a February referendum to be worthy of approval. He stated that he was satisfied that the project was ready to go to the voters as the process was well-documented. First Selectman Banisch stated that nothing was being delayed by not voting to approve the process today; the Library Board would be presenting to the Board of Finance this month and then the vote could happen at the next Board of Selectmen meeting. Ms. Coyne added that the Library Board would be inviting the Board of Selectmen and Board of Finance to tour the Library and review the proposed changes.

Selectman Hale stated that it was important for the public to know that the timeline is very extensive and that there are other boards that need to approve steps throughout the process. The Board of Selectmen agreed to include this item on the next meeting on September 26, 2016.

6. Review proposed Ordinance pertaining to Building and Building Regulations, Chapter 6 Articles I-VIII.

**DISCUSSION:** First Selectman Banisch stated that this and the ordinances in items 6-8 would be reviewed at a Public Hearing this evening. A statement from Selectwoman Walker was noted as follows:

I would like to have on the record that I agree with the changes to the ordinances that have been presented. I am disappointed that a Senior Tax relief ordinance is not in front of us at this time. I hope that this can come before by our next meeting so that it is in place for the next budget cycle.

7. Review proposed Ordinance pertaining to the Fire Prevention and Protection, Chapter 8, Article III.

**DISCUSSION:** First Selectman Banisch stated that this and the ordinances in items 6-8 would be reviewed at a Public Hearing this evening..

8. Review proposed Ordinance pertaining to the Fire Prevention and Protection, Chapter 8, Article III.

**DISCUSSION:** First Selectman Banisch stated that this and the ordinances in items 6-8 would be reviewed at a Public Hearing this evening.

9. Discuss and take action to call a Special Town Meeting on **Thursday, October 13, 2016 at 6:00 p.m.** in the auditorium at Polson Middle School. The purpose of this meeting is to:

1. To consider and take action on a Special Appropriation in the amount of **\$800,000** to purchase the LeSage Property at 351 Copse Road.

**DISCUSSION:** First Selectman Banisch stated that this was the purchase price that the Board of Selectmen had suggested to move along negotiations and that this price had been agreed to during negotiations.

**MOVED** by Selectman Hale and seconded by Selectman Wilson to **APPROVE** calling a Special Town Meeting on Thursday, October 13, 2016 at 6:00 p.m. in the auditorium at Polson Middle School.

**VOTE:** This motion was approved unanimously.

10. Discuss and take action to approve changes in Major Roads Capital Fund description, pending Board of Finance Approval.

**DISCUSSION:** First Selectman Banisch stated that there were a number of roads listed under the CIP last year and the new Public Works Director has made modifications to

these suggestions. Selectman Hale stated that it make sense since the modifications include more roads.

Selectman Goldberg read aloud the following statement from Selectwoman Walker:

I would like to have on the record that I disagree with the changes to the language for the Major Road reserve fund. Mill and Overlay has always been a part of the Highway department's Operating budget for Paving and Maintenance – there are two accounts for this type of Road maintenance. Reclamation and Reconstruction has always been part of Capital Improvement.

We as a Board need go back to the Pavement Management Program. It was commissioned through a grant to have an independent Agency review and assess the conditions of all roads in Madison. It gave recommendations for the type of Repair and the estimated cost at the time.

The list of roads that was approved by the CIP, BoS, BoF and by the voters via the Budget Referendum, which in its legal notice included the following:

Sperry Road  
Aileen Road  
Farm View Road  
Buttonball Lane  
Colonial Road  
Tibbals Bridge Road  
Hunters Trail – in part  
County Road Bridge

All of these roads were noted as needing reclamation. To date, only Colonial Road and Hunters Trail have been completed. When I read Tom's article about the roads that were going to be completed, I was curious why the other six were not listed. I have found out that Tilcon has been scheduled to do the following roads beginning this week:

Hunter's Trail  
Copse Road  
Fort Path Road  
Wildwood Ave  
Woodland Road  
Lovers Lane  
Duck Hole Road  
River Road  
Race Hill Road

All of these roads were to be milled with a ¾" leveling and a 1 ½" overlay.

Per the road Existing Condition report, the following should have reclamation for at least part of the road

Fort Path  
Wildwood  
River Road

So the first issue I have is that we are ignoring the recommendations to do reclamation and we are only doing mill and overlay for those parts listed in the Existing Condition report. In the long term this will cost the Town of Madison more money since we eventually have to do the reclamation.

The second issue that I have with this change, is that these roads were never listed as part of Major Road for budget year 2016 -2017. Now this administration is trying to change the definition so that roads that have already been scheduled can be paid for by funds under Capital Improvement and the roads that desperately need reclamation are being ignored. This administration had every opportunity to modify this list prior to going to budget referendum in both CIP discussion and BoS discussion. Instead roads have been scheduled without the opportunity for transparent open discussions and this administration is once again attempting an end run around the process, the regulations and the will of the voters.

Selectman Goldberg stated that the elaborate process that the Board of Selectmen has set up includes a lot of parties and now there is question as to whether the Board of Selectmen has decided to disregard that input and to possibly violate their own process.

Selectman Wilson stated that he needed clarification as to the proposed changes to the regulation and he stated that the Board of Selectmen is taking advisement from engineers and experts. He asked for an explanation of what the proposed work is. John Iennaco stated that the proposed work includes removing the deteriorated road surface and then the tack coat is applied; then a leveling course is placed, a wearing course gets placed finally. This is not routine it is restoring the road to a new condition. Even milling the road will improve the condition of the road. This is not a normal surface maintenance; it is a very involved technique to restore the road to a new condition for roads that cannot be repaired through milling and repaving. Mr. Iennaco stated that he has been in contact with Tilcon, the vendor, and that he takes their advice very seriously. He stated that this vendor is reputable and he trusted that they would not suggest any technique that would be detrimental to the condition of the roads.

Selectman Wilson stated that he agreed that the Board should not change regulations on a whim or from one recommendation from a committee; however, he stated that when the Board is presented with new information that makes better use of tax payer dollars and that has the ability to improve more miles of road, then that proposal should be considered.

First Selectman Banisch stated that the current regulation was not as specific as it should be; these changes differentiate between rehabilitation and preventative maintenance. Selectman Goldberg stated that there is a lengthy process that goes into budgeting for the Town, which includes the CIP process. He stated that there is a process that is established for road paving; and that this process should be followed and not changed in the middle. He stated that he would like to pave more roads but that he was concerned that the rules of the Board of Selectmen were being broken. Selectman Goldberg suggested that the Board of Selectmen should bring this proposal to the CIP Committee and let them include the new roads in the next CIP process.

Selectman Hale stated that he did not agree that rules were being violated. He stated that the CIP is a recommendation to the Board of Selectmen and that if the Town now has the opportunity to repave more roads and make changes that are of better use of Town taxpayer dollars, then it was in the purview of the BOS to make these changes.

Selectman Wilson added that the budget process projects needed funds 18 months in advance and that throughout any fiscal year, Line Item Transfers are made to fund unexpected projects, etc. He stated that he felt that this was a standard practice when needed and that these changes to the Major Roads list were in line with this practice.

First Selectman Banisch added that the new roads added are ones which residents have asked to be repaired. For instance, he stated that he has received a petition from residents of Lover's Lane to repair their road.

Selectman Goldberg stated that the Board of Selectmen lists the major road schedule each year in the budget printing in the newspaper and that the budget then needs a vote. He stated that the process was not quite as same as the Line Item Transfer. He questioned what the funds needed for the new list would be and cautioned that if the funding was more than \$50,000 it would need a town vote via a Special Appropriation.

The Board moved to vote on the revised list of roads however the agenda was not opened for an official vote on this specific list.

Selectman Hale asked what the process was for roads that did not need reclamation and Mr. Iennaco stated that these roads would only need preventive maintenance and that there were other accounts used to pay for these repairs.

Selectman Goldberg confirmed that the regulation belonged to the Board of Finance and that the Board of Selectmen should vote to recommend the change in the regulation to the Board of Finance for their review and approval. The proposed regulation change was read aloud and is as follows:

#### **6. Major Roads Capital Fund**

Purpose: To be used for major reconstruction and rehabilitation of Town roads and associated infrastructure, including preliminary studies for planned projects. Funds shall not be used for normal surface maintenance such as pavement sealing. New improvements such as underground utilities; roadway widening or relocation beyond that

are required by local, state or federal standards shall be funded as separate capital projects.

Initial Appropriation: \$672,161 (actual as of 6/30/97)

Administrative Procedures: Expenditures out of fund must be requested by the Director of Public Works and approved by the Board of Selectmen.

**MOVED** by Selectman Hale and seconded by Selectman Wilson to **APPROVE** recommending changes in Major Roads Capital Fund description to the Board of Finance for their review and approval.

**VOTE:** This motion was approved unanimously.

11. Discuss and take action to approve the revised Poole Road Easement Agreement.

**DISCUSSION:** First Selectman Banisch stated that the agreement was not yet ready for a vote and asked for the agreement to table this item.

**MOVED** by Selectman Wilson and seconded by Selectman Hale to **APPROVE** tabling this item.

**VOTE:** This motion was approved unanimously.

12. Discuss and take action to allow the Beach & Recreation Department to expend funds totaling \$34,839 to purchase a slit seeder as well as a top-dresser to add to the equipment for the fields and grounds of the town.

**DISCUSSION:** First Selectman Banisch stated that these are routine maintenance items that need to be done and this equipment will allow the Beach and Recreation department to maintain the fields and grounds more efficiently. Selectman Hale added that the equipment was part of the budget and would not require a Special Appropriation.

**MOVED** by Selectman Hale and seconded by Selectman Wilson to **APPROVE** allowing the Beach & Recreation Department to expend funds totaling \$34,839 to purchase a slit seeder as well as a top-dresser to add to the equipment for the fields and grounds of the town.

**VOTE:** This motion was approved unanimously.

13. Discuss the Academy Street School status and possible workshops to solicit public opinion on the future use of the building.

**DISCUSSION:** First Selectman Banisch stated that he met with Selectman Goldberg last week and discussed the possibility of holding workshops to solicit opinions from residents as to the future of the building. He added that he felt it was in the best interest of the Town for the building to be added to tax rolls and the tax base. Selectman Hale stated that it was time for a workshop to be held to provide the public with a list of possible

options for the building. He stated that there have been several recommendations from consulting firms for use of the building.

Selectman Wilson added that the Board of Education workshops for their facilities plan was an engaged and inclusive process. He felt that the Board of Selectmen should aim to provide the same opportunity through their workshops.

Mr. Anderson stated that the BOE workshops had a third party, outside consultant, that was brought in to facilitate the workshops. He suggested that the BOS hire a similar consultant for this process.

Selectman Goldberg stated that he also was in favor of this way of proceeding and echoed Mr. Anderson's comments for a good facilitator to oversee the process.

First Selectman Banisch stated that the workshop schedule would be on the 9/26 agenda for review and approval.

14. Discuss and take action to approve the hiring of Laurie Bragg to the position of Café Worker, 17.5 hours per week, salary starting at \$12.84 per hour, hire date September 19, 2016.

**MOVED** by Selectman Wilson and seconded by Selectman Hale to **APPROVE** hiring Laurie Bragg to the position of Café Worker, 17.5 hours per week, salary starting at \$12.84 per hour, hire date September 19, 2016.

**VOTE:** This motion was approved unanimously.

15. Discuss and take action to approve the hiring of Amy Butler to the position of Café Worker, 29.5 hours per week, salary starting at \$13.91 per hour, hire date September 19, 2016.

**MOVED** by Selectman Wilson and seconded by Selectman Hale to **APPROVE** hiring Amy Butler to the position of Café Worker, 29.5 hours per week, salary starting at \$13.91 per hour, hire date September 19, 2016.

**VOTE:** This motion was approved unanimously.

16. Discuss and take action to approve the hiring of Michelle Goddard to the position of Senior Center Facility Monitor, per diem, salary starting at \$10.00 per hour.

**DISCUSSION:** Selectman Wilson added that the lunches at the Senior Center are wildly successful and that these hires will allow the café to be fully staffed for the first time

**MOVED** by Selectman Wilson and seconded by Selectman Hale to **APPROVE** hiring Michelle Goddard to the position of Senior Center Facility Monitor, per diem, salary starting at \$10.00 per hour.

**VOTE:** This motion was approved unanimously.

17. The following line transfers are designated as routine and appropriate for approval as a single action by the Board of Selectmen, if so desired. A board member may request removal of any line transfer item from the consent agenda for review and discussion.

Motion: To approve Line Transfers totaling **\$1,743.40**.

**MOVED** by Selectman Wilson and seconded by Selectman Goldberg to **APPROVE** Line Transfers totaling **\$1,743.40**.

**VOTE:** This motion was approved unanimously.

18. Appointments:

Eric Thal to the Shellfish Commission (Alternate) for a term to expire January 1, 2019.

**MOVED** by Selectman Wilson and seconded by Selectman Goldberg to **APPROVE** the above appointing Eric Thal to the Shellfish Commission (Alternate) for a term to expire January 1, 2019.

**VOTE:** This motion was approved unanimously.

19. Resignations:

William Gashlin from the Flood and Erosion Control Committee.

William Gashlin from the Solid Waste Disposal Board.

William Nichols as the Town Appeals Officer.

**MOVED** by Selectman Hale and seconded by Selectman Wilson to **APPROVE** the above resignations with thanks from the Board.

**VOTE:** This motion was approved unanimously.

20. Tax abatements / refunds

**MOVED** by Selectman Hale and seconded by Selectman Goldberg to **APPROVE** the tax abatements / refunds in the amount of **\$3,430.49**.

**VOTE:** This motion was approved unanimously.

21. Citizens comments

Barbara Davis of Stone Road stated that she was pleasantly surprised to hear of the Library Boards' fundraising efforts. She stated that she felt this fundraising was a wonderful expression of the public support for the library. She also suggested that the future agenda items for new hiring should include whether these hires are new, or are

replacing open positions. With regards to the roads, Ms. Davis said that she agreed with Selectman Goldberg that there are rules to be followed and that changing the list outside of the budget cycle may be inconsistent with regulations. She added that the Senior Tax Relief program seemed stalled and that the BOF has missed three deadlines for moving the process forward.

## 22. Liaison Reports/Selectmen Comments

Al Goldberg  
Bob Hale

Police Commission  
Beach & Rec., Board of Education

Bruce Wilson, responding to comments on the Sr. Tax Relief program stated that he agreed that there was an urgency to move the process along and that this urgency should be expressed to the Board of Finance. He added that the BOS supports the proposed ordinance. First Selectman Banisch stated that he will follow up with the Board of Finance on the status of the process. Resident Herb Graham added that the Senior Tax Relief Committee is proud of their work and that the last update was in July where a drafting committee was convened to review the ordinance; but that there had been no progress on the Ordinance.

## 23. Executive Session

a. Discuss possible sale / transfer of land and Economic Development opportunity.

On a motion from Selectman Hale and second from Selectman Wilson, the Board voted unanimously to enter into Executive Session at 9:11 a.m. Invited in were Director of Planning and Conservation, Dave Anderson and Executive Assistant, Lauren Rhines.

On a motion from Selectman Hale and second from Selectman Wilson, the Board voted unanimously to adjourn to Regular Session at 9:34 a.m.

## 24. Adjournment

There being no objections, First Selectman Banisch adjourned the meeting at 9:35 a.m.

Respectfully submitted,

Lauren Rhines  
Executive Assistant