**TOWN OF WASHINGTON**

**Board of Selectmen**

**Minutes**

**January 9, 2020**

***Minutes are subject to the approval of the Board of Selectmen.***

**Present:** First Selectman James L. Brinton, Selectmen Jay Hubelbank, Michelle Gorra.

Public: Chris Charles, Leslie Anderson, Joan Lodsin, Joe Abdella, Diane Dupuis, Tony Bedini, Dan Sherr, Kathy Kehoe, Susan Payne, Linda McGarr, Sheila Anson, Susan Smith.

**Call to Order:** First Selectman Jim Brinton called the meeting to order at 5:29p.m.

**Approval of Minutes:**

* **Minutes of the December 12, 2019 meeting of the Board of Selectmen: Motion:** To approve the minutes of the December 12, 2029 meeting of the Board of Selectmen. By Jim Brinton, seconded by Jay Hubelbank. Discussion: Jay Hubelbank had suggested to the other Selectmen a clarification to the minutes of the December 12, 2019 meeting under Discussion of Appointments Policy. **Motion:** To approve the minutes of the December 12, 2019 meeting as amended to read “Jay Hubelbank had provided the Board with a draft of a proposed policy for filling vacancies on the Town’s Boards and Commissions. Jim Brinton addressed several issues he had with the draft and felt the most prudent was to proceed would be to review the draft proposal with Town Council. Jay Hubelbank and Michelle Gorra agreed to the review by Council. Jay noted that he had drafted the policy to help move the discussion forward and was glad to have the other members discuss it. Michelle indicated that she would like the draft policy streamlined. Jay and Michelle also noted that the process for the appointment of Rebecca Rebillard did not follow past practice and that was the reason for their voting to rescind her appointment. They made it clear that Rebecca’s qualifications were not being questioned and they both indicated she was qualified to fill the position. Numerous members of the audience expressed their opinion on the removal of Rebecca from the Zoning Commission, feeling the decision was made too quickly. Others spoke of the need for a policy to be put in place and had suggestions as to what and how procedures should be followed. Jay Hubelbank commented that the Board was only discussing appointments to Boards and Commissions, not reappointments. Mr. Brinton agreed to contact Town Council as soon as possible and all Board members agreed to finalize a policy in the very near future.” By Jay Hubelbank, seconded by Michelle Gorra and unanimously approved.
* **Minutes of the December 26, 2019 meeting of the Board of Selectmen. Motion:** To approve the minutes of the December 26, 2019 meeting of the Board of Selectmen. By Jay Hubelbank, seconded by Michelle Gorra and unanimously approved.

**Communications:**

* **Letter from Todd Peterson:** Jim Brinton read the following letter into the record as requested by Todd Peterson:

To the Washington Board of Selectmen:I was unable to attend the last meeting of this board due to illness. After reading the letters from Rebecca Rebillard and Mary Anne Greene regarding what I consider an improper and unceremonious reversal of Ms. Rebillard's appointment as an alternate to the Zoning Commission, I decided to follow suit.

The Washington Democratic Committee (WDTC) claimed to be "disturbed" about Ms. Rebillard's appointment to the seat vacated when Debra Radosevich was elevated to fill the full seat vacated by Peter Armstrong's unfortunate passing. The alleged transgression committed was that a seat held by a Democrat was being filled by a Republican, even though the Zoning Commission chairman, who is a Democrat, specifically requested that Ms. Rebillard, a Republican, be appointed to this seat.

I find all of this hand wringing from the Democratic Town Committee to be hypocritical given the recent history of the membership of the Zoning Commission. Ms. Radasovich, herself a member of the WDTC, was one of two Democrats serving as alternates on Zoning. The service record of the other Democrat, Michael Sivick, has been less than stellar. I personally examined the minutes to all of the Zoning meetings from 2019. Mr. Sivick didn't attend a single meeting. I was told by multiple residents that he,NEVER attends meetings. The primary function of a political party's town committee is to recruit and help place qualified, capable residents in office be they paid or unpaid positions. Although Ms. Radosevich is a member of the WDTC and was fully aware that the seat held by Mr. Sivick was effectively vacant due to his nonattendance, this appears not to be of sufficient concern to the WDTC to act on. A proper response by the WDTC would be to contact Mr. Sivick and inquire as to why he isn't fulfilling his responsibilities as an elected official. If it was determined that he was unable or unwilling to do his job, he should have been A) asked to resign his position and B) the WDTC begin a search for a qualified replacement until a suitable replacement is found. Their inaction in dealing with this situation coupled with their protestations over Ms. Rebillard's appointment shows an unacceptable double standard coupled with an equally unacceptable sense of entitlement. The fact the Democratic members of the Board of Selectmen affirmed these positions by rescinding Ms. Rebillard's appointment should be troubling to anyone who claims to be concerned about maintaining integrity in their local governance. Another troubling aspect to this unfortunate spectacle is the fact that Michelle Gorra, in her first meeting after her election to the Board of Selectman, thought it appropriate to vote on this motion at all. Ms. Rebillard has been employed by Mrs. Gorra's husband for some 14 years at the Aspetuck Animal Hospital where Mrs. Gorra herself works as their Business Manager. I served for nearly ten years as both an alternate, and later, held a full seat on the Zoning Board of Appeals (ZBA). While I am not married, if I were and my wife were an entrepreneur and one of her employees had an application in front of the ZBA, voting on that application would not even be a consideration for me. Anyone holding a position where there are publicly noticed meetings where officials cast public votes has to be VERY conscious of avoiding conflicts of interest and communicating with other officials in an inappropriate manner that would raise red flags in the event of a Freedom of Information request. The fact that Mrs. Gorra voted on a motion involving Ms. Rebillard is a terrible lapse in judgment. This mistake cannot be repeated. The fact that it affirms a decision that is so gratuitously and unnecessarily partisan in nature only adds insult to injury. My sincere hope is that this never happens again. Todd Peterson, Lifelong resident of Washington, CT.

Following the reading of the letter, Michelle Gorra stated that it had not occurred to her to recuse herself from voting to rescind Ms. Rebillard’s appointment as she was looking at the position (vacancy to be filled) and not the person with whom she has a working relationship. In hindsight, she felt that perhaps she should have withheld voting.

**Appointments/Resignations:** None.

**First Selectman’s Report:** Jim Brinton reported the following:

* **COG Meeting:** It was reported that due to the State’s current financial position (partly because of the toll issue) LOCIP and Town Aid Road funds to Towns will be received but will be delayed. STEAP grants can be applied for but receipt of funds if approved may also be delayed.
* **OPIOD Crisis:** A representative from a recovery facility spoke to those in attendance about the stigma attached to people addicted. A film was shown addressing the issue that had a powerful message. The film will be promoted and will be shown at the 5 Senses Festival this summer. Outreach programs will become more available to the Towns.
* **Transfer Station:** Improvement of the infrastructure at the Transfer Station and review of the current hauling practices will be reviewed for budget concerns for 2020-2021. Highway Director, Kevin Smith, will be identifying critical concerns.

**OLD BUSINESS:**

* **Discussion of Appointments Policy:** In response to the discussions of filling vacancies on Town Boards and Commissions by appointments made by the Board of Selectmen, the following policy has been drafted and reviewed:

Elected Position Vacancies:

* + The BOS will notify the Chair of the appropriate political town committee of the vacancy and request a recommendation
  + The vacancy will be posted on the Town Website Homepage
  + Should the Chairs of the WDTC & WRTC be unable to make a recommendation, the BOS will make an appointment giving preference to a candidate of the same political party as that of the vacated seat
  + Should the vacated seat be that of a full member, consideration to fill the vacancy should be given to an alternate of the same political party
  + The BOS will seek input from the Board/Commission Chair
  + The BOS will make the appointment

Appointed Position Vacancies

* + The BOS will request a recommendation from the Board/Commission Chair
  + The vacancy will be posted on the Town Website Homepage
  + The BOS will notify the Chairs of the WDTC & WRTC
  + The BOS will make the appointment

A First Time Candidate Shall Be Provided

* A copy of the Plan of Conservation and Development.
* A summary of the role of the Commission for which he/she is being considered.
* A copy of the Board/Commission Regulations

A First Time Candidate Shall Provide to the Board/Commission Chair & BOS

* A brief description of qualifications & interest in the position
* A brief bio
* A meeting with the BOS to discuss the appointment

**Motion:** To adopt the above Policy for filling vacancies on Boards and Commissions. By Jim Brinton, seconded by Michelle and unanimously approved.

* **Rabbit Hill Road Bridge Update:** Jim Brinton explained that the Rabbit Hill Road bridge is in need of repair/replacement. It has been determined that some procedures in the Scenic Road Ordinance have not been followed in regard to work that is in need of being done. Specifically, the Board of Selectmen will formally propose a repair/replacement be done of the bridge, residents and abutting property owners will be notified. A public information will be held and the Town and engineers will work with the residents to address any concerns although ultimately final decision as to what will be done lies with the Selectmen. Land use and State DEEP approvals also need to be obtained. Depending on the scope of work agreed upon, the Town may be eligible for partial State funding of the project (up to 50%). The bridge is considered to be unsafe. Engineers and Council have advised the Town could be considered negligent if the work is not performed.
* **Washington Gives Update:** The event will be held on Monday, January 20, 2020 – Martin Luther King Day. Numerous events and activities will be held throughout the day. ALL volunteers in Town will be recognized. The Selectmen will be hosting the event in conjunction with the Washington Business Association, ASAP and individual volunteer organizers.

**NEW BUSINESS:**

* **Requests by the Friends of Shakespeare to waive the fee for use of the Main Hall: Motion:** To approve the request of the Friends of Shakespeare to waive the fee for use of the Main Hall on April 18, 2020. By Jim Brinton, seconded by Michelle Gorra. Discussion: Kathy Kehoe reported on last year’s Shakespeare in the Park event that had over 1300 attendees. The support from Townspeople was evident – 30 families hosted actors in their homes, members of the community assisted with building of the set, etc. the production company, Shakesperience, would like to do the event again this summer with performances of “Twelfth Night”. Shakesperience is a non-profit organization that also brings programs into the local schools. The event on April 18th would be a fundraiser open to the public with entertainment, live and silent auctions. The hope is to be able to again offer the performances free of charge. The motion passed unanimously. Shakesperience will be responsible for providing insurance, the deposit for use of the main hall and payment of custodial services.
* **Senior Center Meeting:** Tuesday, January 14, 2020, 4:00p.m. Bryan Memorial Town Hall to gain input from the community.
* **Adoption of a proposal to make alterations or improvements on Rabbit Hill Road: Motion:** To approve the following:

Proposal to Replace the Rabbit Hill Road Bridge

and to Undertake Associated Road Repairs and Improvements

On January 9, 2020, the Board of Selectmen of the Town of Washington determined that the bridge crossing Bee Brook on Rabbit Hill Road, a designated scenic road in the town, required replacement, both as a matter of public safety, especially to alleviate flooding problems, as well as to accommodate changed conditions. Therefore, the Selectmen have voted to present this proposal in accordance with the Town of Washington Scenic Road Ordinance (Ordinance No. 1120):

1. To remove the existing Rabbit Hill Road bridge over Bee Brook and replace it with a box culvert.
2. To perform associated road improvements and repairs, which may involve:
3. Appropriate adjustments in alignment, grade, width and elevation of the road at and near both approaches to the stream crossing (i.e., the “work area”). The selectmen anticipate that the road would be raised approximately 2 feet and widened to 22 feet to accommodate 2‐way traffic;
4. The removal of visible boulders in the work area;
5. The removal or cutting of trees, shrubs, or other vegetation within the untraveled portion of the road in the work area;
6. The potential replacement of other engineered structures, including guard posts or rails, in the work area.

The proposed work would be accomplished in accordance with plans approved by the Inland Wetlands Commission of the Town of Washington on November 26, 2019. Copies of those plans are available for review in the Office of the First Selectman and in the Land Use Office during regular Town business hours.

By Jim Brinton, seconded by Jay Hubelbank. Discussion: Specifics of the work may be changed following input from residents, etc. Land Use Attorney, Mike Ziska has recommended this wording to give the greatest latitude. The motion passed unanimously.

**Visitors:** None.

**EXECUTIVE SESSION: Motion:** To enter into Executive Session at 6:22p.m. to discuss a legal issue. By Jim Brinton, seconded by Jay Hubelbank and unanimously approved.

The Selectmen re-entered the regular meeting of the Board of Selectmen at 6:40p.m. No action was taken in Executive Session.

**Adjournment:**

* **Motion:** To adjourn the meeting at 6;40p.m. as there was no further business for discussion. By Jay Hubelbank, seconded by Michelle Gorra and unanimously approved.

Respectfully submitted,

Mary Anne Greene

Selectmen’s Assistant