

# September 16, 2010

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

**Present:** First Selectman Mark E. Lyon, Selectmen James L. Brinton (6:10 p.m.) and Nicholas N. Solley.

**Press:** Ann Compton – VOICES, Jack Coraggio – Litchfield County Times.

**Public:** Valerie Friedman, Steve Wadelton, Rocky Tomlinson, Linda McGarr, Chris Charles, Charles LaMunier.

## **Call to Order:**

First Selectman Lyon called the meeting to order at 5:34 p.m.

## **Approval of Minutes:**

Motion:

To approve the minutes of the September 2, 2010 Regular Meeting of the Board of Selectmen with the following correction: under First Selectman's Report – "Floats will be done at 110 and 130 feet" should read, "Floats will be done at 130 feet".

By Mark Lyon, seconded by Nick Solley and unanimously approved.

## **Communications:**

\* VHB (Vanasse Hangen Brustlin, Inc.) has written a letter to First Selectman Lyon, cc: Washington Historic District Commission, notifying the Town that they "have been retained by AT&T to evaluate proposed carrier facilities for any adverse effect it may have on historic properties..." The letter further states, "AT&T is proposing to install a new wireless telecommunications facility consisting of an 180 +/- foot tall monopole tower, antennas, and associated ground equipment located on portions of property located at 17 Warren Road, Washington, Connecticut..."

## **Appointments/Resignations:**

None.

## **First Selectman's Report:**

Mary Lyon reported the following:

\* Balloon Float rescheduled for Saturday, September 18, 2010 from 8:00 a.m. – 2:00 p.m. at both sites on the Town Highway Department property.

\* Special Selectmen's Meeting, September 24, 2010 at 2:30 p.m. re: proposed cell tower on Town Highway Department property. Hoping the visual impact study results will be available at that time in addition to information on equipment that Verizon, AT&T and T Mobile are interested in having on the tower.

\* Chipsealing Revere Road, Shearer Road and Popple Swamp will be done by Seymour Sealing in October using reclaimed chipseal stone from prior chipsealing work on Town roads.

## **OLD BUSINESS:**

None.

## **NEW BUSINESS:**

### **\* Setting the Agenda for the October 4, 2010 Annual Town Meeting:**

Motion:

To set the Agenda for the October 4, 2010 Annual Town Meeting as follows:

- 1) To set the dates for the annual Town Budget Hearing and annual Town Budget Meeting in May 2011.
- 2) To adopt Food Service Establishment Licensing Ordinance.
- 3) To amend the Ordinance #107 that sets the time and date of Annual Town Meeting by deleting the section stating that all regular and special Town Meetings be held at 7:30 p.m.

By Mark Lyon, seconded by Nick Solley.

Discussion:

Mark explained Item #2 was at the request of the Health Department as other towns often require food service establishments to be licensed in order to cater in their town. This Ordinance, therefore, would be beneficial to Washington's Food Services. It would also be beneficial in the collection of taxes, as it would specify that the license could not be renewed until Town taxes were paid in full. Item #3 would give the Selectmen the leverage to set Town Meetings at times other than 7:30 p.m. – for example, holding a Town Meeting on a Saturday morning as has been suggested and requested at times.

The motion passed unanimously.

### **\* Funding the Shepaug River Floodplain Mapping Project:**

The Planning Commission has authorized \$17,000 from the Depot Study Fund for this project. There are enough other funds in the budget to cover all but \$3,000 the estimated \$30,000 project.

Motion:

To request of the Board of Finance a \$3,000 ex-budget appropriation for the Shepaug River Floodplain Mapping Project.

By Mark Lyon, seconded by Nick Solley and unanimously approved.

### **\* Renewal of Building Code Official Contract:**

The current contract expires in October 2010. William T.P. Jenks would like to continue keeping the current contract in place. They provide the service and the clerical staff for 74% of the building permit fees collected, the Town provides the office space.

Motion:

To renew the Building Code Official Contract with William T.P. Jenks for the period October 1, 2010 through September 30, 2014.

By Mark Lyon, seconded by Nick Solley.

Discussion:

Mark and Nick both expressed their satisfaction with the services provided by Mr. Jenks and staff, he continues to have a good reputation in Town, etc.

The motion passed unanimously.

### **\* FOI Hearing Update:**

Mark explained that since the last Board of Selectmen's meeting, Wayne Hileman, who filed the FOI complaint, approached him with a proposal that could take the place of a hearing in Hartford (which had been scheduled for September 15, 2010.) This would consist of a joint meeting of the Board of Selectmen and the Parks and Recreation Commission at which those involved in the complaint would have an opportunity, in front of the public, to explain their actions and the reasons for them. Questions would be taken from the public. A mutually agreed upon moderator would be in attendance and would conduct this

meeting. Following some discussion, Nick Solley and Jim Brinton were in agreement to this however Jim asked if this meeting would satisfy Mr. Hileman and if not, would he still pursue the FOI complaint/hearing. Mark stated it was his understanding that Mr. Hileman's main objective would be to get all the information on the table, at a public meeting, and that if this occurred he would be satisfied. Mark will continue to communicate with Wayne and work out the details. It is anticipated that this meeting will take place the last week of September or the first week of October. The official FOI status is the "hearing has been postponed".

**Visitors:**

\* Chris Charles asked if there would be an RFP to entertain bids for the mapping project. Mark explained that Lenard Engineering has agreed to put the bid package together. Chris suggested that the question be asked, and for what cost, if this project were to be integrated, perhaps with overlays, with mapping that has already been done by Conservation Commission, NE Conservation Commission, HVA, Steep Rock, etc. – this would be very beneficial for all Town Commissions and for future planning and updating of the POCD or Depot Study. Chris also questioned why the FOI Hearing update has not been mentioned at previous Board of Selectmen meetings. Mark explained that until the details of this recent proposal had been discussed between himself and Mr. Hileman, there was not information to be discussed other than FOI Ombudsman had told Mark that Mr. Hileman suggested a "public meeting" but no details were given nor had Mark and Mr. Hileman discussed it directly.

**Adjournment:**

Motion:

To adjourn the meeting at 6:17 p.m. as there was no further business for discussion. By Jim Brinton, seconded by Nick Solley and unanimously approved.

Respectfully submitted,  
Mary Anne Greene  
Selectmen's Secretary