

## • **October 5, 2006**

**Present:** First Selectman Richard C. Sears, Selectmen Nicholas N. Solley, Mark E. Lyon.

**Press:** Ann Compton-VOICES, Jonathan Shugarts-Waterbury Republican, Rebecca Ransom-Litchfield County Times

**Public:** Joe Mustich, Sandra Canning, Ken Cornet, Duncan Woodruff and Tom Osborne from the Washington Volunteer Fire Department and numerous members of the community.

**Call to Order:** First Selectman Sears called the meeting to order at 4:33p.m.

**Motion:** To include subsequent business not already on the agenda. By Nick Solley, seconded by Dick Sears. Discussion-Dick explained this would include extending an invitation to bid for heating and air conditioning at the Old Firehouse and announcing of a poster contest. The motion was unanimously approved.

### **Minutes:**

• **Motion:** To approve the minutes of the September 21, 2006 Regular Meeting of the Board of Selectmen. By Mark Lyon, seconded by Nick Solley and unanimously approved.

**Visitors:** **Duncan Woodruff of WVFD** requested that the opening of the bids for the new tanker truck be moved up on the agenda. This was agreed and all other visitors welcomed.

**Communications:** None.

**Appointments/Resignations:** None.

### **OLD BUSINESS:**

• **Opening of Bids for Fire Department Mobile Water Supply Fire Apparatus:** The following bids were received:

**1) Gowans and Knight \$182,640.00**

Watertown, CT

**2) KME Fire Apparatus \$176,273.00**

Nesquehoning, PA

**3) Seagrave LLC & Fleetmaster, Inc. \$182,633.00**

Simsbury, CT \$167,524.00 (larger tank)

**4) Elite \$197,875.00**

Tilleda, WI

**5) New England Fire Equipment & Apparatus \$153,650.00**

North Haven, CT

The Truck Committee of the Fire Department will review and the bid will be awarded in two weeks at the next regularly scheduled Board of Selectmen's meeting.

• **Special Board of Selectmen's Meeting Date/Petitioners: Joe Mustich** began the discussion by stating that the "petitioners" were requesting the "Salisbury Town Forum" option offered by the Selectmen. According to Joe, this would be a public forum in the Town Hall where the resolution(s) could be debated and voted on, there would be a moderator elected by those present and the First Selectmen would write a letter that would record what went on at that meeting. **Selectmen Mark Lyon** voiced his opinion that a "local political action group had hijacked the Selectmen's efforts." As this is not Town business, Mark stated he would not support any action that would put any opinion or recording of the event on Town of Washington letterhead as it may then be construed as being Town business or the Town's position. Mark stated it is not our business to impeach the President of the United States - there is a process already in place for doing this. He may or may not attend. **Dick Sears** stated that he is "clear" in his opinion that this is not Town business but feels strongly that those requesting the forum have the right to do so. **Nick Solley** stated he may not be able to attend but would not stand in the way of the forum. **Ken Cornet** explained that the group would like to send a petition to Congress whose job it is to look into impeachment - they themselves are not asking for the impeachment of the President. **Valerie Andersen** read a letter from **Jack Field** (at his request) outlining their opposition to the forum and the process. Valerie stated that she, Jack and others she has spoken with, would not be attending and did not support the use of Town letterhead. Valerie also questioned a statement in VOICES that referred to Dick Sears sending a letter that would state the position of the Town of Washington. **Ann Compton**, Voices reporter, clarified the statement, acknowledged she had misquoted Dick and subsequently corrected the statement in the next issue to explain that Dick's letter would comment on the sense of the meeting, not the consensus of the Town. Dick further explained he would attend the forum at which residents can express their opinions - he will write a letter stating the meeting took place, describe the event, and say "some of our residents are concerned about..." and will not make it a Town position. He will then send his letter on to the Speaker of the House, Senate President, Nancy Johnson, and Connecticut Senators. **Don Brigham** asked that the letter that is sent make it clear that any vote taken is not a vote of the leadership of the Town nor a vote of the Town at large. He too expressed concern about the use of Town letterhead. **Jim Brinton** asked about the involvement of the Democratic and Republican Town Committees with the petitioners. Dick said he had made the offer to the heads of both but had not heard anything. **Janet Wildman** of the Republican Town Committee challenged this statement. **Tammy Wyant** asked if the stronger opinion of the meeting was that the President should not be impeached, would a letter be sent stating that fact. Dick assured those present he would and again stated the letter would state this was not the official opinion of the Town of Washington. A discussion followed as to whether this meeting was to be considered a Special Board of Selectmen's meeting or a Town Forum. There was an apparent confusion on this matter which included whether it would need to be officially noticed as a Board of Selectmen's meeting etc. Some of those present stated that the agenda referred to it as a Special Board of Selectmen's meeting. **Mary Anne Greene**, Selectmen's Secretary, asked to try to clarify this confusion. She stated that several emails had been received, with her being copied, which discussed the two options offered. When she was asked to place the discussion on the agenda, she placed it, in error, as the "Special Board of Selectmen's meeting" when in fact Joe Mustich's last email did refer to the "Salisbury Town Forum" model. Joe acknowledged this. **Chris Charles** voiced his opinion that the meeting should be held as people have the right and deserve to be heard. **Todd Peterson** felt accommodations were being made for this group that should not be made. Discussion continued. Mark Lyon again stated his opinion that a discussion could certainly be held, but that it was not Town business and any correspondence reporting the event should not be on Town letterhead. Nick Solley stated he was against a meeting of this nature being classified as a Board of Selectmen's meeting and offered a suggestion of Dick's writing a letter, signing it as First Selectman, but not on Town

letterhead. The discussion ended with agreeing to allow the Forum to be held at the Town Hall on October 28th. It will not be advertised, or posted as a Board of Selectmen's meeting.

- **Nettleton Hollow Bridge engineer:** Dick Sears explained that more information has been received and reviewed regarding the kinds of bridge culverts that could be used for this project. Following review, it would be in the better financial interest of the Town to go with the precast concrete box culvert. A DEP flood management plan needs to be done and construction will most likely be done in the summer of 2008. **Motion:** To change the professional service agreement with Lenard Engineering for the Nettleton Hollow Bridge Project to \$97,390.00. By Dick Sears, seconded by Nick Solley and unanimously approved.

#### **NEW BUSINESS:**

- **Bio-Diesel for highway vehicles:** Dick reported that he would like the Town of Washington to work the the Washington Environmental Council and the Shepaug High School to use the bio-diesel they are manufacturing from cooking oil in some of the Town's highway department vehicles. It would be used as an additive to the fuel.

- **Invitation to Bid for Plow(s): Motion:** To extend an Invitation to Bid for an Everest 11 foot power angle plow(s). Trade in of two 11 foot Tenco high discharge roll plows will be considered and will determine the purchase of one or two plows. Bids will be accepted until 4:00p.m. on October 19, 2006 at 4:00p.m. By Nick Solley, seconded by Dick Sears and unanimously approved.

- **STEAP grant-Mygatt Road:** Dick announced that the official notification of this grant has been received. It will be in the amount of \$390,000 and will be administered by DOT. Edie Johnson of Scofield Hill Road asked to allow the neighbors to have input and give suggestions before this work begins. Engineering of the project will be in 2007 and actual work may not begin until 2008.

- **Invitation to Bid for Heating & Air Conditioning Up-grade: Motion:** To extend an Invitation to Bid for Heating & Air Conditioning Up-grade at 2A Bryan Plaza (Old Firehouse). Bids will be accepted until 4:00p.m. on October 26, 2006. By Dick Sears, seconded by Mark Lyon and unanimously approved.

- **Poster Contest:** Dick announced that there will be a Poster Contest dealing with speeding and driver and pedestrian safety later this fall. The contest is the idea of Lili Dyer. Rumsey Hall School and Washington Montessori School have agreed to participate. Washington Primary School has been invited as well. More details will follow in 2 weeks.

- **Chris Charles** asked to speak to the Board of Selectmen regarding the **discontinuance of a portion of Frisbie Road** that was voted on and approved at the Town Meeting earlier in the week. Chris voiced his concern and discontentment with the Selectmen for not honoring the Planning Commission's recommendation to maintain passive recreation. Dick Sears stated he would take responsibility for not getting back to the Commission prior to the Town Meeting - events happened quickly, etc. Nick Solley stated that it was his opinion that the Planning Commission could not always assume that the Town or property owners would like to retain recreational access. In this particular situation, the discussion was only about 800 feet that does not go anywhere so there was no point in allowing the public to use it. Mark Lyon sated he was in agreement with the decision to discontinue the portion of the road but felt the process should have been followed more closely. Chris stated part of his concern also had to do with the fact that the Gruson's property value was now enhanced and asked if there should have been some financial discussion. Nick again stated he did not feel any mistake was made and he was looking into a State statute he felt dealt with the Town not being allowed to take monies for property in a situation such as this. Valerie Andersen voiced her support of Chris's position.

**EXECUTIVE SESSION; Motion:** To adjourn the Regular Meeting at 6:16p.m. to enter into Executive Session to discuss a personnel issue and a potential real estate transaction. By Dick Sears, seconded by Mark Lyon and unanimously approved.

Executive Session ended at 7:08p.m. and the Selectmen re-entered the Regular Meeting.

**Adjournment: Motion:** To adjourn the Regular Meeting of the Board of Selectmen at 7:09p.m. as there was no further business for discussion. By Nick Solley, seconded by Mark Lyon and unanimously approved.

Respectfully submitted,

Mary Anne Greene

Selectmen's Secretary