

The Board of Selectmen held its regular meeting on March 7, 2017, at the Town Hall with the First Selectman Robert Morra presiding. In attendance were: Selectmen Michael Eremita, Robert Neil, Gwen Marrion, and Sandra Pierog. Administrative Officer Joyce Stille was also present. Also present were Lake Commissioner Kim Welch and several members of the public.

1. Call to Order: The meeting was called to order at 7:00 p.m.

2. Public Comment: A number of residents were present to comment on closeout of the high school project. Mark Zilewski, 15 Norma's Way, asked if town can still get the full amount they could have the last few years. J. Stille said the same amount is still available. What may not get reimbursed is if an item is deemed by the state to be ineligible, which is not affected by timing of the closeout. They are on track to file by the end of this Fiscal Year, after which the state has 6 months to complete their audit. From day one, discussions have included ineligibles such as exceeding the permitted space allowance.

Emily Bradley, 22 Norma's Way, asked about the FFE reimbursement and missing paperwork. J. Stille said they are looking for those records in state and town offices. R. Morra said they are also going through all email correspondence from the time period of those records to narrow down the timing. The BOE is doing the same. E. Bradley asked what the dollar amount the town would be missing out on if that is not found. R. Morra said he could not guesstimate but the worst case would be \$400,000 total cost which the reimbursement amount is only a portion of that.

Paula Meyers, Country Club Road, asked what the deadline for getting the money was. J. Stille said, to clarify, that all funds are money that the town lent itself. R. Morra said that it is expected to be reimbursed in FY18. P. Meyers also asked about the role of the Public Building Commission in tracking orders. J. Stille said the PBC did approve individual change orders, while the hired construction company would compile change orders into one large state change order. J. Stille said it would not affect next year's budget. P. Meyers asked if the town could put out a communication on the details of the process and general effect on town finances.

Karen Bergin, South Road, asked how the records came to be missing and who was responsible for recordkeeping in a process like this. J. Stille said any reimbursement going through the BOE is signed off by the Superintendent, and that all records should have gone to the Superintendent who sometimes would then additionally copy others on the communication. In the absence of an appointed Clerk of Works, the Gilbane construction manager at risk performed that function. After March/April 2012, the files at the Board of Education including correspondence ends. Since the project was still ongoing, additional correspondence should have occurred and been in the records.

Morra said it would not impact the next fiscal year, but that it could factor into town finances the year after depending on the ineligibles. The close out of the high school project has been discussed at many of the Selectmen's meetings.

Adam Teller, Elizabeth Way, said he was not satisfied, according to how the state says such a project should be processed. He wanted to know when the last payments to the contractor were made and how much the town has not applied for. J. Stille said the progress payment was about 2 million. The

state wants project closed out before anything additional is applied for. A. Teller said he wanted there to be a specified amount of time and a person identified as responsible for the closeout.

Nicole Sullivan, High Ridge Farm Lane, wanted to note she felt a lack of concern and commitment from the board.

Michael Harding, Bolton Center Road, echoed A. Teller's comments. He said he was very concerned, not with a lack of concern on the part of the BOS, but with how the situation came to be that they did not have immediate records. Going forward, he asked how it was to be addressed in future projects, per charter, so that the process and process owner were clear. M. Eremita answered that in his view, several issues intersected to create the problem. One, there were, in progression, 2-3 Superintendents, and 2-3 Financial Directors dropping the ball. Two, there was a failure to have a Clerk of the Works. Thirdly, the Board of Education was not involved as much as they likely should have been, and finally, there was a wholly volunteer Public Building Commission. A continuous line in the positions of Superintendent, Financial Director, and Clerk of the Works is necessary; and even if there could not be a consistent Superintendent and Financial Director, there could be a consistent Clerk of the Works.

K. Bergin said the opportunity to appoint a Clerk of the Works was on the town side. The PBC ran the project, and Richard Hayes went between the PBC and BOE. She said that they at the BOE were involved as they were allowed to be. M. Eremita clarified that he meant the BOE in that case should have been allowed more involvement, not that they failed to fulfill their obligation.

Richard Tuthill, Bolton Center Road, was concerned about communication the event of the recent stabbing in Bolton. He asked why the townspeople were not alerted by the town or informed as to any danger, or lack thereof, to the community. A Detective Sergeant Langevin of Colchester Barracks responded, though he was limited in what he could say as the investigation was still active. In this crime, the police did not believe there was risk to Bolton or the surrounding area. As for withholding details from the public in the event of such a crime, the reason may be that it is an isolated incident (as this was), or if there is reason to believe the information could compromise the investigation. R. Tuthill said he was not satisfied with the answer. R. Morra thought a section could be put on the town website where, in case of such an incident, residents could find a police statement. The emergency notification system could be used as well. G. Marrion made mention of a recent school incident, after which the Superintendent contacted parents to inform them that there was no threat, and suggested the town do something similar. R. Morra said that in the event of crime, the BOS is not qualified to determine if public safety is at risk, and as they would not want to provide incorrect information, they need that statement to come from the police.

Jackie Steele, 21 Williams Road, noted that some troops use social media to keep the public updated. She asked why that has not happened here. R. Morra said that is up to the discretion of the troop, and social media use is likely dependent on the approval of the commander. Even in that case, such a process might not lend itself well to an unfolding situation when officers are in the midst of responding to the crime.

Christopher Davey, 21 Sumner, submitted a letter from Deborah Livingston for inclusion in the record as she could not be present.

A. Teller noted that on the agenda, under #11 Executive Session, “#11B Administrative Officer” did not identify the purpose of the item or why it was under executive session, and therefore the item was incorrectly listed. He asked for its removal from the agenda unless the BOS would explain its purpose. R. Morra said he would eliminate the item.

3. Approval of Minutes:

A. February 7, 2017 Meeting: Motion by R. Neil. M. Eremita seconded. In item 3a, in corrections to the previous minutes, Kim Welch’s name was noted to be corrected from Welch to Welch; it should read from Welsh to Welch. With this amendment, the motion passed 5:0:0.

B. February 15, 2017 Budget Workshop: Motion by S. Pierog, seconded by M. Eremita. Vote 5:0:0.

C. February 23, 2017 Retreat: Motion by S. Pierog, seconded by R. Neil. Vote 5:0:0.

D. February 28, 2017 Special Meeting: Motion by R. Neil, seconded by S. Pierog. M. Eremita was noted present, but was absent. With this amendment, the motion passed 4:0:1, M. Eremita abstaining due to absence from that meeting.

4. Correspondence: An email was received from Daryl Carbone. G. Marrion felt the response was unsatisfactory. R. Morra said there was an additional in-depth response sent to Mr. Carbone.

5. Unfinished Business: None.

6. New Business:

A. Charter Oak Greenway Shared Use Path and Path Extension: Kim Welch, speaking on behalf of Bike Walk Bolton, thanked the BOS for the informational meeting on March 2nd. The group is planning to hold a bike ride in early June, for which they are advertising in Bolton and Andover. They will be following up with the DOT for simple changes to make the Route 44 corridor safer for cyclists and pedestrians, and would like the BOS’ support.

R. Morra reported that results of the BSC Group’s study on Route 44 were posted on the Towns website. The study both identified property lines a possible route for a bike trail. R. Morra recommended that the BOS send that information forward so any agencies doing working in that corridor. S. Pierog moved to do so. R. Neil seconded. G. Marrion encouraged people to look at maps in Town Hall and on the town website for more on the results of the study. Vote 5:0:0.

B. Lower Bolton Lake Status Report: Kim Welch, Lake Commissioner, thanked J. Stille for her assistance with reviewing a grant application with the Friends of Bolton Lake. At Bolton Lake, the ice

went out on February 24, one day later than last year (February 23). A meeting with George Knocklein is likely in late April. The water level is down at 18 inches, which was the drawdown level. The color is greenish, and the clarity just okay.

C. FY17 Budget Report: The town is 53.23% expensed, compared to 56.34% at this point in FY16 and 57.21% in FY15.

D. FY18 Budget: R. Morra reviewed a breakdown of increases. Apart from salaries, benefits, and the resident state trooper program, the operating increase is at \$78,705. Out of that amount, the necessary tank removal and natural gas change account for \$41,000, leaving the operating increase balance at \$37,705.

J. Stille said she will have a response on the re-evaluation postponement the BOS asked about by the next meeting.

R. Morra said one of the suggestions floating around towns in response to the state budget is to move the town referendum later. In Bolton, by charter, revenue changes cannot be accepted after the budget is adopted for referendum, and taking future changes at the state level into account could mean the difference in passing the town budget. The BOS discussed moving the referendum date forward by two weeks, from May 9th to May 23rd. G. Marrion asked about the impact on tax bills going out. R. Morra said it leaves two weeks to get them done, so they may be pushed back another week. The BOS agreed by consensus to recommend the date change to the Board of Finance and to follow up on any potential action at the next meeting.

E. Consider and Act on Budget Transfer and/or Appropriation Requests: M. Eremita moved to approve the following three transfers in the Fire Commission budget: \$2000.00 from Equipment to Medical Expense and Training; \$2000.00 from Repairs and Maintenance to Medical Expense and Training; and \$2000.00 from Repairs and Maintenance to Professional and Business Training. R. Neil seconded. Vote 5:0:0.

7. Ongoing Business:

A. Subcommittee Reports: Finance/Administration: R. Morra reported on a request from Lakeside Circle, a private road, to change town plowing policy. The town policy is to only plow such roads for emergency access and at four inches. One of the resident's concerns was exiting the road given the pile up from the state plow. However, it is a private road and does not meet Bolton standards for public road use without significant improvement at cost to the abutters, and it is owned by only one of the residents. The subcommittee's recommendation was to maintain current policy. M. Eremita moved to maintain the current policy. R. Neil seconded. Vote 5:0:0.

R. Morra reported it appears that the state will be raising the threshold on the LoCIP funds. Bolton's funds would be used for an addition onto the town garage. Two companies have given pricing and open discussion will continue until such time is it is known that the funds will be available.

A request came from the Eagle Scouts for permission to build a Little Free Library at Herrick Park. A Little Free Library is a small structure usually consisting of an enclosed box atop a pole. S. Pierog moved to authorize the Scouts to proceed with building a Little Free Library at Herrick Park. M. Eremita seconded. Vote 5:0:0.

The BOS discussed the alternative placement of the cistern at the end of School House Road. It was originally planned for placement near the Senior Center parking lot and Center School exit. The alternative site could interfere with the potential use of that area for parking. In addition, the change would make for a difficult emergency access as there was not enough room for a truck to make a complete swing, and the town engineer did not recommend driving over or parking on the cistern. The original plan was more expensive by \$5,000, but was safer. M. Eremita moved to go back to the original site. R. Neil seconded. Vote 5:0:0.

The fracking ordinance is on track to come before the BOS at a future meeting.

B. Properties and Facilities:

Heritage Farm Barn: Nothing new to report.

C. Revenue Sources: R. Morra reported they are working with a couple recommended engineers who toured town buildings to get an estimate for the change to natural gas.

J. Collins and J. Stille went to the State Board of Education to go through files related to the high school project. J. Stille reported that after they had selected which files to copy, they were informed that they had to wait for those documents to be approved for Bolton to have. They are still waiting to find out which files, if any, will be approved, and may have to go back to take notes if some are not.

The BOS agreed to name J. Stille and R. Morra as the persons responsible for the remainder of the high school project closeout. G. Marrion asked why the progress payment that was possible in 2012 was not done. J. Stille said that while the person in that position had had no prior issues with payments and she did not have reason to check on them, she did not know that one was incomplete when he left the position. The person who then filled that position did not do it and did not last in the position. G. Marrion wanted to ensure that the point where the process broke down was identified in order to prevent a recurrence. R. Morra agreed and thought M. Eremita's comments on the importance of a Clerk of the Works were relevant to that end.

8. First Selectman's Report:

A. Meeting on Shared Services: R. Morra reported that the presentation by the Mansfield Town Manager on Mansfield's experience with shared services will likely be in late April.

B. Crumbling Foundations Press Conference and Hearing: A joint hearing of all committees impacted by the issue was held by the state house and senate. R. Morra reported that every speaker and committee opposed the governor's recommendation to use loans. What they recommended, along with CROCG, was that the state come forward with a growing fund or grant that homeowners can apply

for; and that the fund start at 35 million. R. Morra said 35 million may sound high, but with the costs of damage repairs, rebuilding, and so on, they are looking billions.

9. Administrative Officer's Report:

A. COST: J. Stille said they continue to submit testimony on the impact on small towns. There is a question as to whether the teachers' state retirement fund change can legally be put on towns since it is done by the state. There also a lot of questions from towns on changes to the state budget, its timing and impact on towns.

B. CCM: J. Stille reported that CCM is doing a survey on how Towns are handling the state budget.

C. Coventry Meeting: J. Stille and Patrice Carson talked to officials in Coventry about doing something as a joint effort over the years, such as sewers or pockets of development. It was of some interest to Coventry. The STEAP grant is now open and as priority is given to applications with two or more towns, they are looking at possible projects for an application. G. Marrion asked to have some discussion and information on project options and priorities. J. Stille will circulate information. R. Morra noted discussion will have to be timely as they have until mid-April.

10. Appointments: None.

11. Executive Session:

A. Land Acquisition: S. Pierog moved to go into executive session, including J. Stille, for land acquisition purposes. M. Eremita seconded. Vote 5:0:0. Executive session began at 9:12 pm.

Executive Session ended at 9:48 P.M.

12. Adjournment:

B. Neil moved to adjourn the meeting at 9:49 P.M. and M. Eremita seconded. Vote 5:0:0.

Respectfully submitted,

Sarah Benitez, Recording Secretary

Please see minutes of subsequent meetings for corrections to these minutes and any corrections hereto.