

**TOWN OF BOLTON  
BOARD OF SELECTMEN  
REGULAR MEETING  
MINUTES  
TUESDAY, AUGUST 2, 2022, 7:00 P.M. HYBRID FORMAT**

		Present	Absent
First Selectman	Pam Sawyer	X	
Selectman	Adam Teller	X	
Selectman	Robert DePietro - remote	X	
Selectman	Mike Eremita - remote	X	
Selectman Deputy First Selectman	Robert Morra	X	
Interim Administrative Officer	Jim Rupert	X	

**1. Call to Order:**

By: Sawyer

Time: 7:00 p.m.

Place: Hybrid

All rose to recite the Pledge of Allegiance to the flag.

Sawyer: Wants to take a moment to read portions of a special letter that Congressman Joe Courtney wrote to honor Michael Clark of Bolton. Master Sargent Clark died recently during National Guard training. Then Sawyer asked people to rise and observe a moment of silence to honor of Master Sargent Clark.

Sawyer: The Bolton PTA has asked that consideration be made to install a bench in Clark's honor.

**Motion:** I move the Board of Selectmen approve the request of a memorial bench with Clark's name to be placed at an appropriate location.

By: Morra

Seconded:

Voting:

For: Morra, Eremita, Sawyer, Teller, DePietro

Against: None

Abstain: None

Sawyer: Introduced Jacob Messier the State Trooper assigned to Bolton since May.

Sawyer: We have had a request to move up agenda item 6.B.

**Motion:** I move the Board of Selectmen move to agenda item 6.B. at this time.

By: Morra

Seconded: Teller

Voting:

For: Morra, Eremita, Sawyer, Teller, DePietro

Against: None

Abstain: None

## **2. Public Comment:**

Ron Beaudoin, 2 Cook Drive – He lives in the residential neighborhood where shots have been fired and would like to have a noise ordinance considered.

Mr. Beauchamp, 48 Notch Road –Based off the state regulations an allowable noise level is 100 decibels during the daytime and 80 decibels at night. He not know if the impulse sound is allowable. He does not go over the daytime allowable level. He has been shooting less frequently. He would like to come up with a reasonable timeframe for shooting that is okay with the neighbors. He put letters in the neighbors' mailboxes today. He would like to continue shooting while finding a way to do so that everyone would be okay with it.

Linda Lavigne, 10 Cook Drive – It is not just about him shooting. There are noises from other people around the same area.

Ron Beaudoin, 2 Cook Drive – We hear gun shots coming from the other direction, too. Eighty decibels is the allowable noise during the night. Anything over 59 decibels is not allowed. This is not just about Mr. Beauchant.

State Trooper Messier – These are of valid points. But it comes down to a Bolton resident exercising their rights. He is talking about coming up with a plan to keep the peace around the neighborhood. The density of person per square mile in town is much less than Windham that does have a noise ordinance. The state police keep getting calls about this matter but we cannot really do anything. It is up to the officer's discretion.

Sawyer: Suggest asking the neighbors to go outside to talk about a possible agreement.

Barry Stearns, 21 Cook Drive – He appreciates this is on the agenda. After the last meeting the noise is way down. We have to determine what level of noise is acceptable. The town needs to have some kind of noise ordinance.

John Mancini, 11 Cook Drive – We have children; young children who are scared of it. At some time, they will get used to it and that is unacceptable. He is favor of an ordinance.

Ron Beaudoin, 2 Cook Drive – Every town does not have a ordinance. Hearing a gun shot is an emotional event. In my home people may not feel safe and that is an adult reacting to gun fire.

Mr. Stearns, 21 Cook Drive – Re: the Notch Road intersection. Are we pushing the state to improve the intersection? The state has only said the intersection is non-conforming.

## **3. Approval of Minutes:**

Sawyer: Received consensus to return to this agenda item later in the meeting.

**A. June 7, 2022 – Special Meeting w/BHF**

**B. June 7, 2022 – Regular Meeting**

**C. June 21, 2022 – Special Meeting A/P**

**D. June 24, 2022 – Special Meeting**

**E. June 30, 2022 – Special Meeting A/P**

**F. July 12, 2022 – Regular Meeting**

**G. July 19, 2022 – Special Meeting**

**H. July 27, 2022 - Special Meeting A/P**

**Motion:** I move the Board of Selectmen approve the meeting minutes from the dates listed above with the following corrections:

- June 21, 2022 – Special Meeting, item 6 – the reference to “curly pond leaf weed” be changed to “curly pond weed”.
- June 24, 2022 – Special Meeting, item 5., second paragraph, first sentence – change “company” to “town employment”.
- June 24, 2022 – Special Meeting, item 5 – add “Vote: For: Sawyer, Teller, Eremita, Morra”.
- July 12, 2022 - Regualr Meeting, item 2 – “Beuadoin” to be changed to “Beaudoin”.

By: Morra

Seconded: DePietro

Voting:

For: Morra, Eremita, Sawyer, Teller, DePietro

Against: None

Abstain: None

#### **4. Appointments and Resignations**

##### **A. Resignation – D. Bokshan (Library Page)**

Sawyer: Received consensus to return to this agenda item later in the meeting.

**Motion:** I move the Board of Selectmen accept the letter of resignation from D. Boksahn with thanks

By: Morra

Seconded: Teller

Voting:

For: Morra, Eremita, Sawyer, Teller, DePietro

Against: None

Abstain: None

#### **5. Reports & Updates:**

**A. Properties and Facilities Report**

Rupert: There is not anything specific to report. The debris pile behind the Bolton Center Cemetery has been removed.

**B. FY 22 Budget Report**

Rupert: Jill produced a report for us. This shows we've expensed 87.3% of the budget with still a few bills straggling in. These are unaudited figures.

**C. Consider and Act on A/P Report**

Eremita: Under TruGreen processing vegetation control - why are we outsourcing that?

Rupert: You have to be a licensed applicator if pesticides and herbicides are being applied in a public location. In this instance there is a mouse infestation in a building that we cannot control; the vegetation control is needed at the farm. Eremita: Asked that Rupert check and make sure that we could not do it in-house as he would rather it be done that way.

**Motion:** I move the Board of Selectmen accept the A/P report.

By: Morra

Seconded: DePietro

Voting:

For: Morra, Eremita, Sawyer, Teller, DePietro

Against: None

Abstain: None

**6. Ongoing Business:**

**A. Review Cannabis Ordinance with changes made**

Rupert: This has been talked about a couple of times and people wanted time to study it a bit more. The Town Attorney suggested this was one he reviewed and that it is a good one. We took that and adapted it for Bolton. The typo was corrected.

Eremita: This will handle anything where we have fines and have a hearing procedure.

Morra: It is readable.

Teller: He objects to some of the language in this. Teller does not think it is appropriate to be drafting such an ordinance.

Eremita: While he does not have a problem with what he is reading he will yield to Teller to take his expertise as guidance.

**Motion:** I move the Board of Selectmen hold this until the next meeting.

By: Morra

Discussion: Rupert: We have had a change in the law and have not had any reports that there is any more of an issue this year on town property than in past years. We could enact a cannabis ordinance and remove the fine portion of this.

Teller: This draft says it *may* apply. Page 2 refers to a citation hearing procedure. This

ordinance says a citation may be issued after the warning notice. Getting a notice and then getting a citation is confusing. Teller questions the time and effort for what might be a \$100 fine. These are for repeated violations. Teller is not in favor of us having a lot of ordinances that we are then having to enforcing. He does not see adding a whole structure of enforcement for what may be one or two citations. It is overkill to have fines. He will not vote in favor of this.

Morra: The law has been changed since we began this discussion. He concurs with Teller. We should rethink this ordinance.

Eremita: Teller makes a great point - he hit the nail on the head. Pack it up and leave it.

**Motion:** I move the Board of Selectmen table this subject until such a time it is more relevant.

By: Eremita

Seconded: Morra

Voting:

For: Morra, Eremita, Sawyer, Teller, DePietro

Against: None

Abstain: None

**B. Consider and Possibly Act on Heritage Farm Master Site Plan**

Rupert: Consultant could not put together the executive summary in time for this meeting.

Morra: He went through the plan but he needs to understand it better than he does. He would like to see the executive summary. DePietro and Eremita: Agree with Morra.

Eremita: Would like to see a plan for cost recovery. An actual plan that lays out each step of the plan and what the cost recovery is for that step.

Teller: Would have been okay with the plan as they presented it but is happy to wait for an executive summary.

Sawyer: Thanked those present for doing what they are doing for the center of our town.

Sawyer: Received consensus to move to agenda item 9.B. at this time.

**7. New Business:**

**A. Consider and Act on Non-Union Pay Raises**

Rupert: We tend to follow the supervisor's contract who have received 2.25 % for this year and increasing the town share to 5.5% for pension contribution. The library wanted substitutes to have a pay rate that was reasonable compared to library pages. The fire department is being provided with wage increases that were discussed and agreed upon five years ago. Some have to do with minimum wage. Rupert asked that these be made retroactive to July 1, 2022.

Sawyer: Senior van drivers are required to have physicals and CDLs. It is getting harder to find people for that position and they are underpaid. Eremita: School bus drivers are

paid in the mid-20s. The van driver has more responsibility with helping people on and off the van. They are underpaid.

Teller: School bus drivers need a different endorsement and have a split shift.

**Motion:** I move the Bolton Board of Selectmen accept the non-union hourly pay and pension raises as presented and have Rupert come back with additional research on the hourly rate for the Senior Van Driver position.

By: Morra

Seconded: DePietro

Discussion: Eremita: How many van drivers do we have? Rupert: Three and one that fills in once in awhile.

Voting:

For: Morra, Sawyer, Teller, DePietro

Against: None

Abstain: Eremita (on the portion pertaining to the fire department)

**Motion:** I move the Bolton Board of Selectmen accept the non-union salary pay and pension raises as presented; the Interim Town Administrator will be retroactive to January 2022.

By: Morra

Seconded: DePietro

Voting:

For: Morra, Sawyer, Teller, DePietro, Eremita

Against: None

Abstain:

Sawyer: Next we consider the non-union monthly category. There are no increases proposed other than for the Fire Chief and the Deputy Fire Chief; we no longer have a Treasurer. Rupert: There is no change proposed for the Selectmen.

Morra: At a minimum, the Selectmen should have a 2.25% increase. It is a small amount.

Eremita: Agrees. Teller: Has a philosophical objection to an elected board voting to increase their pay during their term of office. He would be okay if the increase was to take effect during the following term to see if the citizens agree to the increase through voting.

He will abstain from this vote if it does not take affect for the next term. Morra: If this was for a significant increase he would concur. The salary for the First Selectmen should be looked at so it more properly compensates that person for this exceedingly time consuming position. With this low salary we are leaving out so many people that may consider being on this board. It is time to look at the compensation for the First Selectman position. He would like the Board to consider putting forth a subcommittee to examine the salary paid to the First Selectmen. That would be for the next term. Rupert: Will do some research.

DePietro: Is concerned about Teller's point. The number of selectmen will be the other consideration. Morra: That is also something to look at. Sawyer: With the Charter revision the board members will number seven and the term for each will be 4 years.

**Motion:** I move the Bolton Board of Selectmen approve the salary increase at 2.25% for the BOS and the Assessor.

By: Morra

Seconded: Eremita

Discussion: Teller: Feels it is not appropriate to vote on your own salary. Morra and Eremita mentioned other boards have given themselves raises.

Voting:

For: Morra, Sawyer, Eremita

Against: None

Abstain: Teller, DePietro

**Motion:** I move the Bolton Board of Selectmen approve the increases in salary or stipends for fire department personnel.

By: Morra

Seconded: Teller

Discussion: Teller: When was the 5-year plan voted on, who voted on it, and what did it say? Eremita: The Fire Chief brought it up during budget discussions in 2018 or 2019. The higher raises going to the lower officers to encourage people to volunteer. The BOS and the chief thought it was an appropriate plan to phase in over five years. Morra: Originally the BOS looked at significant increases at the beginning. The BOS felt then it would have to be worked in over time. So this five year plan was decided on. This is the fifth year of the plan.

Sawyer: What is the department strength right now? Eremita: We are one officer short right now. There are 39 people on the roster with 17 or 18 active fire fighters. Others are support and EMS personnel. This is a means to try to entice some of the town's younger people to join the department.

Voting:

For: Morra, Sawyer, Teller, DePietro

Against: None

Abstain: Eremita

A five minute recess was called at 8:45 p.m.

The meeting resumed at 8:50 p.m.

## **B. Consider and Possibly Act On 401K Raises**

See above.

## **C. Consider and Act on Next Real Estate/Personal Property Tax Due Date (Request for October 1, 2022, with November 1, 2022, Delinquent Date)**

**Motion:** I move the Bolton Board of Selectmen approve the next Real Estate/Personal Property tax due date as October 1, 2022, with November 1, 2022, being the delinquent date.

By: Teller

Seconded: Morra

Discussion: Morra: Why wouldn't we be sending these with the supplementals they do in January? Rupert: This was the request from the Tax Collector; it will be easier for her with these dates because everybody will get a tax bill in January for items other than on a motor vehicle. The January tax bills will only be for changes.

Voting:

For: Morra, Eremita, DePietro, Sawyer, Teller

Against: None

Abstain: None

#### **D. Consider and Act on Revaluation Bid**

Sawyer: There is a memo from the Interim Assessor. Two bids were received. The recommendation is for Vision Government Solutions which is the lower cost bid and the current provider. Morra: The Vision program is already in place; Vision is more prominent in the state. Rupert: We have gotten some appeals since using Vision but the number of appeals have not been crazy.

**Motion:** I move the Bolton Board of Selectmen accept the low bidder of Vision Government Solutions.

By: Morra

Seconded: Teller

Voting:

For: Morra, Eremita, DePietro, Sawyer, Teller

Against: None

Abstain: None

#### **E. Consider and Act on Being Able to Vote Via Zoom**

Sawyer: This is for town meetings.

Rupert: From the information he gathered – there are no towns he found that are allowing people to vote on Zoom or Teams. Vernon held the town meeting via zoom and a time period following, about 2-2.5 hours, to drive up and vote. They had some success with this.

Teller: Does the moderator have to be outside? Eremita: You will have to have a set up just like a voting place with everything ready for the potential of 800 people to vote.

Morra: If anything like this is done it should be state-wide. Rupert: The state is not wrestling with this right now.

Teller: He would have liked to find some technology that does allow this.

#### **F. Discuss Possible Noise Ordinance**

Morra: He is not a fan of having new ordinances for an instance that is very specific in its location. Especially when the individual is willing to work it out between himself and the neighbors. This is really a neighborhood issue. Once you create an ordinance or law there can be unintended consequences. Morra is opposed to having one and will vote against.

DePietro: Agrees with Morra. If you sit by the road on Route 6 near the candy place, near



Bolton Collision the noise there is really a pain. The issue is really gun fire, shooting. Mr. Beauchamp is willing to work this out. DePietro would vote against this.

Teller: He has had experience of a noise ordinance about a club that was shooting. In our current environment the discharge of firearms in neighborhoods is viewed as a problem and not acceptable to some people. Firearms should not be discharged outdoors in a backyard. Hunting is a different issue. He is not sympathetic to someone shooting in a backyard. Obtaining the equipment to measure the noise costs \$2,500 – \$10,000 needed in order to prosecute someone. That is not a reasonable deterrent. An ordinance to disallows shooting in a backyard is a different matter. In this situation, Mr. Beauchamp is trying very hard and sincerely to satisfy the neighbors. Neighbors should be encourage to work with him.

Eremita: Agrees with Teller that a noise ordinance is impossible to enforce. The big concern is safety of the neighbors living around him. He is truly concerned about the location of the shooting and the close proximity to the neighbors and people on the trail. Eremita is opposed to shooting in a residential neighborhood.

Resident Trooper Messier: You cannot enforce noise ordinances. It is near impossible. This is about a specific area and specific people. We have gone to 48 Notch Road. He is within his rights and in the limits. There is no state law against shooting at your residence. You cannot target one group without affecting the hunters if you put in an ordinance about shooting in neighborhoods. Using Windham as an example is not comparing apples to apples. Coventry is a little larger and does not have a noise ordinance; that is apples to apples. We are only getting complaints from Notch Road. The town cannot target one person.

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

### **A. COVID-19**

Sawyer: It is hard to report on now because of home testing. There is a small spike happening but that is less than half what it was in May.

### **B. Other**

Sawyer: Monthly report from State Police on calls responded to. Will pass those around and they will be posted on the web page.

Sawyer: We have had a request for an archeological dig with some students on the farm. Some questions remain, such as what is the student age level. There is a response from Mary Harper from PAST. There is some interest in putting in a trail were it crosses both of those pieces. The request is for the summer of 2023. Under the State Archological Preserve there are sensitive concerns where major artifacts could be found. The requestor will be asked to the September meeting to discuss this.

## **9. Administrative Officer's Report:**

### **A. Monthly Report**

8/2/22

## August Highlights

### From Interim Town Administrative Officer

- Working on completing contract for trash services
- continuing to put new computers into service
- continuing employee search for vacancy in buildings and grounds department
- Completed road paving beginning catch basin top replacement for next phase of paving
- Beginning review for Farm Day event
- Participated in the meeting between engineers regarding Mark Anthony bridge
- Working with UCONN School of Engineering to create a project to assist with Mark Anthony bridge
- Received an application for a qualified individual for shared assessor position
- We have welcomed Jon Treat and Suellen Kamara as new hires in Highway and Selectman Departments
- Lake usage continues to be reasonably smooth
- Updated animal control contact information and held discussion with Jerry
- Dirt pile has been removed from Bolton Center Cemetery
- Provide support for Registrars to mail notices regarding voting locations
- Second billing for second trash cars has gone out
- Received brush truck and completing work to get into service
- Working on evaluating value of old brush truck
- Updated fees for 25 Anchorage in Vernon regarding sewer
- Completed EMPG for 18/19 requests
- Completed ARPA reporting with OPM
- Installed speed limit signs and ordered signs for Wall Street
- Met with CRCOG leadership and working group regarding regional BO and FM
- Letters to unsuccessful applicants sent thanking them for their time and applications
- Discussion with Attorney Barger regarding FOI request for personal information on all union employees
- Working on RFP info for bond council and temporary building
- Both spaces at Notch Road are ready for use. First meeting with Historical Society and use for summer art program are scheduled.
- Virtual meeting with Superintendent Heckt and Novus regarding cyber security

Respectfully submitted,

James Rupert  
Interim Town Administrative Officer

Teller: When members of the public write to us and their letters are included in the packets the phone numbers and email addresses should be blacked out.

### **B. Bolton Heritage Farm Event September 25, 2022**

Rupert: Great start of a plan when he met with Arlene recently. Commission has worked to put together a family fun afternoon.

Arlene – This is an event planned for September 25, 2022. We have interpretive signage that we want displayed when the site plan is approved. We put together a plan to hold a picnic to celebrate the farm. We have the reenactment for next year. We also have LOTCIP grant information to share with the community. We feel this is a way to get people to come out to the farm.

DePietro: Fish Family Farm – what is the date for their big deal? Rupert: September 3, 2022.

Rupert: We will promote the event through the website and social media when the plan gels up.

### **C. Other**

None

**10. Executive Session: Discussion on Personnel Evaluation-Interim Administrative Officer**

Teller left the meeting at 9:18 p.m.

Sawyer: This can be an open discussion on how to carry out this process. It does not need to be in executive session.

Sawyer: The Administrator evaluation results should be sent to the Selectmen Morra's email address. She believes the personnel subcommittee is the correct group to collate the results and present them to the BOS. She recommends that results we get back from Staff have the names and titles redacted so they can speak freely.

Eremita: Is a believer in 'if you are going to say it, put your name on it.' Morra: Agrees with that. This goes to the subcommittee.

DePietro: He is reluctant to agree. He has never heard of employees evaluating their supervisor.

Eremita: These should be collected by the subcommittee. This person works for the BOS. We should evaluate the person's work as we believe. When Eremita votes he does what is in the best interest of the community. Morra: We concur. He and Teller had a long discussion about this. If an employee wants to comment on they can come to the subcommittee.

**Motion:** I move the Bolton Board of Selectmen approves the evaluation process as having the evaluation tool filled out by the BOS members, sent to Morra's email address, and those shared with the Personnel subcommittee before being brought back to the BOS.

By: Morra

Seconded: Eremita

Discussion: Rupert: He would like to speak to what Teller said. Teller felt strongly both the public and direct reports should have the opportunity to weigh in on this position. The public is impacted on how he interacts and BOS has the ability look at what was real and what was someone's exaggeration. There is value hearing from both the public and the direct reports. Morra: Felt pretty much as Teller did. The subcommittee will listen to any comments from employees.

**Friendly amendment** was agreed to by Morra and Eremita: Morra is willing to accept comments from the public or town personnel as head of the personnel subcommittee during the evaluation process.

Voting:

For: Morra, Eremita, DePietro, Sawyer

Against: None

Abstain: None

**11. Adjournment:**

**Motion:** I move the Bolton Board of Selectmen adjourn at 9:33 p.m.

By: Eremita

Seconded: Morra

Voting:

For: Morra, DePietro, Sawyer, Eremita

Against: None

Abstain: None

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, Board of Selectmen Recording Secretary

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