



TOWN of THOMPSON

Board of Selectmen

Minutes: Regular Meeting

Tuesday, May 19, 2015

Merrill Seney Room, Town Hall

p. 1 of 9

The Pledge of Allegiance was recited.

P. Lenky presented Norman Babbitt for the dedication of the Norman Babbitt Veterans Conference Room. N. Babbitt gave a brief speech.

First Selectman Paul Lenky called the meeting to order at 7:11 PM.

Present: Kerstin Forrester
Paul Lenky
Shaina Smith

Staff Present: Tina Fox, Recording Secretary

Also Present: Members of the Public

1. Approval of Minutes

- a. **Shaina Smith moved and Kerstin Forrester seconded the motion to accept the minutes of the May 5, 2015 meeting with the following corrections:**

1. Page 2, Section 2(c)(4): The mill should be identified as the River Mill Building Complex, 929 Riverside Dr.
2. Page 7, Section 8(a), second line: '...with no author...' rather than '...this no author...'
3. Page 7, Section 9: Town Clerk agreement was not a draft.

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes

The motion carried unanimously.

- b. **Kerstin Forrester moved and Paul Lenky seconded the motion to accept the minutes of the May 11, 2015 special meeting as written.**

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Abstain

The motion carried unanimously.

- c. **Kerstin Forrester moved and Paul Lenky seconded the motion to accept the minutes of the May 11, 2015 special meeting as written.**

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Abstain

The motion carried unanimously.

2. Correspondence

- a. K. Forrester presented the following correspondence:

1. Email from Steve Benoit regarding a review of the State dispatch.
2. Feedback from Attorney St. Onge regarding the SHR Solar contract, which is still an ongoing process.
3. Letter from Cathy Nurmi, providing the information the Board requested regarding her certification.

MUNICIPAL BUILDING

**815 RIVERSIDE DRIVE · NO. GROSVENORDALE, CONNECTICUT 06255
TELEPHONE (860) 923-9475 · FAX (860) 923-9897**

- b. P. Lenky presented the following correspondence:
 - 1. Information regarding the Town of Thompson Memorial Day service, meeting at 8:45 AM sharp at Town Hall.
 - 2. Thompson VFW Post 10088 would like permission to distribute poppy's.
 - a. **Kerstin Forrester moved and Shaina Smith seconded the motion to accept VFW Post 10088 to distribute poppy's on May 21st, 22nd, 23rd and 24th.**
 Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 - 3. Letter sent to Board of Selectmen from Don Pimental requesting April 27, 2015 document be read aloud.
 - 4. Letter dated April 27, 2015 was read aloud.
 - a. **Shaina Smith moved and Paul Lenky seconded the motion to add "Discussion of the Memo Titled 'Town of Thompson Miles of Locally Maintained Roads as of July 29, 2014'" under Other Business on the agenda.**
 Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 - 5. Letter to abutters for ZBA variance regarding the solar farm; a decision has been postponed until June.
 - 6. Northeast Connecticut Chamber of Commerce invitation.
 - 7. 2015 Challenge flyer, inviting people to form a team for a one-day competition on Thursday, June 11, 2015.
 - 8. Letter from Wilbur & Associates regarding an insurance claim.
 - 9. Information regarding a WPCA public hearing on May 27, 2015.
 - 10. Response to Mrs. Cleary, who had asked about her son not being given a job as a counselor for the Recreation Department; Mrs. Cleary was very concerned about her son not being given an interview. P. Lenky stated that he was told that the Board of Selectmen did the hiring for summer help, but that the Board has not been involved in the hiring process. K. Forrester asked if the summer help had been hired. P. Lenky responded that he believed interviews were held the previous month, but that he does not yet have an answer if anyone has been hired.
3. Selectmen's Comments
- a. K. Forrester mentioned that Ann Bushey will not be available to fill in for the Assistant Town Clerk's vacation. She added that the only potential problem Cheryl Darling could foresee was if a Notary of the Public was needed, but there are others in Town Hall who are qualified as Notaries.
 - b. K. Forrester mentioned that there was a meeting to discuss changes in healthcare made by the carried and made by the union contract. She stated that she is making an effort to make sure employee files are complete.
 - c. K. Forrester stated that the cleaning service for Town Hall has gone out to bid.
 - d. K. Forrester believed that a serious discussion is needed to have an inventory and some record of who has access to what files, in response to the missing files in the Assessor's Office.
 - e. K. Forrester stated that Dianna Rebello called the State the day after the last Board meeting and got the road report emailed, recorded on time and confirmed. She added that there is a copy available in the Selectman's office.

- f. K. Forrester noted that there is a special meeting on Thursday to review cost and proposals for the new phone system at Town Hall.
- g. K. Forrester asked Don Pimental that if he knows where the road list document came from as he stated at the previous meeting, that he please share the information with the Board.
- h. K. Forrester recommended asking the school's Communication Academy record Board meetings as it would be an excellent project for them.
- i. K. Forrester mentioned that she had asked about 65 Main St., if there has been any progress on that issue.
- j. K. Forrester mentioned the blight ordinance that the Board was given the previous week.
 - 1. **Kerstin Forrester moved and Paul Lenky seconded the motion to add 'Discussion of the Blight Ordinance' to Other Business on the agenda.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- k. **Kerstin Forrester moved and Paul Lenky seconded the motion to add 'The Opening of the Engineering Bids for the School Oil Tank' to Other Business on the agenda.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- l. P. Lenky stated that Servpro did an assessment and provided a quote at Town Hall after black mold was discovered.
 - 1. **Kerstin Forrester moved and Shaina Smith seconded the motion to add 'Discussion of the Quote from Servpro' to Other Business on the agenda.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- m. P. Lenky mentioned that only one bid was received for the curbing project at the library, and that the bids needed to be opened at this meeting.
 - 1. **Kerstin Forrester moved and Shaina Smith seconded the motion to add 'The Opening of the Bids for the Granite Curbing at the Library' to Other Business on the agenda.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
 - 2. S. Smith stated that if the Board knows that bids will need to be opened at a particular meeting, then the opening of the bids should be on the real agenda as an actual item.
- n. P. Lenky gave an update regarding the Marianapolis Sewer Project, mentioning that drilling would begin the following week, and the expected finish time for the project is 45-60 days.
- o. P. Lenky gave an update regarding the Quaddick Road Bridge, stating that the bridge design is being finalized and will be sent to the Connecticut Department of Transportation for approval.
- p. S. Smith state that she agreed with K. Forrester that the Board needs to look into what they can do in regards to 65 Main St.

- q. S. Smith asked who participated at the meeting earlier that day regarding employee healthcare, to which K. Forrester responded that everyone who was invited attended the meeting. S. Smith asked for clarification as to whether both K. Forrester and P. Lenky were present, and added that because both were present, it was an official meeting that should have been posted and she (S. Smith) should have been invited. P. Lenky responded that K. Forrester was there in a Human Resources role and he (P. Lenky) was there as a participant. K. Forrester added that her involvement at the meeting was minimal.
- r. S. Smith asked about the status of bringing back audio to the Town website. P. Lenky stated that he did not have a chance to talk to him (Jim Stratos) about the issue yet. S. Smith stressed that a lot of people are requesting the audio be on the website, and added that people who are blind cannot read the minutes online. K. Forrester suggested that the Town follow rules for record retention, in regards to how many years of audio should be put on the website. S. Smith added that previous years minutes should also be restored to the website.
- s. S. Smith mentioned that the referendum would be May 27, 2015 from noon to 8:00 PM at all regular polling locations.
- t. S. Smith asked P. Lenky the name of the Attorney that he sought legal advice from regarding the missing files. P. Lenky responded that he sought personal legal advice in response to accusations of corruption. He added that he spoke to Attorney St. Onge after the previous Board meeting, and that he was advised that the Attorney General and the State police would have no interest in looking into the missing documents.
- u. S. Smith asked if the State road changes would be for 2014, to which K. Forrester replied affirmatively, and added that they are on file in the Selectman's office, and that someone at the State verified that the changes would be in the 2014 road report. P. Lenky added that five roads were added that had not been on the road list for seven years, and that those five roads had been approved by PZC in the past.
- v. S. Smith asked if the complaint from Mr. Lavalee regarding the ZEO was forwarded to PZC, to which P. Lenky answered affirmatively. S. Smith stated that it was her understanding that the First Selectman is responsible for reprimanding the ZEO, and that the Board of Selectmen would vote on disciplinary action, and asked if that understanding was correct. K. Forrester responded in the negative, and added that it was her understanding that per State statute, the First Selectman has disciplinary authority and can extend that authority to the Board if he wishes. S. Smith asked that the Board verifies that information with the Town Attorney. S. Smith mentioned that two more residents complained about the ZEO. K. Forrester stated that the protocol should be a verbal warning, followed by a written warning, and then termination.
- w. S. Smith asked about an invoice she received which stated that the password was eliminated from the former Executive Assistant's laptop on February 9th at K. Forrester's home. K. Forrester stressed that it did not occur at her home, but did occur at Town Hall. S. Smith recommended contacting the company that did the work because the invoice is public record and indicates that the work took place at K. Forrester's home. P. Lenky stated that the computer was picked up Friday, February 6, 2015, and K. Forrester added that it was done for security reasons. S. Smith stated that she was uncomfortable with the

situation because the individual was still technically an employee of the Town. P. Lenky asked that the discussion be placed on hold until all the necessary information can be gathered. S. Smith brought up the fact that the person in this position was terminated, but that the Board never voted to terminate, and that the Board should vote to accept resignations or to terminate a person. K. Forrester mentioned that she checked with Ken Limestone on what the Board is required to do, and that everything was done correctly.

4. Citizen's Comments (Limit 3 minutes)

- a. Kevin Walsh, Blain Rd., asked if an amended report for 2014 (regarding road updates) had been filed yet, to which P. Lenky responded affirmatively. K. Walsh stated that the website used to get a lot of traffic and hits and that he cannot come up with a reasonable explanation as to why the Board would not want that (audio/minutes) on the website. He added that one or two people in Town Hall should not be able to take control of the website. K. Walsh brought up the letter dated April 27th. He stated that every official at the Town Meeting, including both attorneys, should be sent that letter, because they were under the impression that the July 29, 2014 document was all the Board needed to prove their point, and they don't know the document was fraudulent.
- b. Don Pimental, 40 Starr Rd., stated that it was strange that the length of Starr Road was the only road that was tampered with. He stated that the April 27th document states that passwords can't be removed, but that Chirs Nelson, the Town's IT employee, can remove passwords. He added that it (the July 29th document) was generated in the Selectman's Office. He stated that the Board must know where the document came from, and that the Board should be providing him with information.
- c. Sally White, East Thompson Rd., asked if the Board could announce the new assessor yet, to which K. Forrester responded that they could not. S. White asked if net metering is included in the solar project, to which K. Forrester responded in the negative. S. White asked if the new business proposed on Route 12 is a Dollar General, to which P. Lenky replied affirmatively. She added that it would have been proper to notice on the agenda the opening of the bids.
- d. Ken Beausoleil, Walker Dr., stated that he believed Mr. Baer had added minutes back to 2007 on the website, and it did not take up too much space. He stated that having the information on the website frees up the Town Clerk from having to go into the vault to help citizens, and it would be very beneficial to put the minutes back on the website.
- e. John Rice stated that he agreed with K. Forrester that we follow State guidelines for record retention regarding putting audio on the website. He also added that the PZC ordinance states that PZC shall appoint the ZEO.
- f. Shawn Brissette, Fariway Dr., asked what the Town is doing to notify residents of the Referendum date. P. Lenky answered that WINY was contacted, it would be posted at Town Hall, it would be in the Shopper's Guide, and that the Recreation Department would put up signs. He added that S. Smith should check dates regarding the password issue because he was "positive that six weeks as of February 9th is not even close."

5. Town Clerk Agreement

- a. P. Lenky stated that Jeff Barske did sign the contract. K. Forrester read the contract aloud.
 1. **Kerstin Forrester moved and Paul Lenky seconded the motion to accept the contract with Jeff Barske as read.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- b. S. Smith asked about travel pay, asking if the Town Clerk can train on days he was already planning on being here. K. Forrester explained that the incoming Town Clerk starts in January. S. Smith asked if it would be possible for the incoming Town Clerk to train before Jeff Barske's term is over in December in order to not incur the \$35 per hour training fee in the contract. K. Forrester explained that the Town would then have to incur a full salary for the incoming Town Clerk during that time, and that the person cannot be sworn in until Jeff Barske's term is up. S. Smith asked who came up with the \$35 per hour fee. K. Forrester answered that Jeff Barske came up with the fee, but that it is significantly less than she would have expected; for comparison, she added that the Finance Director had asked for \$110 per hour. S. Smith asked if he has agreed to maintain residence, and who would assure that he is adhering to the contract. S. Smith asked if the contract takes effect as soon as the Board signs it. P. Lenky pointed out that the contract states it takes effect June 1, 2015. S. Smith asked if Jeff Barske created the contract. K. Forrester answered that she created the contract and reviewed it with Attorney St. Onge.

6. ZBA Member Change

- a. P. Lenky read a letter from ZBA aloud recommending moving alternate Kirby Cunha to a regular member position of ZBA.
 1. **Kerstin Forrester moved and Shaina Smith seconded the motion to accept the recommendation to make alternate Kirby Cunha a regular member of ZBA.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.
- b. P. Lenky read a letter from ZBA aloud recommending adding Ross Dimock as an alternate member for ZBA.
 1. **Kerstin Forrester moved and Paul Lenky seconded the motion to accept the recommendation to add Ross Dimock as an alternate for ZBA.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.

7. Procedure for Memos/Letters

- a. K. Forrester mentioned that the procedure is the same that the Board looked at previously, with the addition that documents must be saved as PDFs. She added that the Town has Microsoft Office 2003, and that they are requesting that be updated. S. Smith wanted to know who would police making sure that people follow the procedure. K. Forrester stated that she hoped everyone at Town Hall could police themselves, as they are all adults, and the Town should not have to pay someone to come and police the issue. S. Smith asked if P. Lenky would be making sure that everyone uses their initials on documents. K. Forrester added that the way to enforce the policy would

be to refuse accepting documents if it does not have initials on it. S. Smith reiterated that P. Lenky should make sure people follow the procedures, and that if someone is not following the procedures, they should get reminded.

- b. **Shaina Smith moved and Paul Lenky seconded the motion to approve and accept the procedure for memos and letters as written.**

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes

The motion carried unanimously.

8. Fuel Tank Bids

- a. K. Forrester mentioned that the Board had a meeting with Leo Adams to go through all of the bids. She noted that Service Station Equipment had quoted for 50 keys, whereas LaMountain Brothers quoted at 100 keys. She added that Service Station Equipment responded to the questions sent to them and stated that additional keys would be \$8 each, plus possible shipping. K. Forrester stated that her recommendation would be to go with Service Station Equipment. P. Lenky stated that with the extra keys, Service Station would be \$243,250, and he agreed that they should go with Service Station. S. Smith asked if the official packet is considered the contract, to which K. Forrester replied in the negative and added that they would get a contract from them.

- b. **Shaina Smith moved and Kerstin Forrester seconded the motion to accept Service Station Equipment's total bid at \$243,250.**

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes

The motion carried unanimously.

9. Road Updates

- a. P. Lenky stated that the Town is finishing up road sweeping and would begin grass mowing at the cemeteries within the next few days. He stated that Buck Hill Rd. will be finished by mid-June and that work will hopefully begin on Sand Dam Rd. once Buck Hill Rd. is done. He added that because companies are busy, grinding at the lots probably won't be done until August, and that some upgrades may be done on Reardon Rd. and Fabyan Rd. K. Forrester stated that going out to bid for the grinding should be done right away. S. Smith asked when the additional summer help would start, to which P. Lenky responded that it would be the first week of June.

10. Other Business

- a. Discussion of the Memo Titled 'Town of Thompson Miles of Locally Maintained Roads as of July 29, 2014'
1. S. Smith asked if P. Lenky gave Dianna Rebello a draft to type the memo. P. Lenky answered that there was discussion between himself and D. Rebello, as well as himself and K. Forrester, to make the final draft.
 2. S. Smith believed that the sentence beginning "Do to a lack of procedures and accountability..." suggests a lack of competency in some of the departments and that she doesn't know if that's fair.
 3. S. Smith asked how the Board knows that the change on the July 29th document was conducted on the computer that the memo indicates. K. Forrester stated that the computer shows that the last time the document was modified was July 29, 2014. S. Smith stated that the

Board cannot know that the modification was on that date, to which K. Forrester agreed.

4. S. Smith asked who it was that asked the Interim Clerk if she had altered it, to which K. Forrester replied that she had asked because she (K. Forrester) wanted to know. S. Smith asked if the Executive Personnel Director had been asked, to which K. Forrester answered that she had not been asked because she was not responding to anything sent to her. S. Smith stated that she felt it would have been prudent to send a letter to her (the Executive Personnel Director) about this particular issue.
5. S. Smith stated that it seems like more than two people could have had access to the computer and that since this is a possible case of forgery, the Board shouldn't call the case closed.
6. S. Smith mentioned that she spoke to the former Executive Personnel Director and she stated that she did not make the change to the document. S. Smith recommended asking the Town Attorney for further information on handling the situation.

b. Discussion of the Blight Ordinance

1. K. Forrester asked if the ordinance was drawn up by the Ordinance Committee. P. Lenky answered that it was drawn up by the Town Planner, but that it did go to the ordinance committee for review.
2. The Board discussed how a Blight Ordinance would be enforced. P. Lenky recommended a Blight Enforcement Officer, which could potentially be the ZEO or Building Official.
3. K. Forrester recommended having a meeting with the Ordinance Committee and Mary Ann Chinatti, Director of Planning and Development, to go through the ordinance in detail.

c. The Opening of the Engineering Bids for the School Oil Tank

1. P. Lenky opened the bids and read them aloud as follows:
 - a. Alfred Benesch & Company: non-bid
 - b. Lenard Engineering, Glastonbury, CT: \$9,800
 - c. CLA Engineering, Norwich, CT: \$11,700, plus \$700
 - d. Fuss & O'Neill, Manchester, CT: \$26,600
 - e. Weston and Sampson, Rockyhill, CT: \$19,900

d. Discussion of the Quote from Servpro

1. P. Lenky explained that Servpro was contacted because of an odor at Town Hall. He stated that Servpro gave a quote of \$3,485.94 to clean out the vent system, wash all the walls, and take out part of the wall in the back room to fix the mold issue.
2. K. Forrester stated that because of health issues, this should be done as soon as possible.
3. S. Smith asked if any employees complained of respiratory problems, to which P. Lenky answered that the complaints were just about the smell.
4. **Kerstin Forrester moved and Shaina Smith seconded the motion to engage Servpro to come in and clean Town Hall at \$3,485.94.**
Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes
The motion carried unanimously.

e. The Opening of the Bids for the Granite Curbing at the Library

1. P. Lenky opened the bid and read it aloud as follows:
 - a. B&W Paving and Landscape, LLC, Mystic, CT: \$27,900

2. S. Smith asked where the bid was advertised. P. Lenky answered that it was advertised in the Shopper's Guide and Norwich Bulletin, and there were eleven inquiries.
3. K. Forrester suggested going back out to bid. P. Lenky agreed.

11. Citizens' Comments on Agenda (Limit 3 Minutes)

- a. Don Pimental, 40 Starr Rd., stated that the documents he received from the Assessor's Office, Town Clerk, and Building Department were all the same, with the exception that the Building Department only had the April 12th document. He stated that that was what was altered. He stated that Mary Ann Chinatti handed him his copy, but that that copy was not in the Town Clerk's Office or the Assessor's Office, and that it came from Mary Ann Chinatti herself.
- b. Kevin Walsh, Blain Rd., stated that he hopes the Town can get to the bottom of the situation. He stated that he's questioning whether or not the mistakes have been intentional. He discussed the previous public hearing, stating that it was supposed to provide clarity. He stated that the Attorneys had questions when the meeting ended and were using terms like 'supposed road' and 'apparent road.' He added that the Board used a forged and fraudulent document as primary evidence that night. He stated that P. Lenky owes it to everybody to get to the bottom of the situation because it takes away the resident's voice and vote. He stated that P. Lenky is the type of person who could find out what happened if he put his mind to it.
- c. Sharon Recore, 46 Townes Lane, asked if the cemetery cleaning that would start tomorrow would include all cemeteries because there is one cemetery by her home that has not been maintained in two years. She added that she thought that there would be a point on the agenda to state complaints against the ZEO. P. Lenky stated that anyone can come to the Selectman's office and fill out a complaint form, or just write a letter.
- d. Wayne O'Brien, 108 Fabyan Rd., stated that the Board can bring in an expert to figure out where the document was generated. He added that if somebody did something wrong, the Town should spend the money to figure it out.

12. Tax Refunds

- a. **Kerstin Forrester moved and Shaina Smith seconded the motion to approve the following tax refunds:**
 1. Grace E. Richie: \$21.84
 2. William Ernes Fongellaz: \$298.54

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes

The motion carried unanimously.

13. Adjourn

- a. **Shaina Smith moved and Kerstin Forrester seconded the motion to adjourn.**

Kerstin Forrester- Yes Paul Lenky- Yes Shaina Smith- Yes

The motion carried unanimously.
- b. P. Lenky adjourned the meeting at 10:00 PM.

Tina Fox
Recording Secretary