

**TOWN OF SALEM  
BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
TUESDAY, FEBRUARY 4, 2020 – 7:00 P.M.  
SALEM TOWN OFFICE BUILDING**

**PRESENT**

Kevin Lyden  
Edward Chmielewski, Jr.  
Ron LaBonte  
Hugh McKenney  
Terri Salas

**ABSENT**

*none*

**CALL TO ORDER**

First Selectman Lyden called the meeting to order at 7:00 p.m.

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

**a. Tuesday, January 7, 2020 Board of Selectmen Regular Meeting**

**M/S/C: McKenney/Salas, to approve the Regular Meeting Minutes of Tuesday, January 7, 2020. Discussion: None. Voice vote, 4-0-1. Voting in Favor: Selectmen Chmielewski, Lyden, McKenney, and Salas. Voting in Opposition: None. Voting in Abstention: Selectman LaBonte.**

**b. Wednesday, December 4, 2019 Special Joint Meeting of the Boards of Selectmen, Finance and Education**

**M/S/C: McKenney/Lyden, to approve the Wednesday, December 4, 2019 Special Joint Meeting of the Board of Selectmen, Board of Finance, and Board of Education. Discussion: The meeting was comprised of two members from each of the respective Boards. The minutes have been posted under the Board of Selectmen Minutes on the Town website. Voice vote, 5-0, all in favor.**

**3. CORRESPONDENCE/PUBLIC COMMENTS**

State Representative Holly Cheeseman, representing the 37th District, provided a brief legislative update. She recently met with Superintendent Joseph Onofrio to discuss any particular priorities he might have; their discussion revolved primarily around such topics as special education funding and the Minimum Budget Requirement (MBR). She was very pleased to have the opportunity to attend last night's Winter Concert at Salem School. She reported that the Legislative Session is slated to begin on February 5 when the Governor will be delivering his address to the House and Senate. His main priority is the passing of the Toll Bill, for which her

caucus has expressed concerns. Other issues that are expected to be addressed include a bi-partisan prescription drug pricing bill; combined gaming bill, including sports gaming and additional gaming zones, and; recreational marijuana. She encouraged everyone to reach out to either herself and/or State Senator Paul Formica with any comments, suggestions, and/or concerns they might have. They are planning to hold Office Hours in Salem on Wednesday, February 19 from 6:00 to 7:00 p.m.

Selectman Chmielewski was pleased to hear of the bi-partisan support for the prescription drug pricing bill, adding that the town's seniors have expressed concerns regarding the high cost of prescription drugs. First Selectman Lyden was also pleased and spoke with regards to special education funding and the burden of proof to which Representative Cheeseman responded that her caucus has also put a bill forward to change the burden of proof. In response to Selectman McKenney who questioned whether there were any plans to modify the Educational Cost Sharing (ECS) Funding formula, Representative Cheeseman responded that she is working with Senator Formica to ensure that the funding for the towns they represent will not continue to decline.

Representative Cheeseman was thanked for attending the meeting and providing an update.

Attorney Andrew Matthews, representing the Gardner Lake Volunteer Fire Company (GLVFCO), stated that he, along with the members of the GLVFCO Board of Directors, would like to engage in a friendly public dialogue regarding some of the GLVFCO's concerns with the Collective Bargaining Agreement between the Town of Salem and the Fire Union IAFF Local 3831. First Selectman Lyden interjected, stating that a lengthy contract negotiation was held with the Firefighters' Union, which is part of IAFF, and a State mediator and a tentative agreement was reached. Atty. Matthews informed the Board and the public that the two GLVFCO employees who are part of the collective bargaining unit agreement have been working without a contract since July 2019 and began to recite one of the proposals by the Town, before being interrupted due to its confidential nature. He continued that they believe that the agreement is in violation of State Statute 7-323t, which states that,

“ Municipal contracts prohibiting paid emergency personnel from volunteer service. On and after June 5, 2008, no municipality shall enter into a contract that prohibits paid firefighters or paid emergency personnel of such municipality from serving as active members of a volunteer fire department in the municipality in which such firefighters or emergency personnel reside during personal time. ”

The volunteer firefighters of GLVFCO are concerned with the reasoning behind the Town's position to prohibit them from volunteering their services to the Town. First Selectman Lyden informed the Attorney that the Town reached out to the Union in April 2019 and reiterated that the issue has been reviewed and extensively discussed with the Town Attorney and Union representatives. Atty. Matthews clarified that he is speaking on behalf of the volunteers and how the Town's position regarding the paid employees affects the volunteers.

**4. AGENDA:**

**A. Appointment of Tiffany Cunningham and Hugh McKenney to the Building Committee for the Roof Replacement Project (Action Item)**

**M/S/C: Chmielewski/Lyden, to appoint Tiffany Cunningham and Hugh McKenney to the Building Committee for the Roof Replacement Project. Discussion: It was felt that BOE Liaison Selectman McKenney's engineering background would be a positive addition to the Committee. The School does not expect to receive any reimbursements from the State for the A/C Units, but will be investigating the purchase and installation of high efficiency units to receive reimbursement(s) from their energy supplier. Voice vote, 5-0, all in favor.**

**B. Tax Collector Refunds**

**M/S/C: McKenney/Chmielewski to direct the Town Treasurer to issue refunds, recommended and certified by the Tax Collector, as presented, to the Board of Selectmen in the amount of \$4,653.15 (four thousand six hundred fifty-three dollars and fifteen cents) on the 4th day of February 2020. Discussion: None. Voice vote, 5-0, all in favor.**

**C. Executive Session**

- 1. The Board of Selectmen will meet in an Executive Session pursuant to CGS Section 1-200(6)(E) with Attorney Brian Estep and Fire Marshal Donald Bourdeau, Jr., to discuss strategy with respect to the collective bargaining with the fire union, IAFF Local 3831, as such discussions are exempt pursuant to CGS S1-210(b)(9).**

**M/S/C: Chmielewski/LaBonte to enter into Executive Session to discuss strategy with respect to the collective bargaining with the fire union, IAFF Local 3831, as such discussions are exempt pursuant to CGS S1-210(b)(9) at 7:23 p.m. Discussions to include the members of the Board of Selectmen, Attorney Brian Estep and Fire Marshal Donald Bourdeau, Jr. Discussion: None. Voice vote, 5-0, all in favor.**

**M/S/C: McKenney/LaBonte to exit out of Executive Session at 8:03 p.m. Discussion: No votes were taken during Executive Session. Voice vote, 5-0, all in favor.**

**D. Approval of Tentative Agreement between the Town of Salem and Fire Union IAFF Local 3831**

**M/S/C: Chmielewski/LaBonte to approve the Tentative Agreement between the Town of Salem and Fire Union IAFF Local 3831 and further authorize the First Selectman to sign any documents necessary and incidental to effectuate said Tentative Agreement and final contract language. Discussion: Labor Attorney Brian Estep provided a brief background of the negotiation process, stating that the Town reached out to the Union in late April/early May 2019 to begin**

**the negotiation process. The first formal negotiation meeting was held on June 13, 2019 and the ground rules were ultimately established and multiple meetings, negotiations, and discussions were held between the respective parties. Eventually, a contract negotiation impasse – a situation in which the two parties are unable to reach an agreement – was reached. As such, a request was made to the State Board of Mediation and Arbitration to send a Mediator. On January 16, 2020, the parties met with the Mediator for approximately four to five hours and a Tentative Agreement was reached and signed by the parties involved. Once the Tentative Agreement is approved by the Board of Selectmen, on behalf of the Town, and is formally ratified by the Union, the contract language will be finalized and signed by the respective parties. Voice vote, 5-0, all in favor.**

Selectman Chmielewski expressed his deep appreciation to the Firefighters for their service to the Town of Salem and its residents.

## **REPORTS:**

### **A. FIRST SELECTMAN**

First Selectman Lyden reported that the fiscal year audit has been completed by the Town's auditing firm, PKF O'Connor Davies, and is in the process of being finalized. Their audit report is scheduled to be presented to the Board of Finance at their Regular Meeting on March 12. Copies of the report will be sent to the relevant parties when available.

The FY2020/21 department budget requests have been submitted to the Finance Office. Each of the departments will present their requests on their respective scheduled dates.

He recently met with Troop K Barracks Commander Lt. Marc Petruzzi who plans to meet with the First Selectmen of the respective towns the Troop serves every three to four months to ensure that the Resident State Troopers are serving their towns well and to listen to any comments or suggestions they might have.

He also recently met with an Official from the CT DEEP (Connecticut Department of Energy and Environmental Protection), who is taking a proactive approach this season to the ongoing issues at Gardner Lake State Park. Much progress has been made, including the ban on alcohol, increased staffing, increased boating patrols, and the closing off of the parking entrance when it is at capacity. In addition, the Public Works Department will be posting the signage for the "No Parking/Tow Away Zone between June 15 and September 15" on Lake View Avenue, which was approved by the Board last year. The resident who opened his property last season for parking to accommodate the overflow was noticed and has agreed to cease operation. They are currently discussing placing limitations on jet skis, encourage people to utilize the boat launch area as required, and the possibility of creating a swim area on one of the neighboring properties.

He extended his appreciation to Senior Liaison Pam Henry for organizing the popular senior luncheons on the first and third Tuesdays of the month at *Two Brothers Restaurant*. The luncheons help keep the seniors active during the winter months when no meetings are held. He wished Salem's life-long resident Helen Woronik a Happy 90th birthday. Ms. Woronik has served the town and community in countless ways; the town is very fortunate to have her as their friend and neighbor.

The Mobile Food Pantry, which served 85 to 90 families last month, will be held tomorrow, February 5 at 4:30 p.m. behind Salem School.

**B. BOARD OF EDUCATION (BOE)**

Selectman McKenney reported on the Building Committee for the School Roof Replacement Project and provided the Board with an itemized list of the project's estimated costs. The new roof will have a 30, rather than 20, year warranty and the new HVAC units are estimated to cost approximately \$163,000.00. While ineligible for State rebates, the Committee is seeking to recoup some of the funds through possible rebates from the School's power source retailer. The Committee is confident that the project will be completed within the allotted timeframe. First Selectman Lyden added that, in addition to the possible incentives, the high efficiency system will result in an overall savings in utility costs and should resolve the ongoing issues.

The recent BOE meetings have focused on the budget. The BOE currently has approximately 1% of unencumbered funds. A number of line items were adjusted, including \$45,000.00 for increased special education costs due to the influx of new students who already had programs in place. The BOE approved their FY2020/21 budget of \$11,435,000.00, which is an increase of 9.69% from the previous year. Included in the budget are an increase in medical insurance costs and \$106,000.00 to fund the technology line item and includes the purchase of new iPads, which are used for the school's reading program. An inventory of all of the school's technology equipment was also presented. The old iPads will be continued to be used. Efforts were made to minimize the budget increase, including the cutting of \$17,000.00 for forced reimbursements for teachers, a savings of \$9,000.00 by locking in the cost of oil, and both the Superintendent and Director of Special Education have volunteered to forego their pay increase. The BOE also discussed the possibility of including the funding for the technology hardware in the Town's Capital Plan. He commented on an overall long and productive meeting, as members actively proposed questions and carefully reviewed their existing contracts.

**C. BOARD OF FINANCE**

First Selectman Lyden reported that the Board of Finance will be meeting next Thursday and will begin listening to the departments' budget requests. The Capital Plan has been tentatively agreed upon and will be reviewed again before it is finalized for the Budget Public Hearing.

**D. PLANNING AND ZONING COMMISSION**

Selectwoman Salas reported that the Commission appointed Walter Volberg as a member of the Commission to fill the vacancy left by Commissioner David Miller, who recently passed

away. They also elected Commissioner Vernon Smith as their new Chairman, Commissioner John Gadbois, Vice Chairman, and; Commissioner Margaret Caron, Secretary.

The Commission briefly discussed the Riparian Corridor Overlay Zone (RCOZ) regulation and plan to review former Chairman Joseph Duncan's proposed revisions. Selectman McKenney stated the importance of ensuring that any modifications to the regulation are also reviewed by the Eightmile River Wild & Scenic Watershed Committee to ensure that they do not impact the River's Federal designation as a Wild & Scenic River.

The Town Planner provided a memo regarding the Town's Animal Keeping Regulations for future consideration. Some confusion arises as the regulation permits the keeping and raising of animals with no specific limitations in one zone, but with specific limitations in another. The trend appears to be to eliminate any regulations regarding the number of allowable livestock on any given property. He also reported on a referral received from the Town of East Haddam, who is seeking to relax some of their regulations for accessory dwelling units; no foreseeable impact was seen by the change on the Town of Salem. Similar to the BOE meeting, the Planning & Zoning Commission's meeting was filled with positive discussions.

**E. ECONOMIC DEVELOPMENT COMMISSION (EDC)**

Selectman Chmielewski reported that the Commissioners continues to work with the community, its businesses, and bringing in new businesses. With the First Selectman's leadership and support and the Tax Assessor's efforts, the Town has been able to extend their tax base.

**F. LIBRARY**

Selectman LaBonte reported that the Library Board welcomed its two new members, with whom he was very impressed. Library Director Vicky Coffin presented her annual report to the State, which indicates the Library's various trends, e.g., library use of computers, media, as well as traffic numbers. The members also discussed their budget, the breezeway, and their ongoing challenges with the heating system. The Friends of the Library-funded new mobile-friendly website is currently being designed.

**G. MILITARY LIASION**

Selectman Chmielewski reported that he, along with Selectman LaBonte, have been meeting with the Town's veterans and their families and referrals have been made. Any individuals and/or families in need of aid are encouraged to contact either the First Selectman's office or himself. In response to Selectwoman Salas regarding the possibility of an individual or groups of individuals who are interested in providing aid to those in need, Selectman Chmielewski encouraged any interested parties to contact either the First Selectman's office or himself.

**H. ADJOURMENT**

**M/S/C: LaBonte/McKenney, to adjourn the meeting at 8:47 p.m. Discussion: None. Voice vote, 5-0, all in favor. Meeting adjourned.**

Respectfully Submitted by: Agnes T. Miyuki, Recording Secretary for the Town of Salem