

**BOARD OF SELECTMAN REGULAR MEETING
JUNE 17, 2010**

The Regular Meeting of the Board of Selectman was held on Wednesday June 16, 2010 in the Selectmen's Conference Room.

Members present at the meeting were First Selectman Frank Chiaramonte, Selectman Christina Emery and Selectman Michael Criss.

Attendees: Attorney Michael Rybak, Attorney J. Michael Sconyers, Emergency Management Director Vincent Wheeler, Nancy LaGanga and Waterbury Republican reporter Kari Banach

Call to Order

Mr. Chiaramonte called the meeting to order at 7:08 p.m.

Minutes of Previous Meeting

Mr. Criss moved to accept the minutes from the Regular Meeting held on June 2, 2010. Ms. Emery seconded. All were in favor.

Public Participation

None

Appointments and Resignations

None

New Business

Status of Harwinton Emergency Services Committee Mr. Criss moved to table the discussion of the Harwinton Emergency Services Committee as Mr. Kellogg was away. Ms. Emery seconded. All were in favor.

Emergency Management Director Mr. Vincent Wheeler addressed the meeting regarding the reverse 911 Emergency Notification System. Mr. Wheeler stated that at present town residents are notified of any current or impending emergency in Harwinton through the use of Litchfield County Dispatch. The system is only compatible with land line telephones. The state has provided some grant monies to help small towns expand their systems. We have received funds from the state for this year and will probably receive funds for next year. After that the town will probably have to fund the expanded service. Mr. Chiaramonte will have to sign a contract accepting the funds. Mr. Wheeler would like him to hold off on signing as the state is behind and does not have everything in place yet. Mr. Criss asked if Mr. Chiaramonte signed the contract and the state was not forthcoming with the funds would we still have to go ahead with the expanded service. Mr. Wheeler stated that we would not. Ms. Emery moved to authorize Mr. Chiaramonte to sign the Everbridge reverse 911 contract. Mr. Criss seconded. All were in favor.

Signing of Memorandum of Agreement package. Mr. Chiaramonte is required to sign this memorandum for the spending package. Mr. Wheeler stated that the only state property we have is the frequency band changer, which is all Mr. Chiaramonte is signing for. Ms. Emery said she noticed that the parties listed in the agreement are the town of Harwinton and the Central Naugatuck Valley Cog. Mr. Wheeler said that is incorrect, it should be the Litchfield Hills Cog. Mr. Wheeler said he would have Ms. Santoro email requesting that it be changed to the Litchfield Hills Cog. Mr. Criss motioned to give Mr. Chiaramonte authorization to sign the Memorandum of Agreement Package, amended to read The Litchfield County Cog. Ms. Emery seconded. All were in favor.

Adoption of Resolution between the Board of Selectman and Conn. Dept of Emergency Management and Homeland Security. Ms. Emery moved to adopt the resolution, Mr. Criss seconded. All were in favor. Ms. Emery motioned authorizing Mr. Chiaramonte to sign the agreement, Mr. Criss seconded. All were in favor.

Mr. Criss motioned to recess at 7:23 p.m. Ms. Emery seconded. All were in favor.

Mr. Criss motioned to reopen the meeting at 7:28 p.m. Ms. Emery seconded. All were in favor.

Attorney Michael Rybak regarding property on Oakwood Avenue owned by Nancy LaGanga. Attorney Rybak distributed packets regarding the property to each of the selectman. Mr. Chiaramonte stated that he and the Harwinton Highway Supervisor, Mr. John Fredsall inspected the lot and determined the town does have an easement for the purpose of draining water from the road and that the town does need to keep that easement.

Mr. Criss motioned to recess at 7:52 p.m. Ms. Emery seconded. All were in favor.

Mr. Criss motioned to reopen the meeting at 7:57 p.m. Ms. Emery seconded. All were in favor.

Attorney Rybak stated that each delinquent property owner's case needed to be assessed separately as the situations were all different. He cautioned against setting a precedent where the town took land in lieu of taxes, he did not want to open a door where other residents asked the town to do the same. Ms. LaGanga reminded the Board of Selectman that she had a verbal agreement with the previous tax Collector dating back to the early 1990's that the town would take the property in lieu of taxes due to the necessary use of the lot for draining water from the street. Mr. Chiaramonte said he does not think taking this lot would be setting a precedent because of the town's need to use it for drainage. Mr. Criss said he agreed that the lot was of use to the town but felt that some portion of the delinquent taxes should be paid to the town. Attorney Rybak said that any settlement would have to be voted on at a town meeting. The process would be to bring the matter to planning and zoning and then to a town meeting.

Mr. Criss made a motion to authorize Attorney Rybak to talk with Ms. LaGanga or her representative regarding reaching a settlement. Ms. Emery seconded. All were in favor.

Attorney J. Michael Sconyers regarding property on Woodland Drive The Woodland Drive property is owned by Philip and Phyllis Deluca who have resided in Florida for many years. When the Deluca's were made aware of the tax bill they contacted Attorney Sconyers to help resolve the situation. Attorney Sconyers had the property inspected by a real estate broker who determined, the lot was not buildable. Attorney Sconyers contacted the Tax Collector via a letter on June 8th informing her that the owners would like to have the town take the property in lieu of taxes. The tax collector did not respond and turned the matter over to the marshal who issued a tax warrant. When the Deluca's received the warrant they paid the entire bill which was over \$36,000.00. Attorney Sconyers said the Deluca's feel they should not have had to pay the penalty since the tax collector knew they were trying to work this out with the help of their attorney. The penalty to the marshal is approximately \$5000.00. Mr. Chiaramonte brought this to the Finance Board who suggested that the property be sold as the Deluca's no longer wish to own it. There is some interest from neighbors in purchasing the property. Attorney Rybak said that any refund of monies for the Deluca's would have to be approved at a town meeting.

Ms. Emery stated that she would like to have the tax collector at the Selectman's meetings when there are tax issues on the agenda. Mr. Criss agreed.

Grant Agreements for the Ambulance Facility Attorney Rybak said that he just received the grant agreements for the ambulance facility. He said that the address listed is old Route 72 and the property description is for Birge Park Road. Both are incorrect. He notified the state attorney that the paperwork would need to be revised. He sent copies to Mr. Chiaramonte and Ms. Santoro.

Attorney Rybak requested that a discussion on Community Service be added to the agenda for the next meeting. He will have information for the selectmen at that time.

Town of Harwinton Employees Contract. Mr. Criss moved to add voting on the Union Contract between the Town of Harwinton and the Town of Harwinton employees to the agenda. Ms. Emery seconded. All were in favor.

Mr. Criss moved to approve the contract between the Town of Harwinton and the Town of Harwinton employees Union Local 1303335. Ms. Emery seconded. All were in favor.

Vote on Names for the Economic Development Commission Ms. Emery said she did not have any names to submit at this time. She would like to discuss with some people before she brings names to the board. Mr. Chiaramonte said that was fine.

First Selectman's Report Mr. Chiaramonte said that in regards to the ambulance facility the perc tests have been sent to Torrington Area Health. Two appraisers have been contacted and they are ready to go.

One member of the Ambulance Committee has removed himself from the committee due to a possible conflict of interest. He may want to bid on the project. If he does not bid, he would be willing to rejoin the committee.

GIS Files from WMC. Ms. Emery motioned to add this item to the agenda, Mr. Criss seconded, all were in favor. The town has paid WMC approximately \$17,000 for mapping it has provided. The Land Use Officer feels we should have the GIS files containing the maps. Ms. Emery motioned to have Ms. Redmond contact WMC and request the GIS files. Mr. Criss seconded. All were in favor.

Economic Planners Funds have been made available to hire economic planners for eight towns in the Northwest Cog. They may offer their services to towns in the Litchfield Hills Cog this coming year. The town would have to pay a yearly fee of \$350.00 and a fee for a menu of services. Mr. Chiaramonte suggested this is something the board may want to consider. Ms. Emery and Mr. Criss agreed.

Correspondence

None

Adjournment Mr. Criss made a motion to adjourn at 8:48 p.m. Ms. Emery seconded. All were in favor.

Minutes submitted by: _____
Linda Inness

Approved by: _____
Francis J. Chiaramonte, First Selectman

Christina Emery, Selectman

Michael Criss, Selectman