

# Town of Willington

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Board of Selectmen  
40 Old Farms Road  
Willington, CT 06279  
(860) 487-3100  
(860) 487-3103 Fax  
[www.willingtonct.gov](http://www.willingtonct.gov)

## BOARD OF SELECTMEN

**Regular Meeting Minutes**  
**Hybrid; TOB, Common Room & Virtual Meeting**

**February 5, 2024**  
**6:00 PM**

*\*Minutes are not official until approved at the next regular meeting*

First Selectman Peter Tanaka called the meeting to order at 6:00 PM with the following in attendance: Selectman Matt Clark, Selectman Andy Marco, Erica Wiecenski, Michelle Doucette-Cunningham, and Stefanie Summers in person, as well as residents on zoom.

### Pledge of Allegiance

### Approval of Minutes

Selectman Matt Clark moved to approve the minutes of the January 22nd regular meeting, First Selectman Tanaka seconded.  
2 Yes (Tanaka & Clark) 0 No. Motion carried. Selectman Marco abstained.

### Present To Speak

Michelle Doucette-Cunningham read letter from Democratic Town Committee regarding FOI concerns related to Board of Selectman budget workshop held on 1/29/24. Erica Wiecenski spoke regarding issues with BOS and the FOI concern, Jim Marshall spoke as well reiterating what was said. Christina Mailhos spoke regarding CIP and encourages attendance. Ralph Tulis spoke regarding the Emergency Services Facilities Committee. Stefanie Summers spoke regarding FOI concern with the above-mentioned meeting on 1/29.

### Correspondence

Special election for Probate Judge

Letter from Democratic Party regarding FOI concerns with Budget Workshop held on 1/29- First Selectman sincerely apologizes for not properly notifying public of the budget workshop meeting, clarifying that there were no motions, no votes and nothing was decided in that meeting.

First Selectman moved to add two items to the agenda under new business items E-Fire Department furnace. and F- Formation of additional committees.

Selectman Clark made a motion to add the Fire Department Furnace to the agenda- Selectman Marco seconded.  
3 yes (Tanaka, Clark, Marco) 0 no. Motion carried.

Selectman Marco made a motion to add the Emergency Services Facilities Committee to the agenda. Selectman Clark seconded 3 yes (Tanaka, Marco, Clark) 0 no. Motion carried.

Selectman Clark made a motion to add Tri-Centennial Committee to the agenda. Selectman Marco Seconded 3 yes (Tanaka, Marco, Clark) 0 No. Motion Carried

### **First Selectman's Status Report**

Accident that took out a pole near Phelps Plaza.

Vegetation abatement issues in town, Eversource will be doing cutbacks along powerlines in town. 16 out of 18 miles of backbone cleared and 30 miles of 80 miles of offsite. First Selectman Tanaka encourages residents to allow Eversource to cut back the trees when they come to ask.

State siting committee is putting in a 5GW power storage facility on the town line, primarily in Willington along Village Hill Road. Will be sound and light remediation projects with that.

Conservation Commission motion for easement project at Meadow Lane has gone through legal and has been signed.

### **Public Works**

First Selectman Tanaka read report from DPW Director Troy Sposato  
Things done at Public Works

- Fixed dirt roads around Town This is a temporary fix intel we can get out and grade them correctly weather permitting
- Patched Holes around Town
- Installed signs on Polster Rd ---- NO THRU TRUCKS
- Washed trucks
- Picked up wood around Town.
- Spot sand icy spots around Town
- Shop work

### **New Business**

First Selectman Tanaka moved to appoint Karen Cote as Agent for the Elderly for the town of Willington, effective February 6, 2024, expiring February 5, 2026.  
Selectman Marco seconded, 3 yes (Tanaka, Marco & Clark) 0 no

Economic Development Commission appointment- candidate being vetted by building director. First Selectman moved to table the appointment, Selectman Marco seconded, 3 yes (Tanaka, Marco & Clark) 0 no motion carried

First Selectman Tanaka moved to approve Property Tax Refund for Diane Kuchinsky Living Trust in the amount of \$253.74.  
Selectman Clark seconded.  
3 yes (Tanaka, Marco & Clark) 0 No. Motion Carried

First Selectman Tanaka moved to approve Property Tax Refund for Diane Kuchinsky Living Trust in the amount of \$246.72.  
Selectman Clark seconded.  
3 yes (Tanaka, Marco & Clark) 0 No. Motion Carried

First Selectman Tanaka moved to approve Property Tax Refund for Diane Kuchinsky Living Trust in the amount of \$236.62.

Selectman Marco seconded.

3 yes (Tanaka, Marco & Clark) 0 No. Motion Carried

First Selectman Tanaka moved to approve Property Tax Refund for Lereta LLC in the amount of \$1,848.47.

Selectman Clark seconded.

3 yes (Tanaka, Marco & Clark) 0 No. Motion Carried

Report from State Police:

January 2023 Monthly Report from Troop C: 343 calls to Troop C for service included 21 accidents, 20 criminal investigations, 0 burglaries, 0 larcenies, 203 non-reportable matters and 6 arrests. Motor vehicle enforcement included 101 total traffic stops, 2 onsite DUI's, 3 arrests, 3 misdemeanor summons, 59 infractions, 9 written warnings, 30 verbal warnings.

Fire Department furnace- Willington Hill Fire Department has 3 furnaces that have been inspected recently and need work, approximately \$9,000 to repair one of the furnaces.

First Selectman Moved to authorize fire department to move forward to receive bids.

Selectman Clark Seconded

3 yes (Tanaka, Clark, Marco) 0 No. Motion carried.

First Selectman Tanaka moved to create an Emergency Services Facilities Committee Selectman Marco seconded. After some discussion it was decided that the motion be tabled. Selectman Clark said that there should be a smaller committee as they can come to a consensus faster and less opportunity for factions to develop within the committee. Selectman Marco discussed the need to ensure adequate public representation on the committee.

Selectman Clark Seconded

3 yes (Tanaka, Clark, Marco) 0 no. Motion carried.

### **Present to Speak**

Erika Wiesenski spoke regarding how the Emergency Services Facilities committee should be looked at again and how the townspeople being represented is important.

Stefanie Summers stated that this committee feels insular and that it should include people who offer fresh perspective.

Mike Makuch mentioned that if we are going to move to Present to Speak, it should be brought up to the public.

Jim Marshall spoke and discussed the need to gestate on the committee and ensuring that we will be best served by having people with industry experience on the committee stating that this committee (ESFC) parallels the Emergency Efficiency Committee and offered his help.

Peter Latincsics spoke regarding public participation being helpful with this committee and discussed having members of the public be part of the committee.

Mike Makuch spoke regarding being on the committee. Planning should be done thoughtfully, and while speed can be an issue, time is also an issue now as the Fire Department has immediate needs.

Ralph Tulis spoke asking to see the final charge regarding the committee, stating that the town attorney should look at it, and wants to know exactly what he is getting into should he be on the committee.

Christina Mailhos stated that this is an example of not being transparent and didn't know that this meeting was on the agenda as it was added after the fact.

Michelle Doucette-Cunningham encouraged the BOS to think broader about the committee and include other possible buildings that need to be repaired to bring to the public.

Tricentennial Committee already exists, Erica will help First Selectman Tanaka find the information. Michelle thanked the First Selectman for his apology and encourages staff to take FOI training.

Stefanie Summers spoke asking that the town record be corrected for the special BOS meeting on 1/29.

Erica Wiesenski stated that there has been no discussion regarding the BOS budget and asks that be addressed as well as the validity of the Town Meeting due to the meeting not being properly warned.

Last minute correspondence from Eastern Highlands Health District- we owe them \$32,924.77 which is a line item in the budget, there is an alternate seat available if anyone is interested.

#### **Good & Welfare**

Nothing to note.

**First Selectman Tanaka moved to adjourn the meeting at 7:18 PM.**

**Selectman Clark seconded the motion.**

**3 Yes (Tanaka, Marco & Clark) 0 No. Motion carried.**

Respectfully submitted,  
Shannon Rittner  
Recording Secretary  
Town of Willington



## Willington Democratic Town Committee

To: Willington CT Board of Selectmen  
Peter Tanaka, first selectman  
Matt Clark, selectman  
Andy Marco, selectman

Feb. 5, 2024

Re: unlawful meeting per CT Open Meetings Law and Freedom of Information Act

Dear First Selectman Tanaka and Board of Selectmen,

It has come to our attention that about 8 a.m. on Monday, Jan. 29, 2024, the Willington Board of Selectmen inappropriately conducted public business at an illegal meeting without the required 24-hour advance special meeting notification to the public and to the full board. First Selectman Peter Tanaka and Selectmen Matt Clark, both Republicans, met with Town Business Manager Donna Latincsics at town offices to discuss the FY2024-25 budget. Selectman Andy Marco, the Democratic-endorsed board member, was later called in to join the meeting toward the end of it about an hour later.

After being alerted to the transgression, a hastily called second special meeting agenda was filed with the town clerk at 10:30 a.m. Monday for a meeting at 11 a.m. Tuesday, Jan. 30, and minutes were filed with the town clerk at 1 p.m. Tuesday. The agenda did not state any location for the meeting and the meeting, indeed, did not take place, although the one-sentence minutes state the budget was discussed and that all three selectmen voted to adjourn at noon. (See attached.)

The first meeting's setup and execution violated Connecticut Freedom of Information and Open Meetings laws, specifically CGS Sec. 1-225. (Meetings of government agencies to be public. Recording of votes. Schedule and agenda of certain meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions).

The second meeting was an obvious attempt to obscure the illegal timing and warning of the first meeting, and also swept the entire BOS and Town Clerk's office into the subterfuge. It is in violation of CGS Sec. 7-12b (Record of meetings. The boards of selectmen shall keep an accurate record of all minutes of their meetings which shall be available for public inspection at reasonable times).

The Democratic Town Committee condemns these actions, which resulted in:

- Barring the public from participating in the open process of how tax dollars are spent
- Excluding town employees from debate about town budgets that affect them directly or indirectly
- Sidelineing other town officials, such as the Board of Finance, Board of Education and others entrusted with town financial oversights, from witnessing debate,
- Compromising the town business manager, town clerk and first selectman's administrative assistant to participate in or falsify documents of an illegal meeting, and
- Undermining the overall public trust in town government

It is of particular concern to us when First Selectman Tanaka and Selectman Clark ran for election on a central promise of bringing open and transparent government to the town. No meetings of this nature, with an ensuing act of cover-up, have been noted during the last seven Board of Selectmen terms.

In 2009, however, Willington was called before the state Freedom of Information Commission due to several instances of two selectmen meeting in private to conduct town business outside of regular BOS meetings. Since a new selectwoman had just taken office and vowed not to repeat the practice, further action was not taken. However, be aware our town has hit the FOIA radar before now. We should learn from that history.

We are not making an official report of these recent transgressions to the Secretary of the State at this time. However, we will be vigilant about future flouting of statutes or ordinances guiding our town's public practices. For now, we ask that at the next regular BOS meeting the first selectman apologize publicly for these missteps, offer details of any specific matters discussed in the Jan. 29 budget workshop with the business manager, correct the falsified town records, and, going forward, make a statement to practice open, lawful and fair play in conducting Willington town business. We also strongly suggest that there be FOIA training for elected and appointed officials and for town staff. You may contact Russell Blair, FOIC director of education and communications, at (860) 566-5682 or by emailing [russell.blair@ct.gov](mailto:russell.blair@ct.gov).

Sincerely,



John F. Tehan,  
Chair, Willington Democratic Town Committee



Michelle Doucette Cunningham,  
Vice-Chair, Willington Democratic Town Committee

RECEIVED  
WILLINGTON, CT.

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TOWN CLERK