

TOWN OF WILLINGTON

Board of Selectmen
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BOARD OF SELECTMEN

Meeting Minutes
Lower Level Conference Room

March 5, 2018
6:30 P.M.

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

First Selectwoman Wiecenski called the meeting to order at 6:33 PM with the following in attendance: Selectmen Makuch & Blessington and residents. First Selectwoman Wiecenski led the Pledge of Allegiance.

Approval of Minutes:

Selectman Blessington moved to approve the minutes of February 20, 2018 with the following edits: under New Business, Item C (approving the Selectmen's Budget) should read:

First Selectman Wiecenski announced that there was a last minute change to the salary in Line item 137. The budget was adjusted upward to bring the salary in line with the certifications held by the individual. She could not discuss it in public but would be happy to discuss it with the other Selectmen in Executive Session.

First Selectwoman Wiecenski stated that she remembers mentioning the increase to Line item 137; but does not remember offering to go into Executive Session about it. Selectwoman Makuch suggested reviewing the audio recording to see what was said before we take any action on this. Selectman Blessington added that the video recording could be reviewed also.

The approval of minutes will be tabled until the next meeting to allow the Selectmen to review the recording.

Present to Speak:

Resident John Patton stated that he read the minutes of February 20th and would like to speak about the recent lay off that was held. He stated there were a number of procedural errors performed at that meeting and going into Executive Session without inviting the particular person (or giving them notice of it) should be considered an illegal act. He stated the Selectmen as a board have the authority to create positions and lay people off, not the First Selectman alone. The Board has to vote on that in a public meeting; referencing the Personnel Policy.

Mr. Patton stated that the Finance Department was created approximately 20 years ago in conjunction between the Board of Finance, Board of Education and Board of Selectmen, so all three boards have oversight of the department as it stands and if any substantial changes were to be made, all of the boards should be notified. Acting alone sets a bad precedent. Lastly, Mr. Patton feels that the position was not created and if there is a vacancy, then the laid-off employee should be offered the open position; in which they have 14 days to decide whether or not they want to take the position. The whole reason for having two part time employees in the Finance Office was to have back up and cross training in the event someone leaves or is absent. He stated that the Board should hit the redo button and do it right or don't do it at all.

In closing, Mr. Patton stated he is hopeful that whatever has been done, is un-done and then done properly, in an open meeting. He then stated that Mr. Blessington has over 25 years of experience in being a Selectperson in town and may know what he is talking about.

Robert Jellen stated that there are certain caveats of going into Executive Session, which are negotiations, legal matters or personnel matters. Mr. Patton agreed, but noted that in the case of a personnel matter, the individual must be notified and invited in to discuss the matter.

Correspondence:

A list of correspondence was available at the meeting and in the Selectman's office.

First Selectman Status Report

First Selectwoman Wiecenski stated that the Recreation Director will be working with the Town Engineer on the lighting project at River Road Athletic Complex. This project is now able to move forward as the LoCIP funding has been issued.

The Public Works' Director is moving forward on chip sealing the Willington Hill Fire Department parking lot, the entrance door to the Land Use Department and the pillars under the Town Clerk's office.

The Help Wanted ad has gone out for the Land Use Department Assistant and the closing date is March 23rd.

Helen Totz's last day as fill in Assessor was last Thursday. First Selectwoman Wiecenski stated that we will have to figure out what to do - should we put another ad in the paper, or pursue shared services with another Town. Selectman Blessington said this is something that should be on the Agenda to be discussed as he doesn't think it is something we should wait on.

Selectman Blessington moved to add item B under New Business: Assessor Position.

First Selectwoman Wiecenski seconded the motion.

Vote: 3 Yes (Wiecenski, Makuch & Blessington)

Selectman Blessington then stated that Mr. Patton had stolen his thunder because he made some very good points regarding the Account Analyst position. He added that he has not been happy about it. If we go ahead and hire someone to fill the position we are merely sinking deeply into the morass that we have put ourselves in.

Selectman Blessington moved to add item C under Old Business: Account Associate position.

First Selectwoman Wiecenski seconded the motion.

Vote: 3 Yes (Wiecenski, Makuch & Blessington) 0 No.

Public Works:

Derek reported that the crew has been busy with the following:

- Pot hole patching
- Vehicle /equipment repair
- Push up salt deliveries
- Road side brush and tree removal

- Road kill removal
- Replace rotted storm grates
- Install aggregate on gravel roads in areas that are muddy & rutted out
- Clean vehicles
- Pick up filing cabinets & desks at UCONN for Assessors office
- Clear roads of downed limbs from Nor Easter storm

New Business

A. Selectmen's Budget

17-18 Update

First Selectwoman Wiecenski noted that the Board of Finance voted to lift the spending freeze at their meeting last Thursday evening. This was based on budget projections from the Business Manager and Treasurer.

In addition, the Revenue Collector has reported that she has collected more than originally projected for this calendar year. The original budgeted collection was \$13, 147, 18 but the actual collection as of today is at \$13,172,925 (\$25,747 over what was budgeted).

18-19 Discussion

First Selectwoman Wiecenski stated that the Selectmen's budget that was voted on at the last meeting was sent electronically to the Board of Finance, in case the Selectmen wanted to make changes tonight. One of the changes to the budget was a salary increase for the Tax Collector. First Selectwoman Wiecenski presented the Selectmen with data of Revenue Collectors salaries in neighboring towns. There is a large discrepancy between the other Town's salaries and the increase is more in line with our Town Clerk's salary. First Selectwoman Wiecenski added that the Tax Collector is certified and experienced, which should justify the request.

Selectman Blessington noted in the past, when an employee is looking for a raise, they approach the Board of Selectmen and plead their case. At budget time, it should be added into their budget when they present their budget to the Board, then we discuss it at a meeting and vote on it. He added he is disturbed because we agreed on a budget which showed a salary of \$39,389 for that individual in which he thought they were going to vote on; then at the next meeting, when we are supposed to vote, it was adjusted to bring the salary in line with the certifications held by the Tax Collector. First Selectwoman Wiecenski agreed and said she offered to discuss it before holding the vote. Selectman Blessington stated that he chose not to discuss further because there was another issue which took precedence at the time.

First Selectwoman Wiecenski stated that she is not hiding anything. The increase brings the numbers from 1.7% to 1.6% and it is still a decrease to the budget. She added that it is something that we can discuss further. She added that it is her opinion that this position should be increased to bring in line with the Town Clerk's salary. Selectman Blessington said that it should have been brought up two weeks earlier when we were actually working on the budget and he added that he isn't sure what the big rush is on this. He then asked if the individual asked First Selectwoman Wiecenski to look into it? First Selectwoman Wiecenski answered that she had been asked to look into it, in which she did; adding that it was probably a good idea to add into a proposed budget; which was just that – a proposed budget that we as a board vote on. Because there was no discussion, one can only assume there was no issue - otherwise she told Selectman Blessington that he could have said he needed more time to research.

Selectman Blessington cautioned that we are trying to limit spending right now. First Selectwoman Wiczenski then said if we cannot justify it, then we don't have to go with it; it was a proposal - if you don't agree with me, it's totally fine. She then clarified that we have two salaries that are out of alignment and she is trying to bring them together.

Selectman Blessington moved that the Selectmen's General Government Budget, as approved for submission to the Board of Finance at our February 20, 2018 meeting, be amended thusly: that Dept 137, line 115, be changed from \$43,000 to \$39,389.

First Selectwoman Wiczenski seconded the motion for discussion purposes.

Selectwoman Makuch asked Selectman Blessington what he is taking issue with: the way it was done, or just the fact that it was done? Selectman Blessington said he is unhappy with the way it was done.

Selectwoman Makuch stated by looking at the list, we are way behind and if we are not competitive, we won't be able to keep our staff – and the fact that we have staff even bringing this to our attention the issue that there is such an imbalance in salaries between our town versus neighboring towns. Who is to say they wouldn't rather hop over the border to take a job in Ashford, who pays \$10 more per hour to do the same job. She added that the justification for raising the salary is written here as well.

Mr. Patton stated that a salary study was conducted years ago, and the town always kept the Town Clerk and Tax Collector's salaries in line with each other. First Selectwoman Wiczenski added that she wishes that the request was made at the time the Revenue Collector's budget was presented, but that is just the way things go. Selectman Blessington agreed, that would have been the best time to bring this up. First Selectwoman Wiczenski then clarified that she by no means is trying to sneak anything in the budget. Selectwoman Makuch stated that she sees the justification for the adjustment in salary – which isn't even at the average. Selectman Blessington stated that he would have been willing to discuss the salary increase at the time the budget was presented – but now it just doesn't look right. First Selectwoman Wiczenski said she totally understands Selectman Blessington's argument.

Vote: 1 Yes (Blessington) 2 No (Wiczenski & Makuch) Motion fails.

B. Assessor Position

First Selectwoman Wiczenski stated that we need to figure out our next step and she and Robin Campbell have been exploring options in the meantime. We approached the Town of Bolton and asked them if they would be interested in a shared service for the position. Right now, they are in the middle of a 2 year appointment, so it would take time, but will be interested once the appointment has expired. In the meantime, do we put another ad in for the position? Also, the position has been posted at 16 hours per week, but Ms. Totz, (who has many years of experience) tells us that 16 hours may be too much; and we might be able to get away with 8 – 12 hours per week. If we decrease the hours, will that be even less attractive? First Selectwoman Wiczenski added that she has heard that several towns are in the same predicament with trying to find Assessors.

Selectman Blessington said in the past, elected people (who are not certified) are able to serve until they become certified and asked if this could be one of those types of jobs; adding the Assistant Assessor, who has been up there for a year has been taking courses and does a great job. He then asked if it would be possible for the Assistant to take over, pending becoming certified.. First Selectman Wiczenski agreed that the Assistant is doing very well and Ms Totz has spoken very highly of her and her work. In addition, First Selectwoman Wiczenski has spoken with the Assistant to see if she would like to pursue the position in the future (which takes at least three years to take the courses and become certified), however she believes we still need a certified Assessor here in the meantime, but will look into it.

Selectman Blessington suggested checking with the Town Attorney to see if it is a possibility – as the current Town Clerk, for example is not certified, although she is working towards her certification. He added that he agrees that it is quite difficult to find someone to fill the Assessor position.

First Selectwoman Wiecenski stated that Ms. Totz did a great job in the short time she was here and she was always available to help the Assistant out (and has offered to assist now that she is no longer here). She added that we have some time to make a decision, as the Grand List is now filed, and Reval has not fully begun yet. We will, however need to have someone who is certified in here eventually, because some things are not able to be signed without that certification; such as filing the Grand List. First Selectwoman Wiecenski then reiterated that we need to figure out the next step will be.

Selectwoman Makuch stated that it seems as though full time employees have a less turnover than part time, in which this position seems to be; (there is high demand for the employees, but not a large enough pool to fill) so maybe we need to look at shared services; which would be a benefit to the Town. She noted that she can't see that we would have a large pool of potential employees out there. She then added if the town of Bolton is interested, that is great, even though they are not a neighboring town, but we still need to figure out something in the interim. First Selectwoman Wiecenski noted that the reason we are thinking of Bolton, is because we already have a shared services contract with the Building Inspector, which has been working out great for several years. The Assessor in Bolton currently is in the middle of an appointment (and is stretched thin as it is because she works for them and a full time job) and it will take some time to work out the details.

First Selectwoman Wiecenski stated that she will keep this on the Agenda and will revisit at the next meeting.

Old Business

A. Update - Video taping of meetings

Selectman Blessington stated that he hasn't had time to review this any further, and asked if they could table one more cycle. First Selectwoman Wiecenski noted in the meantime, we still continue to videotape our meetings. Selectman Blessington suggested adding it to the status report.

Selectwoman Makuch said she would like to add an expiration date to this (to either move it forward or terminate it), as it keeps getting pushed off. It is lingering - we were pending a decision on whether or not we should videotape; pending an adoption of a policy and now we have gone months without adopting anything. Selectman Blessington said he will review and have his comments ready for the next meeting. First Selectwoman Wiecenski said she will add it to the Status Report.

B. MS4 Stormwater Ordinance Discussion

First Selectwoman Wiecenski stated that she wanted to have the Selectmen review the Ordinance one last time before forwarding it on to the Attorney. The due date to adopt the Ordinance is July and the progress is on track thus far. Selectman Blessington asked to forward the question to see what legal authority the DEEP has to put this on the Town.

C. Account Associate Position

First Selectwoman Wiecenski stated that she worked with the Union and the Town Attorney – she stated that she did not work alone. Selectman Blessington disagreed stating that the Board of Selectmen were not involved. First Selectman Wiecenski added that the Superintendent of Schools worked with the Business Manager regarding the business and it is a shared service within the town.

First Selectwoman Wiecenski then clarified that the Executive Session portion of the meeting was to go in to discuss the new Account Analyst position, not the Account Associate. She then added if he thinks we should do it over, then let's do it again. She then clarified that the Business Manager had come to her with an idea of making the Finance Office more efficient; which was then brought to the union. The Union Contract says that we have the right to create a position but in order to do that, the other position must be eliminated so that is the route that was taken. She then reiterated that they enforced the process as worded by the contract.

Selectman Blessington stated that he thinks this was done illegally - by doing this without the Board of Selectmen being involved and only including the Business Manager, Superintendent and the union.

Selectwoman Makuch added that the Town Attorney was also involved. First Selectman Wiecenski said that they can table this discussion and hold a personnel discussion if he wants to.

Selectwoman Makuch stated that there are a few things going on right now – we have discussed procedural concerns from the last meeting. In the last meeting Selectman Blessington was very clear that the procedure of how things were being done was holding him up. She understands that and think there are some things that we as a board can make some agreements so we can move forward (which will help alleviate concerns in the future). She then asked if the other issue is the legality of going into Executive Session? Selectman Blessington said yes. The third question is if the First Selectman has the ability to combine two part time positions in the town into one full time position. Selectman Blessington said yes and then stated that there is no way a lawyer is going to tell you that you don't need to include the Board of Selectmen.

First Selectwoman Wiecenski said we can table our discussion on this and hold a separate meeting with the Attorney. All three Selectmen can be present. Selectman Blessington asked if it will be a public meeting? First Selectwoman Wiecenski stated that she will consult with the Town Attorney to find out and if it should be, it will be posted as a public meeting. She then said she does not know that as of right now. Selectwoman Makuch said, yes – let's do that – hold a meeting with the Town Attorney to have our questions answered. Selectman Blessington agreed on meeting and said that he would like to hold off on hiring of the vacant position until this has been settled. He then warned that this may take a long time to settle and added that he does not want to hear that we have hired someone for this position.

Kelly Trueb stated that she would hope (as a tax payer) that if there is any doubt that the town has gone about this in an illegal matter, that they should not hire a person or put the town in a position where it could be sued.

Robert Jellen stated that he cannot imagine any scenario where a Town Attorney would put the First Selectman or any Selectman for that matter in an untenable situation. It is unheard of.

First Selectwoman Wiecenski said she will reach out to the Town Attorney and get some dates for a meeting. Selectwoman Makuch stated that we should hold off on hiring anyone as well.

Selectman Makuch moved to postpone any hiring of the Account Analyst position until we have met with the Town Attorney.

Selectman Blessington seconded the motion.

Vote: 3 Yes (Wiecenski, Makuch & Blessington) 0 No.

Selectwoman Makuch stated that we are moving forward with this position. We cannot change what happened two weeks ago but can hopefully move forward in a better manner. She added that we can only move forward from this moment on and the Town Attorney will help us to see if we have missed any steps we will correct them, and if we have not, we will move forward.

Good & Welfare

Our Parks & Recreation Director has a new intern working with her a few days per week to assist with various duties in the Recreation Department. The intern will be working a few days per week until the end of the spring Semester.

The Grand List was filed last Thursday and it is showing a slight increase from last year. The Selectmen thanked Ms. Helen Totz for her assistance in filing the list for us.

The Selectmen's budget is slated to be presented to the Board of Finance next Thursday.

The CIP meeting that was scheduled for Wednesday evening has been pushed up to tomorrow night at 6PM (the Agenda has been filed with the new date) in anticipation of the incoming Nor'easter.

First Selectwoman Wiecenski congratulated Staff and students at Hall Memorial School on their fantastic production of The Little Mermaid this past weekend. She added it is hard to believe the actors were in 5th through 8th grade because it did not seem to be a middle school production. Selectman Blessington stated that he, too saw the musical. He congratulated the kids and gave a huge shout out to Jason Phillips; stating that Mr. Phillips is amazing and he has been doing this for years. The costumes were also fantastic.

Robin Campbell notified the Selectmen that she has sent an email to the various boards and commissions to follow up on the property offer on Clint Eldredge Road to let the property owner know if any of the boards are interested. She is waiting to hear back from them so she can close it out.

First Selectwoman Wiecenski moved to adjourn the meeting at 7:41 P.M.

Selectman Blessington seconded the motion.

Vote: 3 Yes (Wiecenski, Makuch & Blessington)

Respectfully submitted,
Robin Campbell
Administrative Assistant

TOWN OF WILLINGTON, CT

Received for record March 8, 2018

At 2:00pm Maura Gagliardi