

# TOWN OF WILLINGTON

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Board of Selectmen  
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## BOARD OF SELECTMEN

Meeting Minutes  
Lower Level Conference Room

January 7, 2019  
6:30 PM

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

First Selectwoman Wiecenski called the meeting to order at 6:31 PM with the following in attendance: Selectmen Makuch & Blessington, and residents. First Selectwoman Wiecenski then led the Pledge of Allegiance.

### Approval of Minutes:

Selectman Blessington moved to approve the minutes of December 17, 2018 as written.

Selectwoman Makuch seconded the motion.

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

### Present to Speak

No one was present to speak

### Correspondence

A list of Correspondence was available for the Selectmen.

### First Selectman's Status Report

First Selectwoman Wiecenski noted that the Selectmen had adjourned to the public hearing in Ashford at the last regularly scheduled meeting in December. The hearing was well attended and was an opportunity for residents to ask questions.

The Public Works' Director position was posted on the Town's website as well as Indeed last week. The position will close on January 18<sup>th</sup> and interviews will be held about the week afterwards.

### Public Works

The crew is holding down the fort and they are ready for the possibility of snow overnight tonight.

### New Business

#### **A. Formal Decision regarding public water hook up to residence on Old Farms Road**

First Selectwoman Wiecenski recapped that this item was brought to the Selectmen back in June, where Mr. Makuch had requested to hook up to the town water system. She noted at the time of his request, we told him that the water system is closed to the public. In the meantime, Stavens Well drilling company had applied for a

drill permit to find that an exception would have to be made because of the water system in front of the Makuch's home.

As promised, First Selectwoman Wiczenski stated that she has been doing a lot of research on this and has found that there seems to be a misunderstanding between the homeowner and the Health Department. She has held several discussions with Eastern Highlands Health District as well as the Connecticut Department of Public Health; Drinking Water section. It was discovered that the Town is not obligated to allow anyone to join the system unless the person has a hardship or if they are in an exclusive area; which Mr. Makuch's situation falls under neither of those circumstances. First Selectwoman Wiczenski added that she does not feel that we have a process in place to accommodate a hook up to the system.

First Selectwoman Wiczenski noted that when Mr. Makuch had come back to the Selectmen in September, she then spoke with the Sanitarian on September 6<sup>th</sup> to get an explanation on what needs to be done with the exception paperwork. When an exception is needed, the applicant and Town must sign off on the paperwork; which was done (signed), and forwarded to Mr. Makuch who then would need to sign as well. First Selectwoman Wiczenski noted that the town received an FOI request from an attorney on October 11<sup>th</sup> in which we complied with. We hadn't heard any news on the situation until Mr. Makuch had come back to the Selectmen on December 3<sup>rd</sup>. First Selectwoman Wiczenski reiterated that she was asked to research and that is what she did; noting that she believes there seems to be some sort of miscommunication between the homeowner, well driller and health district. She then reiterated that the Department of Health/Public Water Drinking Section said that the owner of the system is not obligated to allow outside connections. She added, just because he is not allowed to hook up to the water system, doesn't mean that he cannot drill a second well; that is why the exception documents were signed so he could go that route instead.

Selectman Blessington said just because they say we are not obligated doesn't mean that we cannot do it. The permits were sent in and swirled around in the state bureaucracy was approved and disapproved and duplicated. He [Mr. Makuch] got everything all set up and it is being sent back to the state, which makes him nervous. If we were to approve his request, what would be the procedure then? First Selectwoman Wiczenski cautioned that we have no mechanisms in place, nor do we even know what we would charge outside users; or how he would be billed. She added that figuring out the process might take time, which could hold him up even longer. Selectman Blessington stated that he would rather give Mr. Makuch the choice of which way he wants to go rather than tell him no. It makes him nervous that the state has delayed this for so long.

First Selectwoman Wiczenski clarified that the DPH hadn't been involved up until a few weeks ago, when she was asked to look into it. It never left the local health district because the exception form was never submitted by the homeowner. Instead, the homeowner hired an attorney. The Selectmen's office wasn't involved or notified that there was any issue until Mr. Makuch had attended the meeting in December.

Mr. Makuch was in disagreement and said he received a rejection from the Sanitarian. He added that he had been told from the time the system went in that the public was not going to be able to hook into it; noting that the former First Selectman at the time also told him that the reason is because no one would be able to collect the money. He added that he finds that odd, because we have a revenue collector and other employees employed by the town; why can't they do it? -He said at the time he did not pursue a connection because he wasn't interested and didn't want to fight the town.

It was only recently that he decided that he needed to drill another well so his wife wouldn't have to lug a hose across the yard. He met with the well company, found the perfect place to drill the new well and gave them a deposit to start drilling. A few weeks later Stavens returned his deposit because they received a rejection from the Sanitarian. The representative from the well company told him that it was too bad that they weren't able to drill the second well, but then also said that hooking up to the water supply might be better anyway. Mr. Makuch stated that he feels he does meet the exceptions as put forth by the State and highlighted by his attorney, forwarded to the Selectmen. The documentation states that he must connect to the water line to get

more water. He added that he has had conversations with both the well company and the Sanitarian and the discussion was held around the fact that there is nobody at the town who can handle the billing. Mr. Makuch said he can handle the costs and has a contractor lined up to begin the connection as soon as early spring and there will be no cost to the town and the billing portion should be a snap - a miniscule operation to the Town. This is a snow job because people in this building just don't want to take anything on. Mr. Makuch then stated he understands that the Selectmen are tasked with the job of doing what is right and warned them if they block this again, tonight is the limit. He has authorized his attorneys to sue the town and to seek direction as well as all of his legal costs. He feels that the Sanitarian has been bullied to change her views. Mr. Makuch said he is sick of fighting people. In Connecticut everything is a hassle, it's miserable, hateful and expensive; but the other side of putting up with it over the past 50 years is that he is rich, in plain English and he is not putting up with it any longer. Mr. Makuch told the Selectmen, your choice as a town is to approve this tonight or we are all going to court.

Mr. Makuch then told the Selectmen that he wants copies of whatever had been sent to the Town Attorney and he also wants each of the Selectmen to own their vote. Have the courage to make the motion – no matter what the vote is.

First Selectwoman Wiecenski stated that she spoke with the Sanitarian about a week after this was dated and that is when the info about the exception was shared with her. She then reiterated that the town is not obligated to allow anyone on this system unless for certain circumstances. She added that she wants to be clear that if Mr. Makuch is allowed to and decides to hook up to the water system, he is going to have to abandon his well and will still only be allowed one water source. Mr. Makuch stated that he was not told that but might be able to make one system work. He then insisted that it is a public water supply – it should be open to the public– why wouldn't he want to connect? First Selectwoman Wiecenski then clarified that unless he is in an exclusive area; they will not allow you to drill a well, you must tap into the public water; but this area does not seem to be the case. Robin Campbell clarified that she believed that the sanitarian had rejected the first well permit, not knowing that the water line was closed. Once she found out it was a closed system, the sanitarian had forwarded the paperwork to Mr. Makuch with the exception. First Selectwoman Wiecenski agreed, noting that once the sanitarian found that the system is closed, so she signed the paperwork and returned it to Mr. Makuch to move forward with the well. Mr. Makuch then said we are wasting our time. He suggested that it is obvious that the Sanitarian was bullied into changing the paperwork. First Selectwoman Wiecenski said that she did nothing of the sort – she has more integrity than that.

Mr. Makuch then asked the Selectmen if they want to block him from doing something he is required to do? Do you want to go with the form that you sent or do you want to keep protecting the people that work in this building? He feels that the decision has already been made and just assumes we should take this to court. He then wants to know what was sent to the Town Attorney, and what was said. If the Town attorney has any brains, he would have told the Selectmen that they have to let him connect. First Selectwoman Wiecenski said her intent was to provide information based on Mr. Makuch's question.

The cost of putting the system to his house would be paid by Mr. Makuch; and he said he has no problem with that. Selectman Blessington said it seems to be a matter of who is denying who and the question is just trying to get water to this gentleman's house – he has already said he is going to pay whatever it costs and it is not going to cost the town a whole lot of money. There is no reason why we shouldn't let him – we don't have an obligation to do it but we can do it and if we can do it then why not?

**Selectman Blessington moved to have the Board of Selectmen on behalf of the Town of Willington authorize James Makuch to tap into the public water supply if he so desires.  
Selectwoman Makuch seconded the motion.**

Selectwoman Makuch asked if there is a requirement for only one water source on the property? First Selectwoman Wiecenski clarified if he connects to the water supply, then he would have to abandon his well, and only have the one water source. He would be able to have 2 water sources if he decided to drill another well.

Todd Bissonnette said he worked for a water company for several years and clarified that he would not be able to have 2 water sources, due to contamination. Mr. Bissonnette then added that you also need to take maintenance and catastrophes into consideration. What if the pipe blows out under the road? Who is going to pay to fix it? Who is going to administer it? All of these things will need to be figured out? He then said it doesn't seem fair that his taxes could go up just to fix a \$250,000 fix to the road because the pipe going to a residence blew out the road. He then clarified that the other well would need to be capped because they cannot cross contaminate. First Selectwoman Wiecenski noted that we don't have anything in place, so it is going to take time to figure it all out.

Mr. Makuch said that we have a water line that is greatly under used because it is a 4" line, the Fire Department never connected to it, and Center School's enrollment is down. He then added that you are supposed to help the citizens and you are supposed to be looking out for me.

Selectwoman Makuch asked Mr. Makuch if he would still want to drill a well, if the paperwork were to go through? Mr. Makuch said he would if he has to but would prefer to go with the line.

Selectman Blessington said the motion on the floor stands that he would be able to connect if he so desires. This would make it his option. Mr. Makuch stated that many people have told him he would be far better off hooking up to the system.

Selectwoman Makuch then stated that our job as Selectmen is the town; - not individuals – it is looking out for what is best for the town; and sometimes it may not be in your favor. She added that we need to look at what is the best benefit for the town.

Mr. Makuch argued that the system is benefiting the senior center, the town employees, the school and could benefit the Fire Department, who are all citizens like he is.

Selectwoman Makuch asked how certain are we that do have the authority? First Selectwoman Wiecenski stated that she did not spend town funds to get a legal answer on this. She felt speaking with the DPH Drinking Water Section who told her that our line is at 30% availability makes her feel certain. She added that she is sharing the information for this board to make the decision. She added that the answer is that we are not obligated to allow anyone to connect. Mr. Makuch said that he was told 2 weeks ago that the information had been forwarded to the Attorney. First Selectwoman Wiecenski then clarified that she did speak with the Attorney; which is different than asking him to spend more money to give us an answer. She felt she could get the correct answers by talking to the right people without having to spend town funds.

Maureen Choa-Lee asked about the motion that is on the table – the motion is going to allow others to tap into the line, but there is no stipulation of putting the financial burden on the homeowner if they choose to tap into it.

Mr. Makuch stated that he has no problem with paying for it. First Selectwoman Wiecenski stated that we have nothing to go by right now and we are not prepared for what that looks like going forward (to set up charges). If we were say no tonight, Mr. Mackuch can decide what he wants to do from here; but if we say yes, she cautioned that we are not ready for this. He is not going to be able to jump on this tomorrow, because there several things that needs to be considered and decided. He is willing to pay the cost, but that is only one step in the process. Selectman Blessington stated that as First Selectman, that obligates you to figure it out what the process is going to be but at least we would know that we are going to do it. First Selectwoman Wiecenski warned if this board says yes, it could have more financial implications to the town going forward.

The motion was then reviewed and amended to reflect financial responsibility.

**Selectman Blessington made a friendly amendment to the motion to add: Such connection and maintenance costs and associated costs would be at the expense of the homeowner. Selectwoman Makuch accepted and seconded the friendly amendment.**

The motion was read in its entirety:

**Selectman Blessington moved to have the Board of Selectmen on behalf of the Town of Willington authorize James Makuch to tap into the public water supply if he so desires. Such connection and maintenance costs and associated costs would be at the expense of the homeowner.**

**Selectwoman Makuch seconded the amended motion.**

Discussion was held on the process and how to move forward. Mr. Makuch stated that he has a contractor lined up and will not be looking to connect until the spring. First Selectwoman Wiczenski noted that the town still has to figure out the process. She clarified that although she keeps saying that the town is not set up for this, it is not that we don't have anyone willing to do it; it is just that we have never set anything in place before and we need to see what that looks like. She suspects that a contract will have to be drawn up between the Town and Mr. Makuch.

Selectwoman Makuch clarified that we need to make sure we are creating a precedent for the Town of Willington and it is really important that we establish it properly.

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

#### **B. Discussion – Appeal for access to the Transfer Station**

First Selectwoman Wiczenski stated that the Selectmen received a letter of appeal from Mr. Renaud OBready who is requesting to be able to access the Transfer Station. Mr. OBready was convicted of a crime (battery theft) in 2017 and has since served 7 months in jail and is now on probation. Mr. OBready's request to access the Transfer Station is to help his parents, who are aging. Because he would be violating his probation, he needs to seek permission from the Town to access the Transfer Station. In the letter that was received, was also an apology from Mr. OBready for his actions at that time.

Mr. OBready, who was in attendance, offered an apology to the town for the situation as he was not in the right state of mind back then. He stated that he has since been rehabilitated and in a better place now. Mr. OBready stated that his parents are aging. His dad has had a hip replacement and it is hard for him to haul the trash so he would like to be able to go up there and assist to make things easier for his father. He clarified that he is not asking for a permit for himself; as he would go there with a parent. Mr. OBready added since his rehabilitation, he now volunteers his time to the church and food share to give back to the community as much as he can.

First Selectwoman Wiczenski stated that it takes courage for you to come here and speak with us about this. She added that this will affect his probation and we also want to make sure that whatever decision that is made here does not conflict with his probation and protects him at the same time. Mr. OBready stated that he has not spoken with his officer about this yet, but will be meeting with her tomorrow and would like to report the Selectmen's decision at their meeting.

**First Selectwoman Wiczenski moved to allow Renaud OBready to accompany his parents (who are Willington residents) to the Transfer Station for the purpose of dumping trash only; conditional of probation officer acknowledgement. This permission can be revoked by the Town, should circumstances warrant.**

**Selectman Blessington seconded the motion.**

First Selectman Wiczenski then clarified the motion should add a stipulation as long as it is agreed upon by his probation officer so we aren't going against anything that has been said by law enforcement.

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

First Selectwoman Wiecenski thanked Mr. OBready for coming to us and handling this the right way and wished him well.

### **C. Approval of Addendum for Cadlerock Brownfields Project with Town of Ashford**

As part of the contract that is currently in place with the Town of Ashford, and BL Companies, it was found that additional work must be done to continue on with the project. BL Companies has sent an additional services agreement in the amount of \$30,265.00 that is beyond the current scope. As part of the process, the Town of Ashford's Board of Selectmen are also meeting tonight to discuss and vote on this as well. This is just a formality for the town of Willington to approve although Ashford is the primary on the contract.

**First Selectwoman Wiecenski moved to accept the Additional Services Agreement (ASA) No. 1 with BL Companies for the Cadlerock Brownfields Project with the Town of Ashford. The Town of Ashford will sign the agreement once approved, on behalf of both Towns.**

**Selectwoman Makuch seconded the motion.**

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

### Old Business

#### **A. Discussion – Assistant Revenue Collector vacancy**

At the last meeting, the Board had decided to fill the position as it currently stands instead of creating a new "floater" position. First Selectwoman Wiecenski told the Board that she wants to make sure of what the Board wants so we can move forward with it. By keeping the same as it is now, means that the assistant will do the work of the Revenue Collector even though we know we do not have enough hours of work for them. With the floater position created, the board decided that the Revenue Collector really should have a backup there. First Selectwoman Wiecenski then stated that she would like to see the job description for the assistant position altered a little to help fill the void. She cautioned that this is based on approval by the union.

The Revenue Collector has been working on the job description and the name of the position could be changed from Assistant Revenue Collector, to "Tax/Town Hall Clerk". The position will have some general office duties added to it to help fill in the hours. Once we get the job description completed, First Selectwoman Wiecenski will run it by the union and try to get it filled ASAP.

### Good & Welfare

First Selectwoman Wiecenski stated that we received a nice letter of recognition of Matt Karosi, our Transfer Station Operator. The letter is dated December 20, 2018 and reads:

To Whom It May Concern:

I am writing this letter in regards to Mr. Matthew Karosi who works at the Willington Transfer Station.

Matt is such a helpful and pleasant person. He is always assisting and helping everyone.

These days it is very rare to find people like Matt who always has a smile on his face. I know I am not alone regarding these comments. I see other Willington residents who drop off coffee, donuts, cookies or even just a wave and a "hey Matt" whenever I am down at the Transfer Station.

Because I appreciate the efforts and energy Matt puts into his position, I felt the need and desire to write.

Regards,

A Grateful Willington resident.

First Selectwoman Wiecenski stated her only issue with the letter is that it was not signed. She commended Matt and Jayson who work at the Transfer Station; they greet people with a smile and are willing to help people. Kudos to Matt and she thanked whoever sent the letter.

We are in budget season. Board and Commission members will be working hard on their budgets

First Selectwoman Wiecenski moved to go into executive session at 7:48 PM; inviting the Office Manager, Robin Campbell.

Selectman Blessington seconded the motion.

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

Selectman Blessington moved to come out of Executive Session at 8:29 PM

First Selectwoman Wiecenski seconded the motion.

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

Selectwoman Makuch moved to change the Office Manager position from hourly to salaried effective January 14, 2019.

First Selectwoman Wiecenski seconded the motion.

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

First Selectwoman Wiecenski moved to adjourn the meeting at 8:30 P.M.

Selectwoman Makuch seconded the motion.

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

Respectfully submitted,  
*Robin Campbell*  
Administrative Assistant