

REGULAR MEETING MINUTES
COLUMBIA BOARD OF SELECTMEN
Tuesday, June 7, 2011 – 7:00 pm.

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT 06237

Selectmen Present: First Selectman Carmen Vance. Selectmen Richard Szegda, Robert Hellstrom and William O'Brien. Rebecca Stearns arrived at 7:03 pm.

Also Present: Town Administrator Jonathan Luiz and others.

CALL TO ORDER: C. Vance called the meeting to order at 7:00 pm.

1. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.
2. **MINUTES: 5/17/11 Regular Meeting:** R. Szegda MOVED to approve the minutes of the 5/17/11 Regular Meeting with the following correction: Page 1, item 4.1, 1st paragraph, last line states: *“thanked the attorneys for its time.”* and it should state: *“thanked the attorneys for their time.”* MOTION CARRIED 3:0:1 with W. O'Brien abstaining.
3. **AUDIENCE OF CITIZENS:** None.
4. **OLD BUSINESS:**
 - 4.1 **Town Attorney Interviews: Rose Kallor LLP:** Attorneys Michael Rose and Melinda Powell spoke to the BOS about the firm. M. Rose stated that Rose Kallor consists of 5 attorneys and 3 full-time paralegals. He explained that they are a firm that handles litigation involving mostly employment and that 90% of the time they deal with municipalities. He stated that they would be interested in providing training on, for example, ADA, FOI, etc. C. Vance asked what size municipalities they provide service for. M. Rose said that they represent the following towns: Danbury, Fairfield, Rocky Hill, New Canaan as well as smaller towns such as East Hampton and Mansfield. R. Szegda asked whether or not they are willing to give “off the cuff” responses to questions that the Town may have, or if they always research. M. Rose stated that if research is not needed, then they will not do it. R. Szegda asked if they have experience in the different municipal departments such as land use, assessment, etc. M. Powell explained that she has represented numerous municipalities and that she does have a lot of experience in different municipal departments. W. O'Brien asked if all of their attorneys practice municipal law. M. Rose answered yes. W. O'Brien asked about the attorney availability to speak with someone from the Town if the need arose to be contacted quickly. M. Rose said that they have good client service and that there would be someone available. R. Szegda asked about cost for services. M. Rose stated that the firm reviews bills and is happy to discuss billings with clients. He explained that the firm tries to hold the hourly rate for 3 consecutive years along with offering some complimentary services. They are mindful of the town's budget each year. R. Szegda asked for a rough estimate of what it would cost the town annually for legal services. R. Rose stated that this is a tough question to answer, but if they were to provide approximately 20 hours of service to the town per month, then an annual cost would be around \$17,000. M. Rose pointed out that this would not include litigation, etc. M. Powell explained that a tax appeal case normally does not require a large amount of time unless something significant was found. Discussion followed. C. Vance asked what fraction of the hour they bill. M. Rose stated tenths. C. Vance asked why Rose Kallor would want to represent Columbia. M. Rose explained that he is from a small town like Columbia and that he has always represented towns. He stated that he enjoys representing towns and feels Rose Kallor does a good job at it. R. Szegda asked what the advantage is contracting with a small firm instead of a large firm. M. Rose explained that they are able to do anything a large firm can do and that the town will be happy with the outcome. M. Rose stated that he considers Rose Kallor a mid-size firm. Discussion followed. C. Vance asked M. Rose and M. Powell if they had any questions for the BOS. M. Rose asked when the collective bargaining agreements would be renegotiated. J. Luiz said they would be renegotiated in approximately a year and a half. M. Rose asked when the appointment would be for the firm that the Town hires. C. Vance said by July 1, 2011. C. Vance thanked the attorneys for their time.

Halloran and Sage: Attorneys Henry Beck Jr., Ken Slater, Rich Roberts and Duncan Forsyth were present to speak to the BOS on behalf of Halloran and Sage. D. Forsyth began by stating that Halloran and Sage has represented over half of the municipalities in the state in one way or another, whether it is labor counsel, land use counsel, etc. He explained that he specializes in labor employment and land use litigation. D. Forsyth stated that client responsiveness is a very big part of their firm, and that someone is always available to take a phone call from the town if need be. He also explained that he feels Halloran and Sage has an ability to provide practical solutions to their clients. K. Slater spoke about the land use litigation cases where Halloran and Sage has represented the Town. He stated that he feels that the firm has represented the town well in the past. R. Roberts stated that he believes that Halloran and Sage has the experience, responsiveness, practicality and familiarity and can represent the Town as well as any other firm could. H. Beck explained that he feels Halloran and Sage has a great relationship with the town administration and feels that they have a full picture of the town's legal needs because of this. He stated that they are always looking to avoid risk and cost for Columbia, and feels that they bring value to the table that is difficult for other firms to match. R. Szegda stated that he appreciates the work that Halloran and Sage has done for the town in the past but feels that their legal costs have been a bit too much. He explained that his priority is to find good legal service for the town at a price that is reasonable for the townspeople. C. Vance stated that Halloran and Sage do not charge the town for anything that they are not asked for. H. Beck stated that he believes the cost is competitive, fair and reasonable. Discussion ensued regarding the cost of legal services. R. Szegda asked the attorneys what they feel a reasonable average cost for legal services for a town the size of Columbia would be. K. Slater stated that he does not feel there is one because of the unpredictability with a small town. R. Szegda asked if the town brings an issue or question to Halloran and Sage that does not require research, whether or not they will research it. H. Beck said that if no research is required then they will not research. R. Szegda explained that over the past few years the legal fees have exceeded what the town has budgeted for. H. Beck stated that Halloran and Sage would be more than happy to help the town prepare for the budget in terms of projecting legal services. Discussion followed. H. Beck told the BOS that Halloran and Sage has enjoyed working for the Town of Columbia over the years and would like to continue providing legal services to the town. C. Vance thanked the attorneys for their time.

The BOS discussed the firms that were interviewed for legal services and asked J. Luiz who he feels is the best choice for the town. J. Luiz stated that he feels that Halloran and Sage is the best firm for the town. C. Vance MOVED that the town continue to receive legal services from Halloran and Sage. Discussion followed. The BOS were in agreement that either Rose Kallor LLP, or Halloran and Sage, LLP would be the best firms to provide service for Columbia. A decision will be made at the June 21, 2011 BOS meeting. C Vance WITHDREW HER MOTION.

- 4.2 Generator Grant:** The BOS discussed the generator grant and whether or not they feel that it is necessary. W. O'Brien MOVED that the town accept the grant and that a town meeting be scheduled for June 21, 2011 at 6:45 pm. in the Adella G. Urban Administrative Offices Conference Room for the purpose of establishing a Capital Account entitled "Town Hall Generator" and to transfer into said account \$35,000 from the Town's Undesignated Fund Balance. MOTION CARRIED 4:1:0 with C. Vance opposing.

C. Vance MOVED to add New Business item 5.1 to the agenda, entitled "Memorial Bench for Erminia Lowman" MOTION CARRIED 5:0.

5. NEW BUSINESS:

- 5.1 Memorial Bench for Erminia Lowman:** J. Luiz explained that the Tax Collector approached him with the concept of the Town installing a memorial bench in honor of Erminia Lowman. Discussion followed. The BOS expressed support for allowing such a bench on town property. It also expressed that it is difficult for the town to decide which former employees to recognize with memorial benches. The consensus of the BOS was that it would be more appropriate for funding for such a bench to come from non-municipal sources such as private individuals or civic groups.

C. Vance MOVED to add New Business item 5.2 to the agenda, entitled "Historic Preservation Grant" MOTION CARRIED 5:0.

- 5.2 Historic Preservation Grant:** R. Hellstrom MOVED to adopt the following resolution: "Resolved: That Carmen Vance, First Selectman of the Town of Columbia, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for an Historic Documents Preservation Grant."

MOTION CARRIED 5:0.

6. COLUMBIA LAKE / DAM / BEACH

- 6.1 Permit Recommendation – John Stevens, 142 Route 87:** Lake Management Advisory Committee Chairman (LMAC) Mark Coleman informed the BOS that in mid-summer of 2010, issues and concerns were brought up over the un-permitted installation of a large inflatable raft at J. Stevens' property. J. Stevens was told to submit an application for a permit, which he did. M. Coleman explained that LMAC denied the request for a permit, but that J. Stevens was allowed to keep the raft on the lake for the remainder of last season. He stated that this year the raft has been re-installed. It is very big and is obstructing the view of his neighbors. The rules for permitted rafts have been re-written by LMAC to accommodate the new inflatable ones but with some conditions. J. Stevens' raft still does not conform to the rules. LMAC is working with the Lake Association to get the word out about the necessity of getting a permit. J. Luiz will be speaking to J. Stevens along with other property owners on the lake that also have these un-permitted rafts. M. Coleman will be getting the names of these raft owners to J. Luiz.

7. APPOINTMENTS / RESIGNATIONS

- 7.1 Hire of Lifeguards:** R. Szegda MOVED to hire the following individuals as lifeguards for the 2011 season: Amanda Johnson, Maureen Chapman, Kristin Donahue, Trinda Pacheco, Amanda Hamilton and Joseph O'Neill contingent upon the results of background checks. MOTION CARRIED 5:0.

- 8. TOWN ADMINISTRATOR REPORT:** J. Luiz told the BOS that he attended a conference entitled, "Communication Skills for Women" which he found informative. He stated that he finished up a pollution application for the Transfer Station and should know the results in a few weeks. J. Luiz informed the BOS that a town-wide mailer discussing the health of Columbia Lake will be going out very soon. Lastly, he told the BOS that the FEMA claim that was submitted by the Town will be result in a payment of \$13,503.

9. CORRESPONDENCE

- 9.1 5/25/11 Article from the Mansfield-Storrs Patch**
9.2 Advertisement for the 2011 HOPE Regional Housing Forum
9.3 Information on the Emerald Ash Borer

10. BUDGET

- 10.1 Refunds:** C. Vance MOVED to approve the following refunds totaling \$158.48:

TO	FROM	AMOUNT
Ayn LLC	Town of Columbia	\$ 14.66
Karl Tanguay	Town of Columbia	\$ 143.82

MOTION CARRIED 5:0.

- 10.2 Transfers:** Dick MOVED to approve the following transfers:

AMOUNT	FROM A/C #	DESCRIPTION	TO A/C #	DESCRIPTION
\$500	10-4112-060	457 Employer Match	10-4112-050	Pension
\$200	10-4134-300	General Supplies	10-4134-500	Prof/Tech
\$115	10-4132-720	Prof. Dues	10-4132-010	Salaries
\$135.93	10-4132-520	Printing	10-4132-010	Salaries

MOTION CARRIED 5:0.

- 10.3 FY 2012 – Adopted Budget Analysis:** The BOS reviewed the FY 2012 Adopted Budget Analysis.

11. **APPROVE PAYMENT OF BILLS:** R. Szegda MOVED to approve the payment of emergency bills in the amount of \$46,93. MOTION CARRIED 5:0. R. Szegda MOVED to approve the regular payment of bills in the amount of \$47,086.64. MOTION CARRIED 5:0.

12. **BOARD MEMBER COMMENTS:** R. Szegda informed everyone about the AHM golf tournament and encouraged people to participate. He stated that a lot has been going on with youth services lately and he feels it is time to begin thinking about providing more funding next year for AHM so that Columbia will move more in the direction of becoming a full-time member of AHM. He feels it should be both a BOE and BOS funding issue.

13. **EXECUTIVE SESSION**
- 13.1 **Real estate pursuant to CT State Statutes Section 1-200(6)(D); Pending Litigation pursuant to CT State Statutes Section 1-200(6)(B); Personnel pursuant to CT State Statutes Section 1-200(6)(A)** C. Vance MOVED to enter into Executive Session at 9:09 pm. to discuss Real Estate with J. Luiz present. MOTION CARRIED 5:0. Executive Session ended at 9:24 pm.

14. **ADJOURNMENT:** C. Vance MOVED to adjourn. MOTION CARRIED and the meeting adjourned at 9:24 pm. The next meeting is scheduled for Tuesday, June 21, 2011 at 7:00 pm.

Respectfully submitted by Kimberly A. Bona