

**BOARD OF WARDEN & BURGESSES
REGULAR MEETING
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The Regular Meeting of the Board of Warden & Burgesses held in the Main Meeting Room, 28 Main Street, Griswold, CT on February 5, 2018 was called to order by Warden Geer at 6:15 p.m.

Motion to appoint Leona Sharkey, Borough Secretary as Acting Clerk was made by Burgess Sorder, second by Burgess Krueger. All in favor, aye. Motion carries.

ROLL CALL:

Leona Sharkey, Acting Clerk read the roll call. Members present: Warden, Alan Geer, Burgesses Timothy Sharkey, Laurie Sorder, James Krueger and Laura Laidley. Bailiff position is currently vacant. A quorum was determined.

PLEDGE OF ALLEGIANCE

ALSO PRESENT:

Jim Barnie, Mike Minarsky, Ken Sullivan, Louis Demicco III, Linda Cote, Larry Laidley, Chris Wardrop, Borough Insurance Agent and Attorney Duncan Forsyth, Borough Attorney.

APPROVE MINUTES OF REGULAR MEETING JANUARY 2, 2018

Burgess Sharkey made a motion to approve minutes with correction to be made to make Ashland Street under Public Forum to Anthony Street, 2nd by Burgess Sorder. Burgess Krueger Abstained. All in favor, aye. Motion carries.

PUBLIC FORUM:

Burgess Sharkey said Go Eagles.

CORRESPONDENCE:

1. Calls for Service Report for December 2017.
2. Annual Borough Services Report – JCDPU. Burgess Sharkey asked Director Sullivan to clarify who pays the bill referring to the donated electricity and Mr. Sullivan stated the Borough pays and the JCDPU gives it back.
3. Thank You Letter from Slater Library for donation in memory of Patricia Drobiak. Burgess Sorder thanked everyone on behalf of her family and stated that they have not been notified formally by either the library or St. Mary's regarding donations.

COMMISSIONER REPORTS:

Fire – Burgess Sharkey deferred to Fire Chief Louis Demicco III. Mr. Demicco stated that the boiler locked out and they had to call Saveway to come look at it and fix it. It was a blocked filter. This fix generated a bill of \$244.25 to which he is asking the Borough if they would be able to pay. Warden Geer questioned the charge

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since they change a filter when doing the cleaning and Saveway also did the cleaning. Mr. Demicco stated he was told that it can happen and it is a separate fix.

Mr. Demicco also stated that he received a quote to make the upstairs bathroom ADA compliant if they are to use the firehouse as a shelter. The quote came from a member of the fire department who owns his own business and it totals just over \$13,000 to be considered for the upcoming fiscal year budget.

Burgess Sorder stated that Mr. Demicco had come to the Capital Improvement Committee and requested \$90,000 to be added to the upcoming fiscal year budget for the JCFD for the renovations to the parking lot and ramp. Capital Improvement was going to ask the Borough to pitch in half; however, due to unforeseen budget circumstances with the State of CT having a direct effect on the town budget, it was decided to put it off for a year.

Police – Burgess Krueger had nothing at this time.

Blight – Burgess Sorder had nothing at this time. Burgess Sharkey stated that the previously discussed 33 Mechanic Street property with the open door and it is currently still open. It was agreed a letter be sent to the new property owner.

Nuisance – Burgess Laidley had nothing at this time. Burgess Laidley did state she apologizes, but school has started for her again and she would need to leave early.

RESIDENT TROOPER REPORT:

None.

DEPARTMENT OF PUBLIC UTILITIES:

Mr. Sullivan stated that he had the final review for the flood prevention wall at the sewer treatment plant and the walk through went well. A question had was if they should make the treatment plant a 500-year flood prevention building. Mr. Sullivan stated DEEP is involved and he is waiting on a response. If the treatment plant were to be upgraded to a 500-year flood prevention building this would drive the cost up to \$1-2 million dollars compared to the original cost of approximately \$440,000.

Burgess Sorder looked for clarification on the Borough Services Report, as she was under the impression that all entities utilizing power were responsible to pay and there were no more donations of power. Mr. Sullivan stated the report was from 2016; however, there are no more donations and everyone pays their own bill.

NEW BUSINESS:

1. **Discussion and possible action on letter of resignation from Bailiff, Cathy Briody.** Board discussed and agreed to ask Atty. Forsyth tonight if the position can be removed and how to handle that process.
2. **Discussion and possible action on tax refund in the amount of \$33.38, as presented by Tax Collector, Leona Sharkey.** Burgess Sorder made a motion to accept refund in the amount of \$33.38, 2nd by Burgess Krueger. All in favor, aye. Motion carries.
3. **Discussion and possible action regarding public drinking with Borough Insurance Agent, Chris Wardrop and Borough Attorney, Duncan Forsyth.** Discussion was had on the ordinance for the Borough of Jewett City regarding drinking in public and open containers. Warden Geer felt it was easy to enforce, but not sure how because it is so dated. Burgess Sharkey stated that the Borough Board should be notified of any event being held within the limits of the Borough of Jewett City whether it is the town or another organization, but that does not happen. Burgess Sharkey wanted to know who becomes responsible should something happen within the limits of the Borough considering there is an ordinance in place. Attorney Forsyth stated that the language in the current Borough Ordinance is troubling and needs to be amended. Atty. Forsyth also stated that the ordinance reads “It shall be

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unlawful for any person to have in his possession any alcoholic beverage in an open container on any public property used by the public in general within the Borough of Jewett City, except where permission has previously been granted by the person in charge of said property.” Atty. Forsyth stated that any event held in the Veterans’ Memorial Park would be granted permission by the legislative body of the property, which in this case would be the Board of Selectmen for the Town of Griswold, but is applicable to the property only. Insurance Agent, Chris Wardrop stated that the Borough is covered through their general liability policy for matters such as these if someone were to bring suit against the Borough with no deductible to the Borough and the insurance company would provide an attorney to defend the Borough. Mr. Wardrop felt it would be a good idea to change the ordinance as well, but not to worry because the Borough is covered. Mike Minarsky, Owner – Wolverine Radio wanted to speak regarding this matter. Mr. Minarsky was allowed to speak and he wanted to know if the Borough was going to change the ordinance to not allow drinking because he is in the middle of promoting HillFest for this year and plans on having beer and wine like he did for last year’s event. He explained that he had a specific area roped off for those that were drinking along with additional staff for the event to make sure people coming in and out of the area and park did not have their own alcohol or alcohol from the drinking area outside of the fencing. Mr. Minarsky also stated that while the Board of Selectmen did sign off on his temporary liquor permit, the Town’s insurance agent required Wolverine Radio to have a \$3 million worth of insurance coverage, an umbrella policy, and have the town as a co-insured on the policy. Mr. Minarsky had concerns the Borough would end his event because they want to amend the current ordinance. Burgess Sharkey stated that they are not looking to prevent any events in town, but the board needs to understand their responsibilities and risks. Burgess Sorder stated her concerns over drinking at town events or any other organization that hosts an event with drinking involved as it poses a huge risk. Burgess Sorder also stated that the board is not involved with the permitting process for events, no-one comes to the board for input and there is no consideration given for the Borough ordinances. Jim Barnie was allowed to speak and stated he felt too much time was being spent on the topic, as there lays a risk with anything you do and anyone can sue anyone. Larry Laidley was allowed to speak and stated he found it upsetting that he was required to have 9 troopers for a fireworks event, but it is okay to have one trooper with drinking. Mr. Laidley stated that he felt there was no uniformity regarding the events that take place in town. Ken Sullivan was allowed to speak and asked Atty. Forsyth if in the event that the Borough was sued would it affect the JCDPU, as it is a department of the Borough and Atty. Forsyth said no. Atty. Forsyth the current ordinance has no teeth and stated that if you are going to amend it you also have to look at the enforcement end of it as well. Warden Geer agreed and asked how to handle the change. Atty. Forsyth stated he would draft something for the board to look over, and if the board wants to move forward then it would need to be approved at a Freemen Meeting. Burgess Laidley left the meeting at 7:00 p.m. Warden Geer asked Atty. Forsyth how to remove the position of bailiff from the charter and Atty. Forsyth stated through a special freemen meeting; the same as an ordinance change and you could do them both on the same night. Burgess Sharkey asked Atty. Forsyth if Mr. Donfrisco from the State of CT Legal Affairs Dept. for the CT State Police spoke to him about the fringe benefit cost increase and Atty. Forsyth stated that he did, but he has not connected with him yet.

4. **Motion to adopt resolution for Hazard Mitigation Plan Update 2017.** Burgess Sorder made motion to adopt the resolution for Hazard Mitigation Plan Update 2017, 2nd by Burgess Sharkey. All in favor, aye. Motion carries.
5. **Discussion and possible action regarding small business loan with Mike Minarsky, Wolverine Radio.** Warden Geer recused himself at 7:22 p.m. due to conflict, as he works at Wolverine Radio. Mr. Minarsky is asking for a \$20,000 loan from the Borough to evolve his business with video capabilities. Mr. Minarsky stated he wants to be able to carry embedded video of live events that can plan on the Wolverine TV monitors in the various businesses and stream live videos of the different sports games.

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The loan would be to cover the cost of equipment and additional staff. Mr. Minarsky stated that Wolverine Radio has no debt. He also stated that he is trying to tie in with Atlantic Broadband. Burgess Sharkey stated that typically with the loans that they look for collateral to attach the loan to in order to guarantee the payback of the loan. Treasurer, Linda Cote also stated that she wants all agreements from this point forward to add a late charge, as there is a loan holder who is always 3 months behind. Burgess Sorder asked if he had a list of collateral. Mr. Minarsky stated that he has the vehicle, which is registered to Wolverine Media and other equipment for collateral. Burgess Sorder stated that she understands from the last loan request that the attorney stated they would need a list of collateral. Mr. Minarsky stated that would not be a problem. Burgess Sorder made a motion to forward the loan request to Atty. Forsyth for review when the list of collateral is received from Mr. Minarsky for consideration of the loan, 2nd by Burgess Krueger. All in favor, aye. Motion Carries. Warden Geer invited back in the meeting at 7:35 p.m.

OLD BUSINESS:

1. **Update regarding Ethics Ordinance discussion.** Burgess Sorder stated that the last 3 scheduled meetings she was unable to attend, as 2 of them were cancelled for weather related reasons, and the other due to a death in the family. They do have one scheduled for the 18th of March, but there is no public comment at that meeting. She will continue to pursue getting answers.

ANY OTHER BUSINESS BEFORE THE BOARD:

1. Burgess Sharkey made a motion to have the bill for the filter repair for the JCFD in the amount of \$244.24 be paid, 2nd by Burgess Krueger. All in favor, aye. Motion carries.
2. Warden Geer stated he wanted to do the flags for Memorial Day again this year and that he will create letters and hand them out like last year to solicit donations to cover the cost. Treasurer Cote stated that there was approximately \$3.46 left over in the account last year. Burgess Sharkey stated that money was allocated in the current fiscal year budget for the flags. Warden Geer is going to get donations to reduce the amount the Borough will have to cover.
3. Burgess Sorder wanted to know when the budget workshops would begin. Treasurer Cote suggested waiting until March.
4. Burgess Sharkey stated they had not heard back from Atty. Forsyth regarding who they should appoint to the CMEEC board that was created by legislature after the Kentucky Derby mess. Warden Geer stated that a Bill Kuwalski (phonetic spelling) was appointed for our area as a municipal electric consumer advocate for CMEEC through Public Act 17-73. Discussion was had regarding the representative, the costs, and the benefits of appointing their own individual. Louis Demicco III stated that if they were to do that then the individual should come to all the JCDPU meetings because these CMEEC reps having voting rights that affect all rate payers. Mr. Demicco asked Mr. Kuwalski what his guidelines were for making decisions and his response was that he is an attorney. Mr. Demicco stated he is paid approximately \$140,000 a year to be a representative. Mr. Demicco also told the board that all of the commissioners for JCDPU attend the meetings and explained they do not have to appoint someone.

PUBLIC FORUM:

1. Jim Barnie wanted to know if the hazard mitigation plan was drafted by the Borough or the Town. Acting Clerk Sharkey stated that it was drafted by SECCOG with input from Mario Tristany, Town Planner, as it is handled by the Town for both the Town and Borough.
2. Louis Demicco III wanted to know if the gas line would be coming down Brown Avenue. Mr. Barnie said it would not.

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Burgess Sharkey made motion to adjourn, 2nd by Burgess Krueger. All in favor, aye. Meeting duly adjourned at 7:55 p.m.

Respectfully Submitted,

Leona Sharkey, Acting Clerk

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