

Town of Willington

Board of Selectmen
40 Old Farms Road
Willington, CT 06279
(860) 487-3100
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www.willingtonct.org

BOARD OF SELECTMEN

Regular Meeting Minutes
In person & via web interaction (via Zoom platform)

September 20, 2021
6:30 PM

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

First Selectman Wiecenski called the meeting to order at 6:30 PM with the following in attendance in person: Selectman Blessington & Selectman Boritz in person, and residents in Person and via Zoom.

Pledge of Allegiance

Approval of Minutes

Selectman Blessington moved to approve the minutes of September 8, 2021 with one correction, on page 4, under Mason Road paving: remove Carl and replace with Karl Acimovic.

Selectwoman Wiecenski seconded the motion.

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

Present to Speak

None.

Correspondence

First Selectwoman Wiecenski read the attached 3 letters of correspondence into the record: (Sarah Baker letter dated September 15, 2021, Christina Mailhos email dated September 17, 2021, S.B. Bourbeau email dated September 20, 2021).

First Selectman's Status Report

- A. STEAP Grant: No new update; still waiting to hear from DPH, who has taken over this particular item.
- B. School Building Commission: Met and discussed the funds that have been asked for for consultants. Moved that item to the Board of Finance. That will be addressed later on the agenda.
- C. LOTCIP: No new update. Mike D'Amato is working with CRCOG and DOT sending comments back to them for this.
- D. ARP: Meeting this afternoon to discuss funding with the ADHOC committee. Discussed requests that came from town hall department heads. Discussed creating a survey to receive input from town residents. Plan to meet again in a month.
- E. Union Negotiations: Do not have a new date as of yet. Still waiting to hear back from the union.

- F. COVID: Had a slight increase in the fully vaccinated residents in town. Now currently at a 56.6% fully vaccinated rate; that represents 15 new fully vaccinated individuals. Seeing an increase in COVID. Since the last meeting, there have been 15 new positive COVID cases. Will encourage residents to be conscientious of wearing masks in town buildings and consider being vaccinated.
- G. Staffing Needs: Assistant Land Use Agent interviews were conducted today. Alan Humphrey is the interim Parks & Rec Director while we continue with the search.

Public Works

- Finished grading Hockla Farms Road; put some stone swales in and added riffraff around the pipe.
- Chipped brush.
- Paved edges around town.
- Roadside mowing is still going on.
- Repaired the F-450.
- Clear site lines.
- Backfilled curbs.
- Moved and weed whacked around the garage/transfer station.
- Patched several holes around town.
- Changed the trash at River Road Park.
- Installed new curb on Jared Sparks Road.

New Business

A. Award Snow Plowing Two Year Bid, 2021-2023:

Award the snow plowing contract for the two year bid, 2021-2023. Rely on two contractors for plowing and only received one bid. One bid in the packet from Larry Kucko for \$155.00 per hour. This is an increase over the last contract, but still only one bid was received. Troy Sposato, Public Works director, has recommended that the bid be awarded to Larry Kucko.

Selectman Wiecenski made the motion to approve the snow plowing contract for 2021-2023 for one truck from Larry Kucko at \$155.00 an hour.

Selectwoman Boritz seconded the motion.

Discussion:

Selectman Wiecenski: Will once again be in the position of being short staffed and will need to put an additional driver from the DPW on the road which would take away from someone able to do the parking lots, schools, fire departments, the library, the senior center, the town office building. Troy brought that concern last year when he asked for an additional staff member in his budget but the Board of Finance cut their budget and they had to make the choice between a new staff member or new equipment.

Mr. Sposato will try to reach out to previous vendors.

Vote: 3 Yes (Boritz, Wiecenski, Blessington) 0 No. Motion carries.

NOTE: The Zoom recording was not started when the meeting started, but there is a tape recording of the full meeting prior to the Zoom recording being started.

B. Award Winter Road Sand Two Year Bid, 2021-2023:

Award the winter road sand contract for the two year bid, 2021-2023. Received a bid from Becker Construction for \$12.95 per ton delivered, with delivery date as needed. Their comments were washed gray sand, with sharp edges that are good for traction. The second bid received was from DeSiato Sand & Gravel Corp for \$21.00 per ton delivered, the delivery date was 24 hours from time of order with 0 comments. The third firm was Liquore Sand and Gravel, LLC. for \$15.00 per ton delivered, with no comments and no

delivery date information. And the last bid was from Windham Materials for \$15.50 per ton delivered, again no delivery date or comments noted. Troy's recommendation is to award Becker Construction.

Selectman Boritz made the motion to award Becker Construction with the winter road sand bid for 2021-2023 in the amount of \$12.95 per ton.

Selectwoman Wiecenski seconded the motion.

Vote: 3 Yes (Blessington, Wiecenski, Boritz) 0 No. Motion carries.

C. Town Clerk Preservation Grant -- Assign Designee

Annual State Library Preservation Grant, which is in the amount of \$5,500.00, which goes to our Town Clerk's office.

Selectman Wiecenski made the motion to authorize Town Clerk Robin Campbell to be the designee for the State Historic Preservation Program Grant for FY 2022.

Selectwoman Boritz seconded the motion.

Discussion:

Town Clerk Robin Campbell would like to use the funds to take the maps that we have in the vault and put the images online. This was in the works last year but we switched it out at the last minute. Currently the land recording posts that can be used to look up land records online. Same concept as the maps. Currently we receive at least 15 requests for maps to be emailed all week, so having the maps online such as the land records, would help the end user out tremendously, as well as save time in our office. The quote came in just under the \$5,500.00 and should have \$200.00 left. Not sure what will be done with that yet. The grant is not carried over if the total amount is not spent.

Vote: 3 Yes (Boritz, Wiecenski, Blessington) 0 No. Motion carries.

D. Award contract for Senior Center Air Conditioning replacement

We will be using ARPA (American Rescue Plan Act) funds to replace the four air conditioning units at the Senior Center and move them. Will move them from their current location underneath the deck onto a pad and closer to the back door at the Senior Center. Currently two of the existing units are not functioning, they've been limping along all Summer. Two units were attempted to be repaired prior to this Summer and the heat of this Summer has certainly taken its toll on the units that were left there; we knew early on that they needed to be replaced but it's an extraordinary expense. The Senior Center would not be able to incur that cost so we started looking for funding.

Selectman Wiecenski made the motion to award the Senior Center AC replacement contract to EMCOR Services New England Mechanical in the amount of \$29,650.00.

Selectwoman Boritz seconded the motion.

Discussion:

First Selectwoman Wiecenski stated, EMCOR is our current contractor to maintain our systems.

DPW Director Sposato shared that the current units are located under the deck right now and over the years; the hot air comes up and then comes back down on them and it makes the units work harder than necessary.

Selectman Wiecenski said it's really important that we have functioning air conditioning there. Our seniors weren't utilizing the Senior Center for the majority of Covid up until this summer. We started back at the Senior Center in June. Every time we have a heat wave, we have a concern as to whether or not they would have a cool place to go. As far as cooling centers for the town, the Senior Center is open for seniors for a cooling location. If that would not have been available, we certainly would have concerns.

Selectman Blessington asked how old are the systems that are in there already. They are 16 years old.

DPW Director Sposato said EMCOR believes that this is a project that can be completed relatively soon.

Vote: 3 Yes (Boritz, Wiecenski, Blessington) 0 No. Motion carries.

E. Petition procedure discussion

First Selectwoman Wiecenski shared, the Selectman's office received a petition and called a town meeting. When we corrected the first initial issue with the town meeting, it was a unanimous decision to call such town meeting.

Last week the Selectman's office received communication calling into question the legitimacy of the town meeting. After lengthy discussions and legal review, it was determined the petition could not move forward to town meeting and thus was cancelled. A copy of the petition was shared with the Board of Finance, as it was not something a town meeting could handle. No outcome could come of it; we could have held a public hearing to discuss but there would have been no action. The item requires at least the recommendation of the Board of Finance to move it forward.

This matter brought about the need for a discussion for the procedure for petitions in the Town. Town Clerk Robin Campbell has conducted some research, and is taking a look at what some other towns do for their town meetings.

Ms. Campbell shared the petition was received the first Friday of the month, and it became clear that there was no written procedure in her office other than just for the petitions themselves. We followed all of the Statutes; 20 people can petition a town meeting (they have to be electors or qualified to vote in town meetings, which means that they would have to own more than \$1,000.00 of property in town). The Town meeting shall be called within 21 days. It is not clear as to what happens when the petition is received. Each town is different; some towns have charters or passed ordinances where they have it written out. In some towns the selectman receives it and then has 7 days to determine whether the request to call the town meeting is legitimate or lawful or needed. Other towns just have it in written form that the selectman receives it or the town clerk receives it. Ms. Campbell is writing a written procedure for going forward so the townspeople can also know what will happen if they petition for anything. There are different levels; town meeting level and referendum level (200 people are required to petition to push forth the referendum). This particular town meeting that was just called did have ties to the reserve fund; the reserved fund is protected by Statute 7-364.

The Town Clerk's office can still receive the petitions. Statue 7-6 states required to warn a town meeting, for 20 inhabitants, there is no duty to warn a meeting pursuant to such petition unless the Board is reasonably certain that the object of the petition is lawful, proper, and not frivolous. You have 21 days to check the petition signatures, warn the meeting, the Selectmen need to call a special Board of Selectmen meeting to call the Town meeting, and then publish/warrant it in the paper. Need to determine if it is lawful.

Selectman Wiecenski: Is this something that requires a policy, a general policy, an ordinance? Have discussions on this because right now we have no policy. The Town Clerk gives the petition out, receives it, and then the clock starts.

Town Clerk Campbell: The petition can still be received by the Town Clerk's office.

Selectman Blessington: In the interest of saving time, if you had 200 signatures, would you be able to verify 20 signatures and then turn it in to the First Selectman's office for review?

Town Clerk Campbell: Yes, confirm that the petition is legitimate and then forward it to the Selectmen to start the process, and then continue confirming the signatures.

Selectman Blessington: The other question is, on verifying if the Board of Selectmen turns it down because it's frivolous or illegal, is there going to be an avenue of appeal on the petition, especially if it is frivolous.

Ms. Campbell would recommend that the Town attorney be involved.

Selectman Wiecenski would like to see as a part of our process that any or all petitions should be sent to the attorney for review.

Selectman Wiecenski stated the Town Clerk's role is to give the form for the petition, not to determine the question.

Ms. Campbell stated the Clerk's office should determine if the petition fits, not if the petition is unlawful or frivolous.

Selectman Boritz was under the impression the petition was binding for the selectmen. At the very least, we need to build in the step for legal review, and need to make sure the legal review we are receiving is in

the content area of expertise. It is an important step and easy for us to read something and not be clear of the legal jargon. The word frivolous is a perfect example; super subjective and what does frivolous mean in regards to a petition.

Selectman Wiczenski agrees we need to send these items to our town attorney for review and then see if it can be moved forward. She would be interested in a policy developed from the Town Clerk office, as well as the Selectmen's office.

F. Call Town Meeting -- School Building Committee Funds

First Selectwoman Wiczenski moved: **TOWN OF WILLINGTON
NOTICE AND WARNING
SPECIAL TOWN MEETING**

The electors of the Town of Willington and all persons who are entitled to vote in Town Meeting on the matters mentioned in the following warning are hereby warned and notified to meet in Town Meeting (face masks required) at Hall Memorial School; 111 River Road, Willington, at 7:00 P.M. on Tuesday, October 5, 2021 for the following purpose:

ITEM I

To see if the townspeople, on the recommendation of the Board of Finance, will authorize the appropriation of \$100,000 from the Reserve Fund to Project No. 04-4041 for school building committee consultants as previously approved by voters at the 2021-2022 annual town meeting. The funds will be utilized to hire consultants to assist the School Building Committee (SBC) with the review of multiple options, including but not limited to renovation/addition or new school, and any other items needed to assist the SBC in fulfilling the charge of the SBC committee.

Dated at Willington,

This 20th day of September, 2021.

Willington Board of Selectmen:

Erika G. Wiczenski

Liza Boritz

John Blessington

Selectwoman Boritz seconded the motion.

Discussion:

Selectman Wiczenski: The question went before the Board of Finance on Thursday; they took action and voted this question to ask this Board to call a town meeting. Therefore this meets the requirement of recommendation of the Board of Finance and a town meeting.

Selectman Blessington: This is what the Board of Finance ordered, correct?

Selectman Wiczenski: That is correct.

Vote: 3 Yes (Blessington, Wiczenski, Boritz) 0 No. Motion carries.

Old Business

None.

Present to Speak

Peter Latinsics, 97 Trask Road: Comment on the petition for town meeting that was just approved. I want to thank Liza for her commentary on it and I completely agree that the Board of Selectman acted in good faith to move forward with the petition for the town meeting; and it was something that we have always done as a town and I was pleased to see it happen. I am glad that Liza pointed out that we now understand, that this part troubled me. I was all for the town meeting but I did not agree that the Board of Finance should be circumvented. It's always been their role to approve the release of projects because there are financial actions that should have their approval and makes sense to have their approval before we go to town meeting. So I guess we got to the same place but in a roundabout manner, but I am glad that we did so and that we are following the process that we normally follow. I would also like to add that I am disappointed tonight to see a member of the Board of Selectmen treated rudely and with disrespect merely for asking questions about the agenda. I get it, everyone is busy and tired and so forth, and there's no reason for that. I would appreciate it if we maintain decorum at our meetings. Thank you.

Good & Welfare

Reiterating from the beginning of the meeting, inadvertently the recording was not started on the Zoom. There is in-fact a recording happening in the room. So we will put those two together to make the audio available with the remainder of the video.

August Monthly Report from Troop C: *398 calls to Troop C for service included 6 accidents, 6 criminal investigations, 0 burglaries, 1 larceny, 246 non-reportable matters and 6 arrests. For motor vehicle enforcement: 133 traffic stops; 1 DUI, 1 arrest, 1 arrest, 2 misdemeanor summons, 61 infractions, 31 written warnings and 26 verbal warnings.*

The Finance office once again this year qualified for the GFOA (Government Finance Officers Association) Certificate of Achievement for Excellence in Financial Reporting. That is an accomplishment for our very hardworking finance office and our hats off to our business manager Donna Latinsics and her staff and to our Treasurer Laurie Semprebon. We should be receiving a medallion for our plaque and when that comes in, we will formally present them that a Board of Finance meeting. Thank you to them for all of their hard work!

The Mobile Food Share will be at the Town Office Building next Wednesday from 11:00 to 11:30am. This is open to anyone, resident or not. It is still a drive through model.

If you can please support our small businesses and restaurants and businesses; they certainly need our help and support if we are able.

I would like to formally welcome Kelsey Allard as the new Administrative Assistant to the Selectmen.

**First Selectwoman Wiczenski moved to adjourn the meeting at 7:23 PM
Selectman Blessington seconded the motion.**

Vote: 3 Yes (Wiczenski, Boritz & Blessington) 0 No. Motion carries.

Respectfully submitted,
Kelsey Allard
Recording Secretary
Town of Willington

Sarah Baker
7 Ridgewood Rd
Willington, CT 06279

Herb Arico, Chair
Willington Board of Education
40 Old Farms Rd
Willington, CT 06279

15 September 2021

Dear Mr. Arico,

In the Board of Education by-laws it states that you will "uphold and enforce all laws, rules, regulations, and court orders pertaining to public schools." The vote proposed at the September 14th Board of Education meeting is in clear violation of the Federal Equal Access Act. Additionally, Connecticut state law expressly forbids local Boards of Education from discriminating based on gender identity or sexual orientation, among other characteristics. I am dismayed that the Board would be debating in any way actions that are illegal, discriminatory, and harmful to our children.

I believe in open debate and civil discourse. People have a right to opinions and to express those opinions. However, this is not an unfettered right and speech is not benign. One must exercise care and judgement. This is especially true for our community leaders and elected officials. Allowing the Board to entertain derogatory and negative speech towards a protected class of individuals, or any other group, undermines the integrity of this Board and its work in this town.

Indeed, the Board of Education is also an employer. You employ gay people. You must consider how conversations at Board meetings contribute to a hostile work environment for our teachers and staff and how a vote could have led to violations of their rights under Federal and state employment laws.

I truly appreciate the time and dedication you have consistently demonstrated to our children and to our education system and value your experience in this sector. As the chair, I hope that you can guide the Board towards speaking and acting with clarity of purpose and eschewing further unproductive conversations.

Sincerely,

Sarah Baker

Cc: Phil Stevens, Superintendent
Cc: Mary Kay Tshonas, Principal, Hall Memorial School
Cc: Erika Wlencenski, First Selectperson
Cc: Levy Gillespie, Connecticut State Department of Education

-----Original Message-----

From: Christina Mailhos [mailto:christina_mailhos@yahoo.com]

Sent: Friday, September 17, 2021 12:29 PM

To: Erika Wiecenski <ewiecenski@willingtonct.org>; John Blessington <jblessington@willingtonct.org>; Liza Boritz <lboritz@willingtonct.org>

Subject: Please condemn hate in Willington

Dear Board of Selectmen,

I watched the 9/14/21 Board of Education meeting and was not just disgusted by the words of Ms. Testa but outraged that she would use her position as a Board of Education member to attempt to dismantle a club that encourages inclusion. This is a clear abuse of power and a violation of the mission of Willington Public Schools that the Willington Board of Education is tasked with upholding: "Willington Public Schools through a partnership with students, parents, staff and the community, will provide exceptional instruction in a positive and engaging environment of inclusion where students achieve their maximum potential."

What these actions have shown us that unfortunately, there is at least one elected official in Willington pushing an agenda of hate and bigotry. There is no place for this in our community, and particularly in our Town Government.

Therefore, I am writing to request that the Board of Selectmen formally condemn her actions and all forms of hate in our community and join the voices calling for her resignation.

Sincerely,

Christina Mailhos
46 Hall Hill Road
Willington CT

From: S.B. Bourbeau [mailto:sbbourbeauhome@gmail.com]

Sent: Monday, September 20, 2021 10:35 AM

To: Erika Wiecenski <ewiecenski@willingtonct.org>

Subject: Statement of Support

Dear First Selectman Wiecenski,

As I am sure you are aware, last week's Board of Education meeting left many parents and townspeople reeling in the wake of BOE Member Elena Testa's statements against the HMS GSA club. I feel that Ms. Testa made it clear that in her elected position, that she will only represent those members of the student body who are in line with her religious beliefs.

I am contacting you today, to call on the Willington Board of Selectmen to stand united against any and all forms of exclusion and discrimination in the Town of Willington. Furthermore, I ask this governing body to remind the Willington Board of Education of their Nondiscrimination Statement.

"The Willington School District is committed to a policy of equal opportunity/affirmative action for all qualified persons. The Willington School District does not discriminate in any employment practice, education program, or educational activity on the basis of race, color, religious creed, sex, age, national origin, ancestry, marital status, sexual orientation, gender identity or expression, disability (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, or any other basis prohibited by Connecticut state and/or federal nondiscrimination laws."

There is no room the clear and outright discrimination that Ms. Testa is perpetuating.

Thank you for your time and attention to this crucial matter.

Shannon Bourbeau

RECEIVED
WILLINGTON, CT.

2021 SEP 23 P 1:52


TOWN CLERK