

**TOWN OF POMFRET
BOARD OF SELECTMEN MINUTES
DECEMBER 7, 2009 AT 7:00 PM
POMFRET TOWN HALL**

In Attendance: First Selectman James Rivers, Selectpeople Anthony Emilio, Maureen Nicholson. Approximately 25 citizens and interested parties.

I. Regular Meeting

- 1. Open Meeting–7:00 PM/Approve Minutes November 16, 2009** – J. Rivers opened the meeting at 7:00 PM. Due to the large attendance he stated that any objection to continuing the meeting at this location would move the meeting to the larger Senior Center. There were no objections. J. Rivers motioned to approve the minutes of November 16, 2009. M. Nicholson seconded. All in favor.
- 2. Items to Add to Agenda** – J. Rivers motioned to add Budget Discussion to New Business, Item 4. T. Emilio seconded. All in favor.
- 3. Citizen Participation & Communications** – The following attendees made comments relating to the Covell Road Bridge project and Barr Construction:
Terry Chambers, KWP, stated he has performed services for Barr on occasion and done Quality Assurance Testing for municipal projects done by Barr. In all the years he has done this he has never experienced a problem. Stan Rotowitz, owner of Village Manor in Plainfield stated he was considering Barr for a future addition. They are well-qualified. Peter Mann stated he has been involved in two local projects completed by Barr, Christ Church addition and Seely-Brown Village. He would not recommend them. Charles Franklin, Pomfret resident stated that while he can't attest to Barr one way or the other, the bridge has been closed for a very long time, Barr is the lowest bidder, it is time to move forward with this project. Rich Cheney stated he has worked with Barr for 28 years, he has worked on every bridge they have done. There has never been a problem with quality and there have been no problems with any of the bridges. Steve Donahue has been with Barr for 25 years as a subcontractor and employee. He would like to see Barr be awarded this contract. John McGowan stated he has worked as controller for Barr for 25 years. The payroll problem that has been publicized was reduced with no penalties. It was a minor problem and the reports have been overblown. Mike Gerrity with Paquette Electric stated he has done work with Barr since the 1980's. Barr has always paid on time and they have contributed to much civic activity. Sandy Navarro stated she worked for Barr for ten years, working with payroll and prevailing wage. There was never a problem in these areas while she was there. Keith Wilcox stated he is the son-in-law of the owner and a local business owner himself. Mr. Derrigan has always given to the community and whenever a group has gone to him for donations he has never said no. Peter Cooper stated that while maybe Mr. Derrigan's 'bedside manner' was sometimes lacking, he always does what he says he will do and he supports the local community. Gary Bassett stated he is a 6 year employee of Barr, he has worked only in Massachusetts and those jobs have all received high ratings.

II. Current Business

- 1. Road Issues - None**

III. New Business

- 1. Bid Discussion and Possible Selection-Covell Road Bridge** – J. Rivers provided overview of what has taken place to date. He reviewed some of the information he has received from outside parties regarding Barr Construction. A decision must be made within 60 days of opening the bids but an extension can be requested. Discussion. Matter tabled until next Selectmen’s meeting, allowing the rest of the Board time to further review information.
- 2. Ethics Discussion** – The Board of Finance chair had requested that the Board of Selectmen consider putting an ‘Ethics Policy’ in place. Currently the Town refers to Statutes and something at the local level could simplify. This would need an Ordinance and an oversight Board. Discussion. Matter tabled to the next Selectmen’s meeting.
- 3. Discussion – ‘Voting on Selectmen Ordinance’** – Ford Fay has been researching ideas on how to vote for Selectmen. He has presented a format where each voter would be able to vote for three candidates. Some discussion. Matter tabled to the next Selectmen’s meeting.
- 4. Budget Discussion** – J. Rivers stated he would be requesting that departments come in at zero again this year. M. Nicholson suggested that a cost savings be requested as well. Brief discussion.

IV. Other Business

- 1. General Discussion** – J. Rivers provided an update regarding the FOI case brought about over a year ago. While the FOI Commission did not favor the Town the court ruling currently agrees with practices that the Town has been using. T. Emilio asked about the status of the Senior Center. A C.O. has been issued and the center is open. There are still some issues that are being worked out.
- 2. Review and Possible Approval-Town Depositories** – Brief discussion. M. Nicholson motioned to approve Town Depositories as presented by the Treasurer, recommending Putnam Bank. T. Emilio seconded. All in favor.
- 3. Review and Possible Approval-2010 Meeting and Holiday Schedule** – M. Nicholson moved to approve the 2010 Meeting Schedule as presented with the second meeting in April corrected to the 19th and the meeting location to be at the Senior Center. T. Emilio seconded. All in favor. M. Nicholson moved to approve the Holiday Schedule for 2010 as presented. T. Emilio seconded. All in favor.
- 4. Review and Possible Approval-FY 2008/2009 Appropriation Transfers** – M. Nicholson moved to approve the appropriation transfers for FY 2008/2009. T. Emilio seconded. All in favor.
- 5. Pistol Permits Issued: None**
- 6. Taping Selectmen’s Meetings** – M. Nicholson motioned to begin taping BOS Meetings again. T. Emilio seconded. Some discussion. All in favor

V. Tax Refunds/Abatements: None

VI. Citizen's Comments – John DiIorio stated that the grant call regarding PCS solar panels should come in soon. The roof question needs consideration and the school is currently looking into this. Regarding the ethics question he stated it is important to identify a perceived conflict of interest vs. a direct monetary gain. Regarding bridge contractors he felt that it has been the practice to do what we can locally. Rich Cheney stated that Barr has recently been awarded contracts in Massachusetts, he often pays contractors before he is paid, and he is not at the jobs being difficult. Steve Donahue stated that the PCS bond was not pulled and that the negative is always what is heard, never the positive. Bob Derrigan stated that he had heard much positive tonight, that the media has portrayed much inaccurate information, and he thanked those with the Town for a fair shake. M. Nicholson stated she would like to add an item to the agenda and motioned to add **Taping Meetings to Other Business, item 6**. J. Rivers seconded. All in favor.

VII. Adjournment – T. Emilio motioned to adjourn. M. Nicholson seconded. All in favor. Meeting adjourned at 9:00 PM.

Respectfully submitted,

Bonnie Ryan, clerk

Date approved_____