Prospect Town Council
Regular Meeting
Unapproved Minutes
June 7, 2016

Chairman Thomas J. Galvin called to order the regular meeting of the Prospect Town Council @ 7:00 p.m. The meeting was held at the Prospect Town Hall, 36 Center Street and began with the Pledge of Allegiance. The meeting was taped.

Members Present: T. Galvin, Jeff Slapikas, Pat Geary, Al Delelle, D. Merriman, Carla Perugini-Erickson @ 7:12 p.m., Larry Fitzgerald, C. Graveline and S. Pilat @ 7:50 p.m.

Members Absent: None

Also in attendance Mayor Robert J. Chatfield

Continuation of Charter Revision Discussion:
CRC Members in attendance: Chairman Glenn Gruber, James Paulella, Paul Krisavage and Katie Blinstrubas

Chapter 7, Public Safety, Section 7.02: Fire Department: Town Council Chairman T. Galvin asked Fire Chief Jay Kolodziej and Asst. Chief Bill Lauber to discuss the recommendations by the CRC for the Prospect Volunteer Fire Department. Fire Chief Jay Kolodziej advised that he did not agree with the recommendations to negotiate a contract between the Town of Prospect and the Prospect Volunteer Fire Department (PVFD); he stated that it could be taken as a good intent or taken maliciously. J. Kolodziej advised that for the past several years the PVFD has provided the Council with explanations to their budget when presented. J. Kolodziej continued that in the future, if the PVFD comes to the Town Council with their budget, but the Town Council refuses due to a contract not being signed, he felt that the Town Council could 'bully' the PVFD around. J. Kolodziej stating his feeling, explained that when he previously appeared before the CRC with his opening comments, his statement was that he was a taxpayer in town, owning a home and two vehicles, but neglected to advise that he owned a motorcycle. J. Kolodziej proceeded to advised that the following day, after the CRC meeting, a member of the CRC investigated into his personal and real estate property and called the PVFD stating that he had lied putting his integrity at stake. J. Kolodziej continued that he felt these CRC recommendations were driving a wedge between the Town and PVFD. Asst. Fire Chief Bill Lauber, advised that he felt the same as J. Kolodziej and stated that it was in his opinion that if a contract was to be signed it would be an open door to have a 'career department' come into Town. B. Lauber stated that the firefighters take an oath to protect the Town. B. Lauber added that if the PVFD was in need of anything, they could come to the Council with their request. B. Lauber also explained that in September of 2016 the cost to send a student to Firefighter School would raise to $1,050 per student. P. Geary commented that the PVFD has made progress over the years by giving the Town Council a detailed budget breakdown and answering their questions. B. Lauber stated that the Town and the PVFD are two

separate entities with each having their own set of lawyers. Discussion. CRC Chairman Glenn Gruber stated that he was disturbed and shocked that someone on the Commission had researched J. Kolodziej tax history. P. Krisavage stated that he took offense by the J. Kolodziej remarks. At the request of the CRC, J. Kolodziej advised that it was the acting CRC 'clerk'.

Chairman T. Galvin asked Prospect Police Lt. Nelson Abarzua to comment on Chapter 7 Public Safety, Section 7.01. Police Services. Lt. Abarzua stated that he would like stricken from the recommendations made (a resident State Trooper) from the paragraph reading 'Any Town Police Officer not fulfilling his responsibilities as a police officer shall be presented at a Hearings Board consisting of the Town Council, (a resident State Trooper), if one is assisting the Town, and one of the Town's police officers, as chosen by the officer presented before the board'. Lt. Abarzua stated that per the Administrative handbook for the State Police, the State Police could only make recommendations; the parties present should be the CEO of the Town (Mayor), a Town Council member and the officer (plus an officer of his choosing). The discussion continued with Lt. Abarzua stating that the wording in the Charter should be changed for the future should the Town no longer have a Resident State Trooper program or creates its own Police Department. Lt. Abarzua submitted his request to have added into the Charter for this purpose the following: 'The Prospect Police shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property and enforcement of the laws of the state and the ordinances of the town and all rules and regulations made in accordance therewith. All members of the Prospect Police shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by the general statutes. The Mayor shall be the executive officer of the Prospect Police. The Mayor or his designee shall assign all members of the Prospect Police to their respective posts, shifts, details and duties. The Mayor or his designee shall be responsible for the care and custody of all property used by the Prospect Police and for the efficiency, discipline and good conduct of its members. The Mayor or his designee shall make rules for the operation of the Prospect Police and the conduct of the police officers'. P. Geary requested a copy of the Administrative manual that is used by the State Police. Lt. Abarzua stated that he will check with the State Police legal department for a copy. Lt. Abarzua also commented that he had no 'headaches' with the Town's police officers and stated that only the best are recruited. Lt. Abarzua also gave praise to the actions of the newest Prospect Police Officer, Anthony Cipriano, stating that he had subdued a man while on a train, on his off-duty time, saving others' lives.

Jeff Slapikas asked to refer back to Section 7.02 of the Charter, Fire Department to have the record show that the comments and actions made toward the Fire Chief Jay Kolodziej, was not a member of the Charter Revision Commission, but by the acting 'clerk'.

T. Galvin commented that it was the end of the current discussion on the recommendations from the CRC and set a special meeting date of June 14, 2016 at 7:00 p.m. with the venue to be announced to continue this discussion.

Public Participation:
Elizabeth (Betty) Guevin, Prospect Republican Registrar of Voters stated that there is a possibility of a Primary, on August 9th. B. Guevin questioned when the Town of Prospect would be acquiring Community School and if the building would be cleaned by the time of the Primary. Mayor Chatfield stated that the closing for the property would be on July 8th, 2016@ 10:00 a.m. and he is hoping to begin the cleaning of the building by the second week after the closing.

Mayor's Report:
Stan Pilat advised the Council that items had been removed from Community School by Region 16. Mayor Chatfield stated that the items within the School were part of the Town's purchase and that he would contact the Region for an explanation.

Mayor Chatfield gave the Council a handout of the Revenue Sheet as of May 31, 2016. The Mayor asked the Council to turn to the last page to see how the Mil Rate was established. Mayor Chatfield explained that the Mil Rate would be raised to 29.91 from 29.23 with a .68 mil increase and asked the Council to set the Mil Rate. After discussion, **Motion** made by C. Graveline, seconded by J. Slapikas to set the Mil Rate at 29.91 from 29.23 with a .68 mil increase. **Unanimous**.

Mayor Chatfield recognized Tax Collector, Diane Lauber. D. Lauber advised the Council that she had spoken with the Ordinance sub-committee to create an Ordinance to waive tax bills less than $2.00, but until the Ordinance is set, D. Lauber requested a motion to waive the tax bills less than $2.00. **Motion** made by P. Geary, seconded by S. Pilat to Waive the Tax Bills less than $2.00. **Unanimous**.

Refunds:
D. Lauber gave the Council handouts of the Tax Refunds dated June 7, 2016 in the amount of $5,513.63. **Motion** made by D. Merriman, seconded by P. Geary to approve the Tax Refunds dated June 7, 2016 in the amount of $5,513.63. **Unanimous.**

Transfers:
Mayor Chatfield asked the Council to approve the transfer for the year end 2015-2016 Budget in the amount of $40,761.00:

From:		**To:**	
Contingency Transfer	$10,501.60	Legal Fees	$15,700.00
Solid Waste (Covanta)	$20,000.00	Nolan Property Land Acquisition	$17,740.00
I&S Labor	$ 5,000.00	Social Security	$ 2,721.00
BTE Medical Benefits	$ 5,259.40	APR Contracts	$ 4,000.00
		Town Council Clerk	$ 600.00
Total	$40,761.00		$40,761.00

Motion made by D. Merriman, seconded by C. Graveline to approve the transfer for the year end 2015-2016 Budget in the amount of $40,761.00:

From:		**To:**	
Contingency Transfer	$10,501.60	Legal Fees	$15,700.00
Solid Waste (Convanta)	$20,000.00	Nolan Property Land Acquisition	$17,740.00
I&S Labor	$ 5,000.00	Social Security	$ 2,721.00
BTE Medical Benefits	$ 5,259.40	APR Contracts	$ 4,000.00
		Town Council Clerk	$ 600.00
Total	$40,761.00		$40,761.00

Unanimous.

Mayor Chatfield, on behalf of the Prospect Town Library asked the Council to approve the transfers within the Prospect Library account: In the amount of $3,700.00.

Motion made by C. Graveline, seconded by A. Delelle to approve the transfers

From:		**To:**	
Utilities #7350-05	$2,200.00	Technology/EBooks #7350-13	$2,200.00
Utilities #7350-05	$1,500.00	Capital Improvement #7350-08	$1,500.00
Total:	$3,700.00	**Total:**	$3,700.00

Unanimous.

Mayor Chatfield advised the Council that he did not have the road marked to "Do Not Block the Box" for Chandler Drive as he is waiting for the utility poles to be moved, trees to be removed and the State of CT DOT milling of Rte 69 in this area for widening to be finished, before he will have the road marked.

Mayor Chatfield also made mention of the new Police Officer to the Town of Prospect, Anthony Cipriano.

Bid Notice:

A copy of the Legal Notice Invitation to Bid, for 'Hotchkiss Field Basketball Court Renovations', was given to the Council. P. Geary questioned if this was to be a new basketball court or what is there. Mayor Chatfield advised that these renovations will be made to the current basketball court.

Chair's Report:

T. Galvin stated that he had spoken with the Chief Financial Officer and First Selectmen from Middlebury and was given a copy of their 'Request Proposal for Auditing Services'. T. Galvin stated that he would like the members to review this document and proceed forward with the appointments to the Town Council Audit Review Sub-committee of recommending a new Auditor as the current Town's Auditor; Mike Battiste will have his last duties at the end of the 2015-2016 fiscal year. T. Galvin continued that any outstanding questions to be answered would go to the sub-committee. The sub-committee was chosen**: P. Geary, A. Delelle and T. Galvin** to become the Town Council Audit Review sub-committee.

T. Galvin also asked for members to form the Town Buildings Sub-committee of the Town Council. Members Chosen**: D. Merriman, L. Fitzgerald, P. Geary, S. Pilat and Mayor Chatfield.**

S. Pilat advised that the Region 16 Building Committee had been dissolved as of this evening and he would join the Town Buildings Sub-committee of the Town Council. D. Merriman commended S. Pilat for all his work on the various sub-committees. S. Pilat shared with the Council an email that was sent by the head contractor for Turner Construction to the Region 16 Building Committee stating: 'thank you for the wonderful experience that he had working with them for the past 4 years'. S. Pilat stated that the Regional Office will have its grand opening on June 18th.

Guests: None

Approval of Minutes:
T. Galvin requested to add the Special Meeting minutes of May 31, 2016.
Motion made by J. Slapikas, seconded by S. Pilat to approve the Special Meeting minutes of April 28, 2016, May 26, 2016 and May 31, 2016. **Unanimous.**

Motion made by D. Merriman, seconded by P. Geary to approve the regular meeting minutes of May 17, 2016. **Unanimous.**

Correspondence:
Recommendations by Lt. Nelson Abarzua for changes to Chapter 7 Public Safety
Section 7.01 Police Services
Prospect Police Patrol Report May 2016
Tax Collector's Report April & May, 2016
Mayor's Expenditures 2015-2016- balance to date $2,341,533.74
Email from Phil Mazzatti Contractor Turner Construction/Region 16
Legal Notice Invitation to Bid – Bid Notice Renovations to Basketball Court Hotchkiss Field
Notification letter from Mayor Chatfield to Town Clerk Re: Employment of Anthony Cipriano, Police Officer
Transfers within Prospect Library Account
Transfers for the 2015-2016 Budget
Tax Refunds dated 6/7/16
Revenue Sheet as of May 31, 2016
Motion made by C. Graveline, seconded by J. Slapikas to place correspondence on file. **Unanimous.**

New Business:
Refunds – Already acted upon
Transfers – Already acted upon
Resignations – None
Appointments – None
Bids – Already acted upon

Grants- None

Public Participation:
Jim Borbas, Jr., 29 Beach Dr. commented on the CVS 'sidewalk' that cannot be used and wondered how it was approved or was it a 'condition of approval'. Council members stated that they did not believe it was on 'condition of approval'. Mayor Chatfield advised developer was in the process of obtaining a permit while waiting for the ST of CT to remove the large trees and widen Rte 69. C. Perugini- Erickson stated that she agreed with J. Borbas and raised her concerns regarding the specifications of the 'sidewalk' that were not on the plans. C. Perugini-Erickson advised that she found it frustrating that she had requested of the Mayor for depth and width of the sidewalk without any forth coming information. J. Borbas advised that he was not in favor of sidewalks, as he felt the Town was not large enough of this need and stated his concern for who would care for the sidewalks. C. Perugini-Erickson explained that she found this case of this particular sidewalk to be very disappointing. J. Borbas also commented on the condition of the Ash trees in Town; in particular on private property and noted that the Mayor was aggressively tree-cutting on the Town's property but questioned if the Mayor's office could send out letters to ask the residents to attend to the trees on their private property. C. Perugini-Erickson asked the Mayor to set a time and place for a meeting of the Sidewalk Task Force. Mayor Chatfield asked C. Perugini- Erickson to notify him of her availability. C. Perugini-Erickson also asked of the Mayor if he had pursued the Public Works and Mechanic issue. Mayor Chatfield advised that he will look into other Towns and also call the Town of Woodbury. Mayor Chatfield advised that he did not support having an in-house mechanic at this time, stating that when he received the previous information from C. Perugini-Erickson for the Town of Woodbury during Prospect's Budget process, the items did not include over-time, the cost of retirement and medical benefits.

Adjournment:
Motion made by D. Merriman, seconded by P. Geary to adjourn the meeting. **Unanimous.** The meeting adjourned @ 8:50 p.m.

Thomas J. Galvin
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Chairman