



**Town of Thomaston**  
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**DRAFT**

**THOMASTON BOARD OF SELECTMEN  
REGULAR MEETING  
TUESDAY, APRIL 20, 2010**

**Roll Call:**

Meeting was called to order at 7:01 p.m.

First Selectman Mone, Selectman Scheppard and Selectman Barrett, Sr. were present. Deborah Bournival, Administrative Assistant, was in attendance to take the minutes.

**Approval of Minutes:**

A motion was made by Selectman Scheppard to approve the minutes of the April 7, 2010 special meeting as presented. Motion was seconded by Selectman Barrett, Sr. With all in favor, motion carries.

First Selectman Mone made a correction to the minutes of the April 6, 2010 regular meeting. On page 4 under **“Old Business/Opera House”**, item #3 should read as follows:

**“3. That the Opera House loan balance to the Town shall be reduced by \$30,000 by December 31, 2010...”, not December 1, 2010.**

A motion was made by Selectman Scheppard to approve the minutes of the April 6, 2010 regular meeting as amended. Motion was seconded by Selectman Barrett, Sr. With all in favor, motion carries.

**Tax Refunds:**

None at this time.

**Board/Commission Appointments:**

A motion was made by Selectman Scheppard to accept the recommendation of the Republican Town Committee (RTC) to reappoint Peter Fuller to the Zoning Board of Appeals (ZBA) effective April 1, 2010 to April 1, 2015. Motion was seconded by Selectman Barrett, Sr. With all in favor, motion carries.

**A motion was made by Selectman Scheppard to move to Item #6-New Business/Small Cities Loan Issue. Motion was seconded by Selectman Barrett, Sr. With all in favor, motion carries.**

In attendance at tonight's meeting was Peter Testa of L. Wagner & Associates.

In 1995, the resident of 189 South Main Street applied for and received a Small Cities Community Development Block Grant loan from the Town to rehabilitate the property. This loan was a 0% deferred loan, due and payable only at the demise of the owner, transfer of title or if this home was no longer the owner's primary place of residence. In this case, the latter has taken place – some time in 2007, it was no longer the owner's principal place of residence.

In 2009, the loan was modified, with payments of \$468.53 per month beginning in March, 2009 and by August, 2009 the payments ceased. This loan is now in default as per the original loan agreement and the modified agreement. The outstanding loan totals \$58,085 and the Town is in first position ahead of two Thomaston Savings Bank loans, one for \$123,000 and another for \$15,000. Both of these bank loans are current.

Both the owner and his spouse have had changes in their employment status recently. The other two apartments in this multi-family home bring in \$900 and \$1,050 in rental fees.

The selectmen and Mr. Testa discussed three options:

1. Foreclose on the property. This is a legal issue and would have to be handled by the town attorney.
2. Defer the mortgage, with stipulations that verification of gainful employment would be given to the Town.
3. Make an offer to Thomaston Savings Bank to buy out the Town's debt and become the first lien holder.

Further discussion ensued.

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A motion was made by Selectman Scheppard empowering Mr. Testa of L. Wagner & Associates to speak to the owner on the Town's behalf about the possibility of Thomaston Savings Bank consolidating all three loans. Motion was seconded by Selectman Barrett, Sr. With all in favor, motion carries.

**New Business/Call for Town Meeting – TVAC Energy Upgrade Contract:**

A motion was made by Selectman Barrett, Sr.:

that the electors and those persons eligible to vote in town meetings of the Town of Thomaston, Connecticut, are hereby warned and notified to meet in the Lena Morton Art Gallery of the Town Hall, 158 Main Street, Thomaston, Connecticut, on Wednesday, May 12, 2010 at 7:00 p.m. for the following purpose:

to authorize the First Selectman to enter into an energy audit implementation program at the Thomaston Volunteer Ambulance Corps building (TVAC) and to execute an SBEA Financial Agreement with CL&P for \$5,989.60 to be paid in 27 monthly payments of \$221.84, commencing July 1, 2010.

Motion was seconded by Selectman Scheppard. With all in favor, motion carries.

**New Business/Retirement Plan Pension Amendments (non-union):**

A motion was made by Selectman Barrett, Sr. that;

WHEREAS, Town of Thomaston ("Employer") maintains the Town of Thomaston Retirement Plan ("Plan"); and

WHEREAS, the Employer has reserved the right to amend the Plan pursuant to Section 8.1 therein; and

WHEREAS, the Employer has determined that the Plan should be amended, effective January 1, 2010, to exclude First Selectman as an Eligible Employee; and

WHEREAS, the Employer has determined that the Plan should be amended, effective May 1, 2010, to exclude non-union employees who are hired on or after May 1, 2010; and

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to the power reserved to the Employer under Section 8.1 of the Plan and delegated to the undersigned officer by resolution of the Board of Selectmen of the Employer, the Employer hereby amends the Plan in the following particulars:

1. Plan Section 1.20 is deleted in its entirety and replaced in lieu thereof with the following effective January 1, 2010:

1.20 Eligible Employee. "Eligible Employee" includes any Employee. Except that the following Employees shall not be an Eligible Employee:

- a) The First Selectman; and
- (b) Any non-union Employee who was hired on or after May 1, 2010.

IN WITNESS WHEREOF, the Employer has caused this Seventh Amendment to be signed on its behalf by the undersigned duly authorized officer on the date set forth below.

Motion was seconded by Selectman Scheppard. With all in favor, motion carries.

\* \* \* \* \*

A motion was made by Selectman Barrett, Sr. that:

By the action of the Board of Selectmen of the Town of Thomaston ("Employer") taken on April 20, 2010, the following resolutions were duly adopted:

WHEREAS, the Employer maintains the Town of Thomaston Retirement Plan ("Plan"); and

WHEREAS, the Employer has reserved the right to amend the Plan pursuant to Section 8.1 therein; and

WHEREAS, the Employer has determined that the Plan should be amended, effective January 1, 2010, to exclude the First Selectman as an Eligible Employee; and

WHEREAS, the Employer has determined that the Plan should be amended, effective May 1, 2010, to exclude non-union employees who are hired on or after May 1, 2010; and

NOW, THEREFORE, BE IT RESOLVED, that the Plan be, and it hereby is, amended by the Seventh Amendment substantially in the form attached hereto.

RESOLVED, that the appropriate officers of the Employer be, and they hereby are, authorized and empowered to take any action and execute any writing they deem necessary to carry out the purpose and intent of the foregoing resolutions.

I hereby certify that the foregoing resolutions were duly adopted by the Employer on the date first set forth above and that such resolutions have not been modified or revoked and remain in full force and effect.

Motion was seconded by Selectman Scheppard. With all in favor, motion carries.

**New Business/Modification of Police Extra Duty Fees:**

A motion was made by Selectman Scheppard to increase the dollar value from \$55.00 to \$60.00 to conform to other towns in the area, with the additional amount to go into a special revenue fund for police cruisers. Motion was seconded by Selectmen Barrett, Sr. With all in favor, motion carries.

**New Business/Acceptance of Opera House Commissioner Resignation:**

A motion was made by Selectman Scheppard to accept the resignation of Aaron Thibault from the Thomaston Opera House Commission with regret. Motion was seconded by Selectman Barrett, Sr. With all in favor, motion carries. A letter of acceptance will be sent.

**A motion was made by Selectman Scheppard to move back to Item #5 on the agenda – Old Business/Opera House Budget Discussions. Motion was seconded by Selectman Barrett, Sr. With all in favor, motion carries.**

In attendance at tonight's meeting were Julianne Torrence, Matt Kamens & Lucille Killiany of the Opera House Commission.

The members presented copies of the revised FY '09-'10 and FY '10-'11 budgets for discussion and review. The commission revised these budgets after reviewing the criteria that were set forth by the Board of Selectmen that ultimately would determine the fate of the Opera House operations. Julianne stated that the commission and the Opera House staff have been working hard to maximize profits, while keeping the costs down. They have also reduced all ticket sales by 10% across the board as a more realistic projection of overall revenues. In addition, \$2.00 from every ticket sold is earmarked for the "Dump the Debt" fund to help reduce the debt.

Julianne said, in order to understand the loan balance better, she would like further clarification as to why it is not consistently going down instead of fluctuating every month.

The selectmen felt the Opera House Commission should be granted a full year budget (FY '10-'11). First Selectman Mone will present this to the Board of Finance.

The selectmen have modified the criteria regarding Opera House operations as follows:

1. That at the conclusion of each **respective** show, expenditures do not exceed revenues **per show (added highlighted words)**.

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2. That the Opera House's loan balance to the Town shall at no time exceed the balance at the start of the fiscal year as of July 1, 2010 (**no change on this item**).
3. **Strike all of #3.**

**Public Comment:**

Mr. and Mrs. Yoos, Marie Galbraith, Wayne Kamens, and Robby Pizzarelli from the Town Times were in attendance at tonight's meeting.

Mr. Yoos again brought up issues he has been having with the P&Z office re: conformity of his property. First Selectman Mone will follow up with the Chairman on this.

Mrs. Yoos asked why more boards and commissions seem to be electing not to open up to public comment. Selectman Mone explained that boards and commissions reserve the right no to have public comment if they so choose. She thanked this board for allowing the public to speak.

Marie Galbraith had some questions re: the Opera House debt. Discussions ensued. First Selectman Mone said it would have to go before a town meeting in order to forgive the debt.

**A motion was made by Selectman Scheppard to adjourn the meeting at 9:40 p.m. Motion was seconded by Selectman Barrett, Sr. With all in favor, motion carries.**