



# Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

**BOARD OF SELECTMEN  
SPECIAL MEETING  
WEDNESDAY, AUGUST 25, 2021 – 7:00 P.M.  
MINUTES**

The Board of Selectmen held a Special Meeting on Wednesday, August 25, 2021 with First Selectman Sandra Pierog presiding. Also in attendance were Selectmen Kim Miller, Robert Morra, Mike Eremita, Robert DePietro, Interim Administrative Officer James Rupert and Fire Chief Bruce Dixon.

Members of the Public: Kim Saimonds – PNC Bank,

**1. Call to Order.**

Sandra Pierog called the meeting to order at

**2. Consider and Act On Charter Revision Questions For Ballot.**

Sandra Pierog started with the Charter Revision questions were sent off to Halloran & Sage a law firm in Hartford that are reviewing the entire Charter. The attorney did a lot of cleanup of the language. He suggested that we separate the change in title of the Finance Director to a separate question and added a comment at the end that says:

- Make such other grammatical, stylistic and technical changes as are recommended in the final report of the Charter Revision Commission or are otherwise required to reflect those amendments to the charter that are approved by the electors.

Robert Morra agreed this was a good statement to have at the end.

Motion: I move to take the clear draft as presented and institute a separate question for the change of title of Finance Director as suggested by the attorney and renumber all remaining questions.

By: Sandra Pierog

Seconded: Robert Morra

Robert Morra commented that after reading the changes the attorney made he thinks things are easier to read and more understandable. He did a good job.

Discussion: None

Voting:

For: Morra, Eremita, Miller and Pierog

Against: None.

**3. Review and Approval of FEMA Acceptance for Assistance of the Fire Fighter’s Grant for the Purchase of the Brush Truck.**

Sandra Pierog stated that next up was the acceptance of the Fire Department Grant for \$120,000 that includes the Town match.

Motion: I move we accept the grant with the following internal conditions: that the finance department be charged with record keeping for the grant and that the selectmen’s office and the finance department be copied on all correspondence regarding the grant and that all invoices, contracts, etc. be sent to the finance department in a timely manner.

By: Sandra Pierog

Seconded: Robert Morra

Discussion: Fire Chief Bruce Dixon agreed with the conditions and stated that nothing has changed here from what we’ve done in the past. Every bit of communication for this grant has been through the finance department, there’s no private emails on the side.

Sandra replied that it does add the selectmen’s office to the list of people just in case somewhere along the line there’s a drop of the ball.

No other discussion.

Voting:

For: Morra, Miller, DePietro and Pierog

Against: None

Abstain: Eremita

Sandra Pierog then replied she would have Lisa Gonsor accept the grant as soon as possible. She then asked Michael Eremita about the conversation he had earlier in the day where he had questions about the grant; and had he gotten answers for those questions yet?

Michael Eremita replied that had not gotten to sit with David Parr to go over the specifics yet but the answers he did get Jill Collins must have heard as she was on the call as well. In the U.S. there were 2,500 to 3,000 applications for the fire truck grant. Only 100 were approved; six in the New England region and we were one of them. So, what he asked was: Since most of the fire trucks are a one-time payment at the completion of the vehicle when it’s delivered to the department; we’re probably going to be a little bit different because we’re going to build this piece-meal, probably not go out to a single source vendor and I wanted to make sure we weren’t going to have any problems because we’re doing it this way. Dave Parr told Michael there would be no problems with that; but he wants to do a little advising on how to structure our requests so that it can all be purchased. If we don’t spend the entire \$120,000 then the money left can be used for equipment for that vehicle. You can’t substitute any other vehicle. Michael also requested a copy of his power point so he could go over all the specifics. Michael guesses there will probably be two dozen vendors involved in making this truck. We have enough time to build this thing. It’s going to be some time for us to get a cab and chassis but that’s the first stop. At the same time we’ll look for a skid unit. We’ve got some work to do but he did a lot of research prior to applying for the grant.

Sandra replied as a matter of information for the rest of the selectmen in the federal grant language there is something called period of performance for which you have to be completed by and that is August 20, 2023.

Sandra also asked that Michael clarify with his contact that all contracts have to have a time of delivery with a penalty for failure to meet that?

Michael said he doesn't believe that's for the individual vendors that we'll be using. That's set up when you do a single source like buying an engine and the government gives a single vendor a significant amount of money only to have them go out of business before the truck is completed and now the government is out the money. Most of the things we'll be paying for are pay on delivery as opposed to paying upfront. He doesn't foresee anything more than maybe a \$100 deposit for the cab and chassis that we will have to pay upfront on. Maybe a couple small vendors we will pay cash to. So this delivery bond is not really going to apply to us unless we go to a single source that will build us an entire truck for \$120,000. He will confirm with Dave Parr that we don't have to comply with that stipulation.

Sandra asked that when he and Dave Parr agree on anything that's a deviation from the published contract that he ask for Dave to confirm by email and Michael agreed.

Michael stated the FD will keep a 3 ring binder with all the paperwork and correspondence for record keeping. There will be periodic progress reports and 6 month expense reports required and we will be audited.

Michael does not anticipate there being a storage issue while the pieces are being assembled. Any money left over can be used for any equipment that would go on the truck and if there is money left over at the end, of the remaining funds 5% would go back to the town and 95% would go back to the government.

Once the truck is completed it will be housed in the fire house, although it will be a tight fit. They will move the old forestry truck out and find a buyer for it. They will not keep the old truck and it CAN NOT be sold to another FD in the U.S to be used as an active fire vehicle. It can go to a farmer, construction company or collector. It is not considered a safe vehicle for the road.

##### **5. Update and Discussion on Mark Anthony Lane.**

Sandra reported last week that the town engineer went out and looked at the culvert on Mark Anthony Lane. It had been brought to our attention that the road there was deteriorating. The engineer upon visual inspection said this was in imminent danger of failure. We were awaiting a memo from the engineer about what we should do when Tropical Storm Henri hit us. On Saturday morning Chip White and James Rupert went out to the four houses on the now stranded part of the road and delivered a letter stating their culvert was in imminent danger and it was recommended they evacuate. None of the families evacuated but they did move their cars to a safe place. The Town State Trooper, Fire Department, Highway and Parks Department kept checking the road. Mid-afternoon Sunday we got a report that the culvert had washed away.

Sandra and James were on an EOC call later Sunday afternoon and they asked what could they do to help these families that were now stranded with no way out? Brenda Bergeron our DEHMS Coordinator and Jeff Morrissette head of the State Fire Emergency Department called in the Urban Search and Rescue Team to come out and assess the situation. Along with James Rupert and Chief Dixon they were all able to come up with a way to be able to develop a plan if there was an emergency we could at least get help in and out. No vehicles could get in there.

Sandra reported a new footbridge was constructed as of today 8/25. There are no side rails on it and it looks to be 6 feet above water. Not sure if emergency responders can get a stretcher across it.

On Monday morning Sandra provided one of the residents access to the Town Engineer who was able to help them identify a bridge contractor. The residents of Mark Anthony Lane chose a bridge contractor on their own. During the IWC meeting last night, Sandra asked the IWC to facilitate the permit process for a temporary bridge. It was agreed that it would be assigned to the IWC agent.

James Rupert spoke with Tim from Hemlock Construction today. According to him the residents' of Mark Anthony Lane have verbally agreed to a contract with his company for a temporary baker bridge that was developed by the military. He has one in stock and they have agreed to a price tag of around \$70,000. The term limit of the use of the bridge is indefinite according to Tim. Loading of the bridge is in excess of 20 HT (80,000 lbs.) which is a fairly robust bridge. Once Tim receives a signed contract he can have the bridge installed within a few days. Jim also spoke about how the Town has exhausted its resources on this project. We have looked to the National Guard, CT DOT, and Engineers from Jacobsen and Associates. We have also been in touch with some of our local politicians including Pam Sawyer and Steve Cassano. Our goal has been to facilitate a solution and unfortunately, we've exhausted all of our resources at this point trying to help these families. Our goal is public safety for these families.

IWC is calling this an emergency and they are issuing orders for all seven residence's to correct the issue with the watershed which has been created by this bridge failure. This will allow us to put these temporary measures in place pretty quickly. James also pointed out the problem is this is a private road, with private residents with no taxing district. This group of individuals according to the covenants on their deeds was supposed maintain a corporation and corporate officers to handle these kinds of things; but they stopped doing that 20 years ago. There's no state or federal funding to help with these kinds of problems. Unless the Town decides their going to take the bridge over and take the road over these residents' are stuck with this financial burden and until they get a solution on their street every house is virtually worthless. We have also looked to FEMA to see if they homeowner's can get some type of assistance and we have been told probably not. The only thing we can think to do is add them to our hazardous mitigation plan because it cuts off four families in the event of a future failure and its possible somewhere down the road they may provide some funding. This bridge failed in July and they put it back together so they didn't have to worry about permitting processes and governmental red tape and didn't notify the town then. Unfortunately, it was really compromised after the last time so it didn't take much to fail this time. It's possible down the road we may see some help from adding them to our hazard mitigation plan but highly unlikely.

According to Hemlock Construction this afternoon they have verbally agreed to a temporary fix at this point.

Sandra then pointed out as a point of reference the Town Engineer has said that a permanent replacement to current specifications has told us were looking at \$550,000 to \$700,050. So, if we get to that point the residents are still going to need help from someplace. She has spoken to the Governor's office, Asst. Governor's office, Joe Courtney's office, the head of DEMHS, Robin Green and they all have gotten the same answer we have gotten; it's private property sorry can't help you. There is a small business disaster assistance loan but each property owner would have to sign on to that loan. It is not a forgivable loan and it would need to be repaid.

Sandra then answered Robert DePietro in that they'd probably very happily sign the road over to the town and we could take over the road but she's not sure she wants to obligate the town to fix the bridge and other issues that exist along that road. The road is far from the standards we hold our developers too today and would probably take several millions to bring it up to that standard.

Robert Morra then replied if we did it for them then we'd have to do it for all of the private roads here.

Sandra then stated we have serious issues on the Rosedale area private roads and Lakeside Circle and Lakeside Lane which are private roads. None of them complies with our minimum standards on any roadway.

Next steps are to work with Hemlock Construction to help facilitate the establishment of the temporary bridge, look for financing for these people and scheduling a zoom meeting next week with the residents of Mark Anthony Lane so we can see what their plans are, concerns are and timing for events are.

#### **4. Consider and Possibly Approve Additional Ballot Question on the Purchase of the Fire Truck for the November Election**

Bruce Dixon reported this has been a long process that two years ago (46 meetings) to replace the 28 year old ET334. We have viewed/inspected different equipment and five different manufacturers. We saved \$40,000 on the last truck we purchased but in the end the whole truck had to be rebuilt because it failed. So, we are very cautious about pricing and getting the right piece of equipment that's going to last for the community. Working over the last few years to price out a new truck he came up with a ballpark price of around \$810,000 for this new piece of equipment. We've have checked with a number of manufacturers but there is one we are leaning towards.

HGAC is a government procurement service out of Texas. Mike stated that earlier today on the call for the FEMA Fire Fighter's Grant this company HGAC was mentioned to us to look at for the procurement of the Brush truck.

Bruce Dixon reported the Town of Bolton BOE has used HGAC before along with many other towns in the state. My understanding is there are no fees to register with this company or act with them and they can possibly save us money on our bid. With financing options along with price increases including steel pricing increases and engine changes we could save money with the HGAC service and the bonding service that Kim Saimonds could help with. This could be substantial.

Kim Saimonds with PNC Bank reported that Pierce is coming up on a material surcharge and a price increase in January. The process we go through enables you to purchase a truck now with a large discount now as long as you fund the truck upfront. You're saving today what you could be paying in increases in the spring for. We offer 2-15 year financing, a non- appropriation clause which allows you to have the title to the truck but we hold a lien against it. The non- appropriation clause gives you the ability to give the truck back, you make the final payment and there is no right of referendum required. We also don't pay income tax on the interest earned which allows us to give you a lower rate. You could save about 24,000 if you were to purchase this truck this year before the price increase. If you went out to the 15 years the interest rate would be higher and there would be a prepayment penalty fee. First two years is no call and every year after is 3% on the outstanding balance.

Per Sandra our charter does not allow us to finance or make a debt arrangement for more than \$250,000 without a referendum. So, this no right of referendum would not work for us. This expense is in our Capital Plan but not fully funded. We still need to go to referendum to authorize the spending of \$630,000. The decision to do this at referendum or town meeting would be discussed by BOS after Kim Saimonds presentation. The thought was if we go directly to referendum it would be on the November 2<sup>nd</sup> ballot; whereas if we went to Town meeting it could be forced to referendum and we would not have enough time to get the question on the November ballot that way.

Bruce Dixon then stated for clarification that if this went to referendum and made the November 2<sup>nd</sup> ballot and was approved; once certified by the ROV we could lock in pricing with HGAC should they choose and this truck could be ordered in December before the price increase.

Sandra agreed this would be worth looking into and something they would further discuss at the next BOS meeting.

Regarding the question on the ballot – we can ask the Town Clerk to list the fire truck question first. Should we just list should “we approve the charter revision questions” Yes or No? Or we can list out all the questions and then ask if they want to approve them? Yes or No. Michael Eremita thinks it’s a lot to read and destined to fail. Robert Morra thinks people have the right to read what they will be voting on.

Motion: To accept the resolution as proposed subject to changes and revisions from the attorney.

By: R. Morra

Seconded: K. Miller

For: R. Morra, K. Miller, M. Eremita, R. DePietro, S. Pierog

Against: None

Abstain: None

Discussion: None

## **6. Adjournment.**

The meeting was adjourned at 8:43 p.m.

Respectfully Submitted,

Kathy McCavanagh

Please see minutes of subsequent meetings for corrections to these minutes and any corrections hereto.