

**TOWN OF BOLTON  
PUBLIC HEARING &  
BOARD OF SELECTMEN  
REGULAR MEETING  
TUESDAY, JANUARY 4, 2021, 7:00 P.M. VIRTUAL  
MINUTES**

**PUBLIC HEARING:**

Sawyer opened the public hearing at 7:00 p.m. Rupert read the notice of the public hearing.

Marijuana and Alcohol Ordinance public comment:

Bill Anderson, 77 French Road – He read the ordinance and it gives the appearance there are properties that you can drink alcohol and smoke marijuana on. He does not think this is the intent. It should state there is no drinking of alcohol or smoking on town property and leave it at that.

Chris Davey, 21 Mt. Sumner Drive – In looking over the ordinance he feels it does two things – bans marijuana anywhere on town property and bans the drinking of alcohol on some town properties. The Selectmen can determine where alcohol can be consumed is a concern. Davey encourages the BOS to go one way or the other. Either ban both in all locations or allow both. He suggests the BOS take another look at the language. Rupert: Replied that Davey’s impression is correct. Alcohol is allowed at some events with an insurance rider at the Heritage Park Facility with documentation and allowance by the BOS. Sawyer: For instance, the reenactment in 2011 allowed mead to be consumed.

Rodney Fournier, - Do the state properties fall in line with town properties, in other words – does the ordinance follow on state properties? Teller: Does not believe they would. Morra: This is specifically designed for town property. State properties are controlled by the state. If we purchased property with a grant we own that property.

Teller: Has there been a specific issue with marijuana on town property? What was the genesis of the ordinance? Rupert: There have been some ongoing issues at Indian Notch Park with both substances. Alcohol has been a policy rather than an ordinance. This has been reviewed by the Town Attorney. It has been designed to deal with issues we have had. For enforceability it should be an ordinance rather than a policy. Morra: Use of marijuana has been an ongoing issue primarily at Indian Notch Park with the state trooper patrolling with the police canine. And this was before its use was legal. Now the gates are open. We are trying to bring this up-to-date with our laws. Teller: The current language says the list of town properties is to be maintained in the office of the Selectman. Where is this list and how does the public know about it? Is it posted somewhere or does someone have to go into the office to see the list?

Amanda Gordon - Based on her reading the \$100 violation is only for marijuana use. Is that correct? Do we allow smoking of cigarettes outdoors on town property? Sawyer: We will get an answer for you.

Morra: There are some points brought up that require a little more discussion before we finalize the ordinance.

Teller: Citizens have pointed out some issues. He is not satisfied with this version. A

concern is that we have a statute that allows for medical use of marijuana and prohibits penalties from being applied for the use of medical marijuana. Therefore, possession cannot be prohibited of medical marijuana and this ordinance does not allow for that. It is not clear what the penalty is for the possession or drinking of alcohol. Once an ordinance is created a list of town properties cannot be altered without another public hearing. He is not comfortable with approving the ordinance as currently written. Alcohol and marijuana are no longer different according to the Legislature.

The public hearing was closed by Sawyer at 7:20 p.m.

**REGULAR MEETING:**

		<b>Present</b>	<b>Absent</b>
First Selectman	Pam Sawyer	X	
Selectman	Adam Teller - remote	X	
Selectman - remote	Robert DePietro - remote	X	
Selectman - remote	Mike Eremita - remote	X	
Selectman Deputy First Selectman	Robert Morra - remote	X	
Interim Administrative Officer	Jim Rupert	X	
Members of the Public			

Also present: John Toomey, Karl Price, Paula Lynn, Arlene Fiano, Rhea Klein, Christopher Davey, Bill Anderson, Rodney Fournier, Kawan Gordon, Amanda Gordon, Bruce Dixon, Matt P.

**1. Call to Order:**

By: Pam Sawyer

Time: 7:30 p.m.

Place: Hybrid

The Pledge of Allegiance was recited by the participants.

**2. Public Comment:**

John Toomey 45 Hebron Road – Wants to discuss the Cemetery Commission. He was with the cemetery association from 1998 until it was dissolved. He wants to make sure the money has been accounted for. Toomey thinks this commission should be comprised of people who have a vested interest in the cemetery – those who have actually purchased a plot. That was always been a criteria of the association since 1912.

Karl Price, Brandy Street – There has been discussion in the past of the town overseeing the cemeteries. Since the founding of the cemeteries in the early 1900s the association was comprised of anyone who owned or whose family owned a plot. There was a 2-year trial period of the Parks department mowing the cemeteries. However, John Butromovich did not have the staff to do the job. Price was the sexton for 20 years or so. Price has considerable concern about who would have a vested interest for the cemeteries to be kept and maintained to an adequate standard.

John Toomey – There have been problems at the cemeteries for some time with the landscaping work that is done. He noticed in his plot deed it states there are to be no decorations or anything on the grave. People grieve differently now. There is so much to go around with the mowers and trimmers. Having an antique business he constantly sees small cemeteries with flags and an occasional flower pot. The cemetery is directly across from one of the highest points in Bolton. The water flowing down the hill is horrendous. Toomey saw staff pumping water out of a grave. Sawyer: At the last meeting the BOS approved a dual contract for the landscape and maintenance and one for sexton services. \$805,000 is available in the budget. Price: The association turned over \$1 mill. 10 years ago. Sawyer: There still are a few plots available in both cemeteries.

Bill Anderson, 77 French Road – The State added a \$.05 nip deposit. The money will be turned back to the municipality where the nips were bought twice a year. Anderson recommends a policy of a fall and spring clean-up by volunteers to pick up any litter and then have a celebration at the end of the afternoon. The nips money can be used to reward people for picking up litter.

Christopher Davey, 21 Mt. Sumner Drive – He echoes Anderson’s comment; he would like the town to pursue something like that. Davey has a plea to BOS to take note of the Calendar of Events on the website and encourage the updater to include times of meetings along with the dates. Meetings are listed but times are not listed. This is inhospitable to town’s residents. Davey brought this up 5 – 6 years ago although now the website is far better and is easier to use.

Sawyer: Would like to move the agenda around to hear item 7.C. at this time.

### **3. Approval of Minutes:**

#### **A. September 29, 2021 - Special Meeting**

**Motion:** I move the Bolton Board of Selectmen accept the minutes of the September 29, 2021, Special Meeting as presented.

By: Morra

Seconded: DePietro

Voting:

For: Morra, Eremita, DePietro

Against: None

Abstain: Sawyer, Teller

#### **B. December 7, 2021 - Regular Meeting**

**Motion:** I move the Bolton Board of Selectmen accept the minutes of the December 7 2021, Regular Meeting as corrected.

With the following corrections:

- Page 4, item 6.B., second paragraph, first sentence – remove “this committee”; insert “the Temporary Public Building Commission”.
- Page 11, item 13 – insert “10:05” as the time of adjournment, motioned By: “Morra”, Seconded: “DePietro”.

This was postponed until next meeting in order to provide information regarding the exit

from Executive Session and the results for item 12.

**C. December 21, 2021 – Special Meeting**

**Motion:** I move the Bolton Board of Selectmen accept the minutes of the December 21, 2021, Special Meeting as presented.

By: DePietro

Seconded: Morra

Voting:

For: Morra, Eremita, Sawyer, Teller, DePietro

Against: None

Abstain: None

**4. Appointments**

**A. Bolton Heritage Farm Commission**

Sawyer: An interest form was received from Paula Lynn of 13 Lookout Landing.

Paula Lynn: Is recently retired after being in the corporate world for 35 years as a programmer and business analyst. She now has time to give back to the community.

**Motion:** I move the Bolton Board of Selectmen appoint Paula Lynn to the Bolton Heritage Farm Commission.

By: Morra

Seconded: DePietro

Voting:

For: Morra, Eremita, DePietro, Sawyer, Teller

Against: None

Abstain: None

**B. Diversity Commission**

Sawyer: An interest form was received from Milton Ives of 101 South Road.

**Motion:** I move the Bolton Board of Selectmen appoint Milton Ives as a member of the Diversity and Inclusion Commission.

By: Morra

Seconded: Eremita

Discussion: Eremita: Does anyone know and can give some insight about Ives? Sawyer: He is a neighbor, his family is from Puerto Rico, and he has a special needs child.

DePietro: Has worked with Milt. He is hard working and has great skills. He highly recommends him.

Voting:

For: Morra, Eremita, DePietro, Sawyer, Teller

Against: None

Abstain: None

**5. Reports & Updates:**

**A. Properties and Facilities Report**

Morra: The changeover has been done for the maintenance of the cemeteries. At Center Cemetery there is one corner where excess dirt and equipment are stored. Morra suggests getting permission from the church to utilize the parking lot to access the corner with a service gate. Sawyer: A service entrance would be a visual improvement. DePietro: Permission may have to be from the diocese.

**B. FY 21 Budget Report**

**Motion:** I move the Bolton Board of Selectmen accept the budget report.

By: Eremita

The meeting was disconnected because of an uninvited interruption. The meeting was reconvened at 8:16 p.m. and action on the motion on the table was resumed.

Seconded: Morra

Voting:

For: Morra, Eremita, DePietro, Sawyer, Teller

Against: None

Abstain: None

**C. Budget Transfer**

BUDGET TRANSFER REQUEST  
TO  
BOARD OF SELECTMEN 50

BUDGET: Senior/Social Services

Transfer \$ 500 from category Senior Supplies to category Other Professional Services  
 (within budget) from # 1005-044-4427-000000-56010-00000  
 to # 1005-044-4427-000000-53400-00000

Transfer \$ \_\_\_\_\_ from Budget \_\_\_\_\_ to Budget \_\_\_\_\_  
 from category \_\_\_\_\_ to category \_\_\_\_\_  
 from # \_\_\_\_\_-000000-\_\_\_\_\_00000  
 to # \_\_\_\_\_-000000-\_\_\_\_\_00000

Other \$ \_\_\_\_\_

Explanation: Covering the cost of program fees that should not be classified as supplies. Pertains to Senior Center programs or joint programs with Library and Recreation.

CLM Signature  
 Director Title  
 12/23/21 Date

**Motion:** I move the Bolton Board of Selectmen accept the budget transfer request of \$500 from Senior Supplies to Other Professional Services.

By: Eremita

Seconded: Morra

Voting:

For: Morra, Eremita, DePietro, Sawyer, Teller

Against: None

Abstain: None

## **6. Ongoing Business:**

### **A. Fire Department Suburban Truck**

Bruce Dixon was present. Eremita: The Suburban vehicle has very low mileage with some small problems that can be easily taken care of. The department can make use of it for years to come. Morra: This vehicle has a long life left. It now has 24k miles on it. The BOS decided back in November to cover regular maintenance by town staff as long as it remains economical. It is well worth the \$3k to bring it up to snuff including the tires.

Teller: What is it used for? Eremita: This was the first response EMS vehicle. Since the new one arrived this vehicle has not been used much in the past one or two months. The vehicle is worth putting money into it. There is a recommendation that the Suburban be assigned to the Bolton Fire Chief with signatures from the Fire Officers, with exception of the Chief, Fire Commission and 2/3 members of the fire department. This would be an excellent use of the vehicle for the life of it.

Teller: What is the fiscal impact? Do we now reimburse the Fire Chief for the use of his own vehicle? Eremita: No. Most volunteer fire departments do reimburse or provide a vehicle. Dixon: Puts 10k miles on his vehicle per year for department use. Teller: Wants to make sure we understand the fiscal impact. Selling the vehicle is the other choice and returning the money from the sale to the town. This option requires the maintaining and insuring of a vehicle. Eremita: The value of the vehicle is as high as it is ever going to be with the mileage on it.

Sawyer: Walked through an inspection of the vehicle. A communications panel has been installed. There is a lot of life left in the vehicle. Currently the replacement cost would be \$60k - \$65k. This is in great running order and of value to the department.

Morra: Insurance and maintenance costs are currently in this year's operating budget.

**Motion:** I move the Bolton Board of Selectmen spend \$3,000 to make the Suburban whole and keep it in service.

By: DePietro

Seconded: Morro

**Friendly Amendment** by Morra and accepted by DePietro: The funds will come from the Fire Department's budget with repairs under the supervision of Bruce Monsun, the Town mechanic. The Suburban will be used by the fire department as deemed most appropriate.

Discussion: Teller: Presumes the intent of the motion stating it is to be used by the fire department also means for town purposes.

**Friendly Amendment** by Teller and accepted by DePietro and Morra: The Suburban will be used by the fire department for town purposes.

Discussion: Eremita: The intent is that the vehicle will be used for community matters.

Voting:

For: Morra, Eremita, DePietro, Teller, Sawyer

Against: None

Abstain: None

**B. Other**

None

**7. New Business:**

**A. A/P Detail List**

**Motion:** I move the Bolton Board of Selectmen to approve the payment of the bills on the A/P Detail List included in the agenda packet.

By: Eremita

Seconded: Morra

Discussion: DePietro: Regarding the \$9,000 for the HVAC evaluation – why is this not coming from the Education budget? Rupert: Believes it is a capital expense that was planned on. Money was found from another location to cover the excess cost.

Voting:

For: Morra, Eremita, DePietro, Sawyer

Against: None

Abstain: Teller

Sawyer: A Special Meeting will be held in two weeks, on a Tuesday, to approve the next A/P list. It will be noticed on the website with the date and time.

**B. Consider and Act Upon Approval for 2022 RiMaConn Relay**

Sawyer: This event has been taking place for many years. They have insurance. Professionals are hosting the race.

**Motion:** I move the Bolton Board of Selectmen to approve the relay using trails in town.

By: Eremita

Seconded: Morra

Discussion: Bruce Dixon: We are contacted annually on this to talk about EMS services and State Police help at the road crossings. The fire department and state police are not actively taking part. Other people cross the roads while using the trails all the time.

Voting:

For: Morra, Eremita, DePietro, Sawyer, Teller

Against: None

Abstain: None

**C. Diversity Commission Chair, Amanda Gordon**

Amanda Gordon was present to discuss some of the recent activity of the Commission. This is a temporary commission that is to end in October 2022. At the meeting the Commission reviewed the resolution from the BOS. There is one point that is unclear to the Commission. That is, what actions can it take without coming to the BOS? Discussion included:

- The community has been getting more diverse over the past years.
- The Commission is not as diverse as Bolton is as a whole.
- Being positive ambassadors to residents in town is an important piece of the work.

- We will work on ways that celebrate differences.
- The Commission would like to –
  - Pursue a survey of town members in multiple forms to cover a broad swath.
  - Explore the existing media sources for the survey.
  - Seek a youth who may want to be on the Commission.
  - Planning events in town that celebrate diversity. Allow people to talk about their culture or diversity.
  - Research if DI training is needed.
  - Raise awareness.
  - List ways to attract minority or female-owned businesses into the community.

Morra: This is a whole lot of information to absorb in the last three minutes. He is overwhelmed with what the Commission has gotten a start on. Some issues raised when the BOS put the Commission together were concern in how the town government relates to diverse issues. There are issues of people thinking we are not getting it right and we don't know it. Part of that is because of being of different generations or different mindsets. That should be a component.

Sawyer: It should not just be about race diversity. Contact Rupert for diversity training options.

Eremita: Echoes what Morra stated. When the BOS began talking about this he was floored that we needed something like this. His eyes were opened that this Commission was needed. The Commission has hit the ground running with expectations and goals. We come from different generations. We now have a more homogeneous society and we have to be tolerant of each other.

DePietro: Asked Gordon who is on the Commission, what their background is, and what they represent? Gordon stated the audio recording of their meeting was available and that information is included in the introduction portion of the meeting

## **8. First Selectman's Report:**

### **A. COVID-19**

Sawyer: As of 12-30-2021 there has been an increase of 21 cases. The Superintendent has reported there are 36 coming through schools. The numbers are difficult to monitor now because of home testing.

Bolton was given a lower number of test kits than were anticipated. Those who helped disperse the kits in town were thanked. We have a plethora of N95 masks. Distribution took place on Monday at Indian Notch Park. We were pleased to have volunteer Brent Myerson, Selectman Morra, and three Staff people handing out kits. We are hoping to get more kits on Thursday.

### **B. Other**

Sawyer: We were introduced to the new temporary Resident Trooper John Santiago.

## **9. Administrative Officer's Report:**

### **A. Monthly Report**

- Holiday gathering was well received by the Staff.



- Moving forward with the paperwork for the HVAC with the buying consortium.
- Purchase of the brush truck and components is moving forward.
- Inspection of service 134 showed it to be a well taken care of vehicle.
- We are in the midst of working on the budget.
- We've talked about the COVID commodities and distribution.
- Met with Willi Waste to meet the new owner. There will be changes in tipping fees when contract expires.
- The final version of the Charter has been distributed to the Clerk, the State, and the Law Office.
- First meeting of Temporary Building Committee was held.
- Completed the salary survey through CRCOG.
- Quote for Welcome signs will be discussed at the Facilities and Public Safety subcommittee meeting.
- The notice of scrap metal pick up has gone out to residents
- Working on a LOTCIP application that would allow improvements and the creation of a parking lot and dry hydrant by Munson to access town land.
- Town Engineer is working on the paperwork for replacement of the culverts under Lyman Road in case the grant process opens up. Action would be needed by BOS because it is 50% match.

DePietro: What is the story with Anthony Road? Rupert: We are working on a plan for that. A meeting included Eremita, Dixon, Rupert, the Town Attorney, Lance Dimock, Sawyer, and the Town Engineer. We are still challenged to get fire trucks onto the other side of the bridge. We are trying to work with those residents to resolve the issue. The problem is the bridge is not engineered to carry a fire truck. It was done as a temporary bridge. We cannot get a load rating on the bridge without having the normal background data. Teller: Is there an engineering service that could get that load rating at the residents' or town shared cost? Rupert: That is one question to be posed to the residents. Between Town Engineer and Highway Foreman there is an agreement that we will take a look at this after big storms once we get it certified safe for the fire truck to cross.

## **B. Other**

None

## **10. Adjournment:**

**Motion:** I move the Bolton Board of Selectmen adjourn at 9:09 p.m.

By: Morra

Seconded: DePietro

Voting:

For: Morra, Eremita, DePietro, Sawyer, Teller

Against: None

Abstain: None

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, Board of Selectmen Recording Secretary

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