

**BOARD OF SELECTMEN
REGULAR MEETING
CHAPLIN, CONNECTICUT
Thursday August 6, 2015
MINUTES**

Members Present: William H. Rose, IV; John Smith; Irene Schein

Members Absent: None

Others Present: Dick Weingart, Chairman Board of Finance; Jim Randall, Director of Emergency Preparedness; Allan Cahill, First Selectman Town of Hampton; Suzanne Gluck, Administrative Assistant; Chaplin residents.

1. Call to Order

Bill Rose called the meeting to order at 7:04pm.

2. Additions to Agenda

None

3. First Audience of Citizens

Jim Randall thanked the DPW crew for the repairs to Cross Road which have been a good improvement, and also for trimming the trees on Tower Hill Road. Mr. Randall inquired about the lights on the Resident Troopers car, wanting to know if one is required. Bill Rose didn't think so but will look into it.

Nell DeVane, Chaplin Resident, asked the Board about the move of the museum building. She had concerns about the move and how it will affect the Chaplin Village and also reminded the Board it is on the National Register and how the move will affect this status. Ms. DeVane asked is there is another alternative instead of moving the museum, perhaps another historic building in town to use. Mr. Rose reported that the building needs repair due to the large trees next to it, there is no parking; it has a field stone foundation that is deteriorating, not heat or power and no handicap access. The artifacts had to be moved due to the erratic temperatures in the building. Also by moving the building they can reconfigure the egress from Chaplin Street and slow down traffic going onto Route 198. Mr. McKleroy, Chaplin Resident, suggested that the building ownership can be reverted to Mr. McKleroy who can maintain the building. Discussion ensued regarding what if the property was sold, and then maybe the agreement would be the same for the new owners to maintain it. Mr. Rose informed the residents that nothing has been finalized on the move and more discussion needs to take place.

Jim Whitehouse, Chaplin resident, inquired about the possibility of Chaplin having an anti-bligh law, particularly regarding a house on Chaplin Street next to the old post office. Mr. Rose stated that the Building Official has been monitoring this property and once it is deemed a safety hazard the Town will put a lean on it.

Dick Weingart asked about the status of the Chaplin/Mansfield boundary survey. Mr. Rose informed him that the next step is to meet with Mansfield to review findings. One of the final steps is for DOT to review the fly over strip and hopefully there will be a meeting next week.

4. Approve minutes of: Regular Meeting Minutes of June 4, 2015 and Special Meeting Minutes of June 16, 2015 and June 30, 2015.

Irene Schein made a motion to approve the June 4, 2015 regular meeting minutes. John Smith seconded the motion. All in favor.

Irene Schein made a motion to approve the June 16, 2015 special meeting minutes. John Smith seconded the motion. All in favor.

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Irene Schein made a motion to approve the June 30, 2015 special meeting minutes. John Smith seconded the motion. All in favor.

5. Communications and Reports

A. Trooper Report – July 2015.

The Board reviewed the report. Iren Schein asked that the Board consider adding an agenda item to the next meeting for Public Safety to talk about increasing coverage from the Resident Trooper to not be limited to stopping speeders. Maybe have more of a presence in Town. He can do more communication to the residents using Google Groups to inform them about safety, etc. Mr. Rose also suggested Trooper Black attend a Board of Selectmen meeting.

B. Board Members Reports

None

C. Board of Finance Discussion

Dick Weingart reported that there is a BOF meeting scheduled for Monday. The one in July was cancelled due to lack of quorum. He met with Val Garrison, Finance Manager, and reviewed actions for the BOF to do transfers for end of year closeout activities. They have some questions for auditors. A kickoff meeting was scheduled in June with the auditors for the 2014-2015 review.

The Chaplin Elementary School budget has been tracked due to the deficit from Special Education expenses. There are no final numbers yet, but they expect it to be in the \$180,000 range (unofficial number) which is \$30,000 higher than previously discussed. This will need to be brought to Town meeting to fill this deficit. The good news is revenue collection was close to \$175,000 higher than projected over a year ago, they may not have to dip into the general fund to fund deficit. Ken Henrici will be contacting the State of CT Department of Education on what impact this will have on the minimum budget requirement.

Mr. Weingart also stated that funds for the Rails to Trails needs to be added to the agenda at Town meeting because it wasn't budgeted.

D. Correspondence

Suzanne Gluck, Administrative Assistant, reported on a class that is being offered by the Eastern Regional Mental Health Board to help Town employees. This class helps employees recognize when customers may need some assistance with mental health issues, and what resources are available to them. It is an 8 hour class which is free. Currently there are 4 employees interested and asked about compensation if they take the class off hours. The Board agreed that compensation is reasonable and will discuss further what that will be once the class is scheduled.

E. Building/Infrastructure

No discussion.

F. Discussion regarding Recreation Commission

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John Smith reported that the pavilion was recently stained. Also there are concerts scheduled this summer in the park. There will be a soccer program for kids up to the 2nd grade starting in the fall.

6. Old Business

A. STEAP Grant (Darling Pond, North Bear Hill Bridge)

Bill Rose reported on Darling Pond and that there was a pre-bid meeting for contractors and that they will be receiving bids on 8/17/15. Response from contractors has been minimal and if we don't receive the bids we need, then we will consider using the DPW crew and sub-contractors. Mr. Rose reported that the North Bear Hill Bridge project will be breaking ground in the spring of 2016.

B. Discuss All Pending and New FOI Requests

None

C. Discussion regarding Shuba Lane

Bill Rose reported that there is no movement on Shuba Lane and the dispute between the two residents is still in court.

D. Status of School Study

Mr. Cahill reported on the last meeting with the Boards of Education and that there is no follow up scheduled at this time. The Hampton, Scotland, Chaplin Selectmen are recommending an advisory referendum which would present the current options to the town to vote on to assist in which direction the BOE's should move forward with. They can meet with consultant's Milone and MacBroom to develop the questions to present to residents. John Smith was opposed to the referendum in part due to the fact the decisions are driven by statute that the BOE's will follow and proposed the BOE Chairs meet with the Boards of Selectmen. Bill Rose stated that the BOS need to help drive this study to get to an answer in a more timely fashion; too much time has passed already. Mr. Cahill stated the referendum vote isn't binding, just as an advisory vote from the residents. The Selectmen of the three towns will get together with Milone and MacBroom, Attorney Eileen Duggan, and then bring to the BOE's to get a consensus about presenting options to residents.

E. Employee Handbook Policies

None

F. Mowing Maintenance/DPW discussion regarding organization and structure

Bill Rose is still working on this.

G. Dump Truck and Snow Fighting Equipment

Mr. Rose reported that the equipment company will start building the new truck at the end of August.

7. New Business

A. Tax Collector Refunds

None

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B. Resignations/Appointments:

Irene Schein made a motion to appoint Eunice Edelman as a regular member for the Library Board of Trustees until next municipal election 11/3/15. John Smith seconded the motion.

Irene Schein made a motion to appoint Catherine Lynch as a regular member for the Historic District Commission for term 9/1/15 to 9/1/20. John Smith seconded the motion

Irene Schein made a motion to appoint Catherine Smith as an alternate member for the Historic District Commission for term 9/1/15 to 9/1/20. John Smith seconded the motion.

C. Job Descriptions:

Sue Gluck reported that the job descriptions are being reviewed by the Chairs of the Boards/Commissions then will be brought to the BOS for review.

D. Discuss and Possible Action to Approve Wage Corrections for Fiscal Year 2014-2015 and for Fiscal Year 2015-2016.

Irene Schein made a motion to approve the wage corrections for Fiscal year 2014-2015. John Smith seconded the motion. All in favor.

Irene Schein made a motion to approve the wage corrections for the Fiscal Year 2015-2016. John Smith seconded the motion. All in favor.

E. Discuss and Possible Action regarding the Trooper Contract.

Bill Rose reviewed the contract. Irene Schein made a motion to approve the Trooper Contract for July 1, 2015 through June 30, 2017. John Smith seconded the motion. All in favor.

F. Discuss and possible action regarding abatement of taxes for resident hardship.

Bill Rose read CT Statute § 12-124a. The application was received last week and according to the statute it was too late of a submission. The Tax Assessor, Chandler Rose; Tax Collector, Gay St. Louis; and Town Attorney, Dennis O'Brien reviewed the application and according to the Attorney this application should have been submitted prior to July 1st for the previous tax year. Mr. Rose read the opinion from Mr. O'Brien (see attached), therefore the application was denied.

G. Hampton-Chaplin Ambulance Corps Contract.

Irene Schein made a motion to accept the Hampton-Chaplin Ambulance Corps contract for 2015-2016. John Smith seconded the motion.

H. Discuss and Possible Action regarding additional funds requested from Windham Regional Transit District (WRTD/Dial-A-Ride).

Mr. Rose informed the Board that WRTD has asked for additional funds to help supplement the service to Chaplin. WRTD sent a breakdown of the services and how often it is being used. Discussion continued on what the criteria is for using the service and how often it is being used. Bill Rose will look into the requirements and restrictions.

I. Neighborhood Watch: Discuss new signage request for Ridge and Palmer Roads

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Bill Rose discussed the request and is not sure on the process with these signs. Does the Town provide them or not and because we are the local traffic authority the signs must be approved before being put up.

8. Other Business

None

9. Second Audience of Citizens - Note: Comments are limited to agenda items and subject to Chair discretion.

Jim Randall asked about the increase of numbers on the Trooper report and what it was for. Mr. Rose stated it was citations. Mr. Randall inquired about Diana's Pool Bridge and Mr. Rose informed him it was State jurisdiction. Also the increase on the report probably has to do with the speeding enforcement grant that is currently being used.

**10. Agenda Suggestions for next meeting
Communications and Reports**

Trooper Report
Board Member Reports
Board of Finance Discussion
Correspondence
Building/Infrastructure
Discussion regarding Recreation Commission

Old Business

STEAP Grant (Darling Pond, North Bear Hill Road)
Discuss All Pending and New FOI Requests
Discussion regarding Shuba Lane
Status of School Study
Employee Handbook Policies
Mowing Maintenance/DPW discussion regarding organization and structure
Dump Truck and Snow Fighting Equipment
Discuss and Possible Action regarding abatement of taxes for resident hardship.
Discuss and Possible Action regarding additional funds requested from Windham Regional Transit District (WRTD)/Dial-A-Ride
Neighborhood Watch: Discuss new signage request for Ridge and Palmer Roads

New Business

Tax Collector Refunds
Resignations/Appointments
Employees Job Descriptions
Public Safety

11. Date, time, and place of next meeting (September 3, 2015 @ 7:00pm @ the Town Hall)

12. Adjourn

Meeting adjourned at 8:30 pm.

Bill Rose

From: Dennis O'Brien [dennis.o.brien@snet.net]
Sent: Thursday, August 06, 2015 4:28 PM
To: 'Dennis O'Brien'; 'Bill Rose'
Cc: 'Irene Schein'; 'John Smith'; 'Chaplin Assessor'; taxcollector@chaplinct.org
Subject: RE: Homeowners Application for Abatement of Taxes per Connecticut General Statutes section 12-124a: AMENDED OPINION

From: Dennis O'Brien [mailto:dennis.o.brien@snet.net]
Sent: Thursday, August 06, 2015 11:56 AM
To: 'Bill Rose'
Cc: 'Irene Schein'; 'John Smith'; 'Chaplin Assessor'; 'taxcollector@chaplinct.org'
Subject: Homeowners Application for Abatement of Taxes per Connecticut General Statutes section 12-124a

Bill,

In an "Application for abatement of property tax" dated July 29, 2015, Chaplin homeowners have asked the Board of Selectmen to abate a portion of their property tax based on the authority of Connecticut General Statutes section 12-124a. Section 12-124a provides the Selectmen with a "Municipal option to abate taxes on residence exceeding eight per cent of occupants' income."

The statute creating this "option to abate" provides that "Application for such abatement shall be made not later than thirty days preceding the tax due date for such tax year, provided if the amount of such taxes has not been determined on such date, within ten days following determination of the amount of such taxes." Section 12-124a(a).

Fully and carefully considered, the homeowners' lengthy application appears to seek a tax abatement for fiscal/tax year 2014-2015, from July 1, 2014 to June 30, 2015. If so, the statute requires that the application must be denied as it was filed just one day prior to the end of the 30 day grace period for paying 2014-15 taxes and 29 days after the final due date for fiscal/tax year 2014/15. The 2014/15 application is also deficient in that it failed to include proof of the income of the homeowners "for the calendar year immediately preceding the beginning of the tax year for which such taxes are due," i.e., calendar year 2013, as required by the statute.

Per section 12-124a, a proper application for fiscal/tax year 2015/16 abatement must include evidence of the homeowners' calendar year 2014 income. Such evidence having been provided by the homeowners with their fatally tardy fiscal/tax year 2014/5 application, the homeowners may choose to ask the Selectmen to treat their July 29, 2015 application as a request for a 2015/6 fiscal/tax year abatement. If so, the Selectmen may determine such 2015/6 application on its merits any time after "ten days following determination of the amount of such taxes" for fiscal/tax year 2015-2016, evidenced for example by the homeowners' tax bill for 2015/6 when it is duly provided to the homeowners by the Town.

Please let me know if the Selectmen need any more from me on this.

Very truly yours,

Dennis O'Brien
Town Attorney