

**October 12, 2005  
Board of Finance Public Hearing  
Marlborough Elementary School  
7:30 p.m.**

Chairman Mike Gut called the Board of Finance Public Hearing to order at 7:30 p.m. Members in attendance were Mike Gut, Cathi Gaudinski, Joseph LaBella, William Secord, Carl Cavaliere, Brian Breeden and also present were alternates Pasquale Amodeo and John Cunningham. First Selectman Nancy Bader, Second Selectman Sharon Reiner and Third Selectman Bill Black were also present. Peter Hughes, Town Planner was also present.

The purpose of this portion of the night's meeting said Mr. Gut is to hear comments from the Public regarding the request to transfer \$15,000 from the contracted services account to the professional personnel account.

Mr. Gut read the legal notice.

**TOWN OF MARLBOROUGH  
NOTICE OF BOARD OF FINANCE  
PUBLIC HEARING  
October 12, 2005  
7:30 P.M.**

**The legal voters of the Town of Marlborough and those eligible to vote at town meetings, are hereby notified and warned that a Public Hearing will be held at the ELMER THIENES SCHOOL LIBRARY, 25 SCHOOL DR., MARLBOROUGH, CONNECTICUT, on Wednesday, October 12, 2005 at 7:30 P.M. to hear comments and discuss the following transfers in the 2005/2006 Budget:**

<b>Account Name</b>	<b>Account Number</b>	<b>Increase</b>	<b>Decrease</b>
<b>Professional Personnel</b>	<b>0109-51155</b>	<b>\$15,000.</b>	
<b>Contracted Services</b>	<b>0175-54360</b>		<b>\$15,000.</b>

**DATED AT MARLBOROUGH, CONNECTICUT, THIS 22<sup>nd</sup> DAY OF  
SEPTEMBER, 2005.**

**Michael P. Gut  
Chairman, Board of Finance**

Mr. Gut opened the meeting to comments from the Public.

**Dennis Hawrylko of Lakeridge Drive** asked if it made sense for the First Selectman to spend 50 percent of her time lobbying in Hartford when lobbyists from towns larger than Marlborough spend only one or two days a month in Hartford championing their needs. CROG and COST are paid by the Town to do the Town's lobbying. CROG does

homeland security and State Police, state funding and legislative funding matters when appropriate. The previous First Selectman found time to attend the monthly meetings of CROG and COST. He asked if it made sense to give an already over-burdened expert in town planning additional, routine administrative duties. He wondered what the First Selectman would do with her time after the lobbying efforts end. The town residents would like to see the First Selectman in her office he said. Alternatives to Ms. Bader's proposals such as a consultant group or a part-time individual with simple goals to design layout, do the regulations and marketing of the business park and golf community could be a consideration. He added that the proposal by Ms. Bader is ever-changing and hastily presented and poorly documented and he felt it purposely avoided any public input. He asked the BOF not to transfer the money because it will be sanctioning a fundamental change in the government of the town. More alternatives to this proposal have not been fully explored he said.

At this time Mr. Gut explained to the Public the fact that voting on the transfer would not take place this evening. If the BOF votes to go to a town meeting this evening, the voting will happen tomorrow at 8 p.m. at the school's community room where the townspeople will have a chance to vote their wishes.

**Jane Boston** of 64 Pettengill Rd. asked a question about the BOS retaining power. Ms. Bader answered by saying that no power is being given up by the BOS or the First Selectman. Per the Charter said Ms. Bader, delegation of duties by Ms. Bader can be accomplished in order to get the job done. Mr. Hughes is already doing many of the duties and he will retain responsibility for many of the commissions of which is already a part. In May of 2005 an assistant building official left the Town because he was able to obtain more money working for another town. Before filling that position immediately, it was decided that an objective look at the remaining necessary work would be done by Mr. Hughes and Ms. Bader. Ms. Bader, at this time, emphasized the importance of team work. It was felt that the best help that can be given to the Town would be to increase revenue for the Town and that Ms. Bader should be free to accomplish that. She said that she is concerned that townspeople have been focused on personalities and not on the work that needs to get done. She added that it would cost more to get an experienced engineer to help Mr. Hughes than it will to get an experienced building and land use person to help support Mr. Hughes. She added that the Town is fortunate to have Mr. Hughes as a member of the Town's staff.

The Town's website does not always have an agenda for upcoming meetings said **Ms. Boston**. Ms. Bader answered that prior to her presence at Town Hall there was no website for the Town. Ms. Boston said that Marlborough has "a long way to go in regards to other towns". But Ms. Bader added that it takes money to accomplish so much. Other towns may have staff dedicated to a particular job and Marlborough does not. Ms. Boston added that a special board outside of Town Hall might be useful so that the residents would know about upcoming meetings.

At this time Mr. Gut cautioned people to keep comments to the transfer issue.

**Ken Hjulstrom, South Main Street** said he is concerned about the growth in personnel in Town Hall. He felt it is necessary to “tighten our belts” and if resources at Town Hall are used properly and people use their time properly, he thought “we can make do with what we have”.

**Judy Denberg, Stony Brook Drive** commented about the job description that was handed out at the last meeting describing the new position. She felt that the description belies what has been heard this evening about BOS keeping total control over everything that goes on at Town Hall. Much of what would be taken over would be done by a staff person and out of the hands of the selectman she thought. She is hearing two different things - yes, share responsibility but the job description was arbitrary it sounded like it was going 80 degrees in the other direction. That cannot be allowed to happen she added.

**Cliff Dennis, Cheney Rd.** asked what he, as a taxpayer, can expect assuming that the First Selectman would be in Hartford 50 percent of the time.

Ms. Bader answered that 50 percent of her time would be spent doing other things that she does not have time to do. This includes the focus on the development of the business park. She needs to communicate more with the governor’s office and other offices regarding obtaining money for the sewer project. In summary, said Ms. Bader, we need revenue for economic development.

Mr. Dennis asked what the results might be that Ms. Bader would achieve. Ms. Bader said she hoped to have Marlborough be recognized by the state as an entity worth funding. Also she would like to have the time to begin to focus on developing contacts for the business park. In answer to Mr. Dennis’ question if she was confident that this could be accomplished, Ms. Bader answered that she would “do the best she could.” She added that “nothing will happen if we are not heard.”

**Harold White, 56 Kellogg Rd.** is a former First Selectman and said that the First Selectman just said “she would do her best.” Last month he told the public that “she said she wasn’t getting her job done.” Apparently, he said “her best is not adequate”. He said he thinks that it is the first time that a Marlborough First Selectman has not been able to get to the meetings outside of the office. He said he went to daytime and night meetings when he was First Selectman. He obtained grant money to build Senior Citizen housing and he further said he was not sympathetic to Ms. Bader at all. In addition, he did not like the way that the transfer had been proposed to the Town. He said that it was a “sneaky way” and he did not like “keeping the Third Selectman in the dark”. “If the Board of Finance had not gotten tripped up on a technicality, the town would never know about it.”

**Al Daigle, 173 South Main St.** said he keeps hearing about help for the building official. Because of the nature of his job he said he has a “feel of what a building official is like and what it is not”. Mr. Daigle said at one time he described to Ms. Bader what type of building official the Town of Marlborough presently has. He said that when calling for an inspection, it takes a period of four or five days before the official can do it when the

State Code specifies that it be done within 24 hours. He added that the building official came to inspect electrical work that was not in his jurisdiction. His responsibility for any building in Marlborough starts at the meter and goes inside the building. Other towns larger than Marlborough can handle inspections without additional help, Mr. Daigle said. In the Town Hall there is no one to serve him during lunch hours and if he is not helped in his business, he cannot obtain answers when he needs them.

**Dave Boston, 64 Pettengill Rd.** asked if the rearranging of jobs is due to the fact that there is a lot of work to do. He asked if Ms. Bader planned to go back to consulting work. Ms. Bader answered that she did not.

**Dennis Hawrylko** spoke about delegation of responsibilities. He does not agree with Attorney Fish's interpretation of the Town Charter. He thinks that "delegation" means taking over while the First Selectman is on vacation, not delegating a piece of the job here and there.

**George O'Brien, North Main Street** asked if there is anything "in the works to consider a Charter revision". Ms. Bader answered that it would be a topic of the All Boards meeting in November and that meeting is open to the public.

**Dennis Hawrylko** said he had the pleasure of working with Peter Hughes for five years when he was a Selectman and he saw how many of the Town's successes can be attributed to Peter's efforts. He sold the sewers to the town – he always did his homework – he found answers and he is thankful that Peter Hughes is working in our Town.

**Ken Hjulstrom** said that many of the problems in the Town would be better addressed by Charter Revision. Why did the Town not address a charter review he asked. He did not feel that the BOS would need to devote a lot of time to the process of Charter review.

Mr. Gut answered Mr. Hjulstrom's question by saying that the BOS proposed some funding for Charter Revision in this past budget year. The BOF did not agree. In hindsight however said Mr. Gut, he now feels the funding should have been kept in the budget.

Mr. Hjulstrom said he felt that communication might be missing between the BOS and the BOF and that perhaps if communication was better, the BOS could have sold the funding of the Charter Revision to the BOF last spring.

Mr. Gut reiterated that the delegation of duties is specifically spelled out within the guidelines of the present Charter.

**Harold White** added that if in doing these changes now before a Charter Revision Committee is established, what happens if there is a Charter Revision that does not agree with this type of organization – for instance, the people in the Town government should

not be doing the things they are doing. When it goes to a vote to the town's people, and they may turn it down. – “do we have the cart before the horse?”, he asked.

**Dave Boston** asked about the problem of two existing meetings on Thursday, October 13<sup>th</sup> – the WPCA meeting and the meeting of the Town for voting on the transfer. He felt both meetings to be very important. He complained about the poor scheduling and the fact that some people would be blocked out of voting if they attend the WPCA meeting. Mr. Gut advised him to check with the chairman of the WPCA and further said that there is no intent on the part of the BOF to block anyone from voting. Board Clerk's note: “Later in the evening Mr. Hughes announced that the WPCA meeting would end at 7:45 on Thursday, October 14, 2005.”

**A MOTION** was made to adjourn the Public Hearing at 8:15 p.m. by Brian Breeden and seconded by William Secord. All voted in favor. **MOTION PASSED.**

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**1. CALL TO ORDER, ALTERNATE APPOINTMENT**

Chairman Mike Gut called the regular meeting of the Board of Finance together at 8:15 p.m. In attendance were Mike Gut, Cathi Gaudinski, Joseph LaBella, William Secord, Carl Cavaliere, Brian Breeden and also present were alternates Pasquale Amodeo and John Cunningham. Vi Schwarzmann of the Senior Center was present also.

**2. REVIEW OF CORRESPONDENCE**

- a) Notice of Board of Finance Public Hearing
- b) Notice of Special Town Meeting
- c) Memo from Nancy Bader, First Selectman to Mike Gut, Chairman of the Board of Finance regarding a request to authorize appropriation for a vote at a town meeting for a transfer from the Undesignated Fund Balance – General Fund to the CNR in the amount of \$55,000 for the purchase of a van for the Senior Center.
- d) Memo from Bill Black regarding the Public Hearing
- e) Agenda for the Regular BOF meeting of November 9, 2005.

**3. A MOTION** was made to send a request for the transfer of \$15,000 from account #0175-54360, Contracted Services to Account #0109-51155, Professional Personnel to the Town Meeting of October 13, 2005 by Joseph LaBella and it was seconded by Brian Breeden. Cathi Gaudinski opposed. All other members voted in favor. **MOTION PASSED.**

Discussion followed about the desirability of the Board's expressing opinion of this motion.

Mike Gut spoke and said that the Town of Marlborough has never experienced the large amount of major projects in progress as at present. He said the case has been made to bring more focus to it with this suggested reorganization and he further said he will support it.

Brian Breeden said that he will support it as well as many projects in the Town are not getting done. This is a way to try to solve the problem he said.

Carl Cavaliere said he will support it as well. If the help is not given, the projects will be delayed or not done and the cost to the Town will increase.

William Secord said he agreed with Mr. Amodeo's interpretation of the Charter. In the past he said the BOF has always sent a proposal to a town meeting with a recommendation to approve or not to approve. If we cannot do that, then Mr. Secord said he is not certain, as Mr. Amodeo said, "what is our function as a Board tonight?" He said he would approve the motion to the Town Meeting with the recommendation of the Board of Finance to approve the transfer.

**A MOTION** was made by Mr. Secord to approve, as a Board, the request for transfer of funds and to send that request with the Board's approval, to the Town Meeting and in doing so, withdraw the first motion. Mr. Gut seconded the motion. Board Clerk's comment: At the bottom of page 7 of the minutes, a similar **MOTION** was made in its entirety and **passed**.

Mr. LaBella said that he thinks that the BOF is "ill-suited to make the decision that is fundamental to this transfer - that is, how town government should be structured." Therefore he supports sending the request for transfer to the Public Hearing without a recommendation. "The Public has clamored to make it, rightfully so, and will be able to make it tomorrow night." "Putting our stamp of approval on it is not appropriate" ..., he said.

Mr. Amodeo said he agrees with Mr. La Bella that the BOF is not a legislative body and that they should not be changing the way that town government operates. Mr. Amodeo added that he is concerned with the independence of the Board and he would like all to go on record, whether it is in the form of recommendation or not, as to how they feel. He believes that what he is witnessing is some ways to get things into a budget without going through the budgetary process. That is the function of the BOF he added. For the process to work he said the Board can be independent. Give a reason why they feel they do. It should be done tonight said Mr. Amodeo. Because he is receiving a lot of messages that he believes are personality-driven, he would like to see some independence from the Board.

Cathi Gaudinski is concerned that this "recommendation is being done outside of the budget process and makes the budget a moving target." These issues were not brought forward during the budget process she said. A concern that surfaced during the survey was the high level of taxes that the townspeople are paying. This subject should come up

during the next budget process along with other requests. Regarding the delegation of duties, let Ms. Bader delegate them, she said. “Why do we have to spend another \$15,000 to do so?” If Mr. Hughes needs additional help there are consultants and professional services available. Nothing can be done until the sewers are in place – other projects can wait. That is the “kingpin” of all of this. “Focus on the sewers”, she said. “The WPCA should be functioning individually as a commission and get the job done.” She added “this amount of money will be built into the budget and increases the bottom line.”

William Secord supported his motion by saying that although this should have come up during the regular budgetary process, the question now is a \$15,000 transfer and the BOF’s purpose and directive is look at the best way of handling the finances of the Town. He further said that hiring of outside consultants may cost more than \$15,000 if the correct structure is not in place at Town Hall.

Pasquale Amodeo, although not seated, said he would not vote for the transfer. Funding a delegation is not right he said – delegating to people who are not elected he added is not right.

At this point, Mr. Gut emphasized to Mr. Amodeo that the Charter is open to broad interpretation. He requested that Mr. Amodeo “stick to the subject of transfers”.

Mr. Amodeo said he felt that the “1985 Charter has been beaten up”. He referred to the U.S. Constitution and the age of it saying why it survived over 200 years is that people interpreted it in a way that made sense. If interpreted correctly, he said he thinks that the Town’s Charter can do most of the things that the Board wants it do to. He still is not sure what the proposal is even though many meetings have been had regarding it. Ms. Bader at this time requested that Mr. Amodeo come into her office to better understand just what her job is – she will explain to him what she is trying to do, she said.

**Repeating the MOTION on the table, A MOTION WAS MADE TO SEND THE TRANSFER OF \$15,000 FROM ACCOUNT #0175-54360, CONTRACTED SERVICES, TO ACCOUNT #0109-51155, PROFESSIONAL PERSONNEL, TO THE TOWN MEETING OF OCTOBER 13, 2005 WITH THE RECOMMENDATION FOR THE TOWN TO APPROVE THE TRANSFER. THIS MOTION WAS MADE BY MIKE GUT AND SECONDED BY BRIAN BREEDEN.**

**Members voting in favor**

**Mike Gut  
Brian Breedon  
Carl Cavaliere  
William Secord**

**Members voting in opposition**

**Joseph LaBella  
Cathi Gaudinski**

**MOTION PASSED.**

**6. Discussion and Possible Action on Senior Center Van**

Vi Schwarzmann of the Senior Center said that the 12 seat van has been experiencing a lot of difficulty with mechanical problems. Every year it is necessary to spend a few thousand dollars to fix the problems. The smell of oil goes into the back of the van. While fixing the a/c unit, latches snapped. The van did not pass inspection and it has rusted out. The wheelchair lift at times does not work and a mechanic has to be called in to fix it for the time being. Originally the BOS said the van purchase would be put into the budget, but the BOF recommended it be taken out. In July, 937 miles were put on the van, in August 506 miles were put on the van and in September only 160 miles were put on the van.

Mr. Cavaliere questioned Ms. Schwarzmann about grant money and Ms. Gaudinski questioned her about rebate money. Ms. Schwarzmann is attempting to obtain some money for a van from the Hartford Foundation. A reasonable number of approximately \$55,000 was suggested as a purchase price for a van. Leasing options and the length of time of a lease as well as the possibility of borrowing the use of a van from Hebron were discussed.

**A MOTION WAS MADE TO SEND FOR RECOMMENDATION TO A PUBLIC HEARING FOLLOWED BY A TOWN MEETING, AN APPROPRIATION OF \$55,000 FOR THE PURCHASE OF A SENIOR VAN. THE APPROPRIATION FOR THE \$55,000 WILL BE TAKEN FROM THE UNDESIGNATED FUND BALANCE. THIS MOTION WAS MADE BY JOSEPH LABELLA AND SECONDED BY BRIAN BREEDEN.**

<u>Members voting in favor</u>	<u>Members voting in opposition</u>
Mike Gut	None
Brian Breeden	
Carl Cavaliere	
William Secord	
Joseph LaBella	
Cathi Gaudinski	

**MOTION PASSED.**

**7. ACCEPTANCE OF MINUTES**

**A MOTION WAS MADE TO ACCEPT THE MINUTES OF THE SEPTEMBER 14, 2005 MEETING WITH THE FOLLOWING ADDITION: Add to the last sentence at the bottom of page 4 the words “and BOF” to the sentence beginning with the words “The BOS”. ALL MEMBERS VOTED IN FAVOR. MOTION PASSED.**

**8. TOWN MONTHLY FINANCIAL REPORTS**

Cathi Gaudinski questioned if the Town had become involved with a bid to EastConn for fuel oil. Ms. Bader answered no and that the costs may run as high as \$65,000 however the Town does have a surplus figure to offset it. Ms. Gaudinski questioned why the

Town did not get involved in bidding. Ms. Bader said that the Town is “locked in” on utilities but not on fuel oil.

Ms. Gaudinski also questioned the amount of the unaudited surplus and Mr. Gut said he had received a memo from Bob Hannon in this regard which is a statement of the general fund balance as of June 30, 2004. There is a balance, including encumbrances, of \$1.9M and this is more than 10 percent of the Town’s expenditures.

**9. OTHER BUSINESS TO COME BEFORE THE BOARD**

Attached to the package that Mr. Gut passed out at the beginning of this night’s meeting is the Agenda for the November 9<sup>th</sup> meeting and he requested that Brian Breeden, as current Vice Chairman, swear in the new and also the current members of the Board of Finance previous to the meeting.

**10. PUBLIC FORUM**

None

**A MOTION WAS MADE TO ADJOURN THE MEETING AT 9:15 p.m.**

Respectfully submitted,

Ann Preissner  
Board Clerk