

TOWN OF CANTON - BOARD OF SELECTMEN
Regular Hybrid Meeting
Wednesday, September 27, 2023 – 7:00 pm

DRAFT MINUTES

Members Present: First Selectman Robert Bessel, Warren Humphrey, Tim LeGeyt, Stephen Sedor, William Volovski

Also Present: Chief Administrative Officer Robert Skinner, Richard Barlow, Joe Ciuca, Lori Ciuca, Lisa Coggins, John Commisso, Matt Metnetsky, Zac Neville, Neil Pade, Lans Perry, Taryn Schrager, Recording Secretary Maureen Griffin

Call to Order: R. Bessel called the meeting to order at 7:02p.m.

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

Richard Barlow (Cherry Brook Road) spoke in opposition of the tax abatement for 401 Albany Tnpke. LLC because an undisputed issue for the BOS to consider is that they have the option to deny it due to tough financial times. He requests that the BOS deny the application due to the Town's financial situation.

Lisa Coggins (Daynard Drive) had questions and suggestions. She recommended changes to the Tax Incentive Program which included limiting the number of times an applicant can apply for a project. She suggested a tax deferment instead of an abatement (with the exception of affordable housing projects). She questioned whether the \$390,000 payment was made to CT Water or the Town, and whether the number of police overtime hours on this project created a deficit. She cited conflicting data and asked for clarification on this data. She questioned how Daynard Drive residents would benefit as Mr. Volovski had mentioned at the last BOS meeting.

Lans Perry (Canton Center) commented on the water line that was installed for 401 Albany Tnpke., and questioned who retains the rights, and if it benefits residents in the area. He addressed the request for use of Town owned property that is on the agenda; he said that he welcomes improvements as well as an assessment with proper tax amounts. He commented on the issue of open space vs. development. He added that open space could be used for housing for people who would like to live in Canton. He commented on Bahre Corner Road paving and whether it meets improvement standards.

John Commisso respectfully requested that the BOS vote to approve their tax abatement application (401 Albany Tnpke LLC). He repeated the same points that he presented at the last BOS meeting about the benefits they have provided to the Town, which includes adding more than \$4.2M to the grand list.

T. LeGeyt moved to add to the agenda as item J under ACTION items - Review and possibly approve a \$2,000 donation from FOCUS on Canton Inc. to the Senior and Social Services General Assistance fund for Canton residents.

Seconded by: W. Volovski

The motion passed unanimously.

APPOINTMENTS

Appointment of Zac Neville (R) as a member of Canton Center Historic District Commission for a term to expire on January 1, 2024.

Selectmen questioned Mr. Neville about his interest in serving on this commission. He explained that Mr. Bessel recommended this, even though he does not live in the district. There was an opening on this commission—he would like to be involved in the Town as a Commissioner.

Motion: W. Volovski moved to appoint Zac Neville (R) as a member of Canton Center Historic District Commission for a term to expire on January 1, 2024.

Seconded by: W. Humphrey
The motion passed unanimously.

Appointment of Emma Everson (D) as a member of the Wild & Scenic River Study Committee.

R. Bessel commented that the Appointments Committee was impressed by Ms. Everson's extensive background in this area.

Motion: W. Volovski moved to appoint Emma Everson (D) as a member of the Wild & Scenic River Study Committee.

Seconded by: W. Humphrey
The motion passed unanimously.

Appointment of Barbara Davis (D) as a member of Canton Public Library Board of Trustees for a term to expire on July 1, 2024.

Motion: W. Volovski moved to appoint of Barbara Davis (D) as a member of Canton Public Library Board of Trustees for a term to expire on July 1, 2024.

Seconded by: T. LeGeyt
The motion passed unanimously.

Elevate Kent McCoy (D) from an alternate to a regular member of the Collinsville Historic District Commission for a term to expire on June 30, 2024.

Motion: T. LeGeyt moved to elevate Kent McCoy (D) from an alternate to a regular member of the Collinsville Historic District Commission for a term to expire on June 30, 2024.

Seconded by: W. Volovski
The motion passed unanimously.

Appointment of Bradley Laurie (D) as a member of the Building Code Board of Appeals.

R. Bessel explained that Mr. Laurie is deeply involved in solar panel installation and has building experience, which will be an asset to the board. W. Humphrey asked about any potential conflict with the two boards that Mr. Laurie would like to serve on. R. Skinner explained that the boards have two separate codes—they have unrelated regulations. R. Bessel commented that this would be a good use of Mr. Laurie's talents, and that this expertise is needed on the commission.

Motion: W. Humphrey moved to appoint Bradley Laurie (D) as an alternate of Planning & Zoning Commission for a term to expire on June 30, 2025.

Seconded by: W. Volovski
The motion passed unanimously.

Appointment of Bradley Laurie (D) as an alternate of Planning & Zoning Commission for a term to expire on June 30, 2025.

R. Bessel explained that he had asked Mr. Laurie about his familiarity with building codes and the need for detailed discussions. Mr. Laurie has a great interest in this and has experience presenting to P&Z commissions because of his profession in the building trades.

Motion: W. Volovski moved to appoint of Bradley Laurie (D) as an alternate of Planning & Zoning Commission for a term to expire on June 30, 2025.

Seconded by: W. Humphrey
The motion passed unanimously.

Z. Neville was sworn in by R. Skinner.

ADOPTION OF CONSENT AGENDA

Motion: T. LeGeyt moved to approve the Consent Agenda.

Seconded by: W. Volovski
The motion passed unanimously.

ACTION ITEMS

Review Business Development Tax Incentive Program application from 401 Albany Turnpike LLC located at 401 Albany Turnpike and either deny the application, approve the application if incentive is less than \$100,000 or set date, time and location for a Town Meeting to vote on whether to approve the application.

R. Bessel reviewed BOS options, as discussed at the last meeting. He added that there have been many comments from residents, mostly in opposition to the abatement. Selectmen had asked R. Skinner for tax details based on the proposed \$99,000 abatement. R. Skinner presented a breakdown for the 5-year period; the total tax revenue with the abatement would be \$410,590. The total without the abatement would be \$519,000. S. Sedor reinforced the comments he made at the last meeting. He is not in favor of the abatement because the program was not intended for residential facilities, and because there has been a tax increase, and the Undesignated Fund Balance is being significantly reduced. W. Volovski said that he is not in favor of the abatement; he would like it to go to a Town Meeting so residents can have input. T. LeGeyt commented on Lisa Coggin's question about number of applications for one project. R. Skinner said the program was intended for a one-time application per project. W. Humphrey commented that this is only the second application that has been submitted for the abatement program so it does not seem well used. R. Bessel suggested having a public hearing (tentatively scheduled for 10-25) on the program overall; it might be amended or ended. He added that he had been inclined to go to a Town meeting but he thinks this tax abatement would be rejected, so the meeting would not be worthwhile. He responded to correct one of Lisa Coggin's comments. It appears that certain police department expenses (on this construction project) have a deficit, but that is only because expenses are recorded in a separate account and then they are transferred.

Motion: R. Bessel moved to deny the application for tax abatement for 401 Albany Turnpike LLC.

Seconded by: W. Volovski

The motion passed 4-1.

Discuss and possibly approve a request by the Town Clerk to waive the bid procedure pursuant to the Board of Selectmen Purchase Policy for the purpose of renewing a contract with COTT Systems for maintaining the Town's land records system for FY2024-2029.

R. Bessel pointed out the extensive information provided in the meeting packet. R. Skinner said that the waiver of bid procedure will not be needed because the annual cost does not exceed the threshold—the amount reflects the multi-year total. This software has been used for many years. The increase in cost is not significant. Changing software would create an administrative hurdle.

Motion: T. LeGeyt moved to authorize the CAO to enter into a five year agreement with COTT Systems for the maintenance of the Town's Land Records.

Seconded by: W. Volovski

The motion passed unanimously.

Authorize the Town Planner to enter into a multi-year contract with General Code Maplink to provide access to specific zoning information from an interactive zoning map.

R. Skinner explained that this is similar to the Town Clerk's request; it is also a multi-year contract. Neil Pade gave a summary, which included the advantages of this program. It is searchable and linkable. It helps people ascertain which regulations apply to specific properties, which is their #1 inquiry. Selectmen discussed potential additional costs if there are any technical difficulties. N. Pade explained that this is being used successfully in many other towns that have general code ordinances (including towns in Connecticut and New Jersey).

Motion: S. Sedor moved to authorize the Town Planner to enter into a multi-year contract with General Code Maplink to provide access to specific zoning information from an interactive zoning map.

Seconded by: T. LeGeyt

The motion passed unanimously.

Review and possibly approve using funding from the Park & Recreation Special Revenue Fund to cover the cost of various Mills Pond Park improvements as recommended by the Parks & Recreation Committee.

R. Skinner explained that P&R has both a general fund and a special revenue fund (from program income). They have a considerable surplus in their special revenue fund. They would like to utilize these funds for several projects, which have been recommended by the P&R Committee. Taryn Schrager provided details on each project, which were also detailed in the meeting packet. Selectmen discussed how decisions are made for use of these funds, and whether the special revenue fund is in the budget. R. Skinner said the P&R Committee makes the decisions/recommendations, and that the fund is off-budget, but it is part of the budget process. The total of these projects is less than 1/6 of their fund, which will not create a terrible depletion.

Motion: W. Volovski moved to approve funding from the Park & Recreation Special Revenue Fund, in an amount not to exceed \$60,000 to cover the cost of various Mills Pond Park improvements as recommended by the Parks & Recreation Committee.

Seconded by: T. LeGeyt

The motion passed unanimously.

Review request by Lori & Joe Ciuca of 27 Shallot Meadow and Jordan Moore of 21 Shallot Meadow to utilize Town property located off of Shallot Meadow Road.

R. Skinner explained that both of these requests came in after the last BOS meeting. Both parties have requested utilization of this Town property. P&Z could review these at the same time. The requests are very similar. Both are abutters to the paper road. Both currently have driveways. N. Pade provided clarification on the 8-24 referral: it would be based on state statutes and a review of the POCD. P&Z would provide additional insights to the BOS. W. Humphrey asked if there was any indication for the applicants' intended use. Mr. Metnitsky spoke for Jordan Moore and said that both parties want to have additional access to their properties. R. Skinner explained the process that would occur in the 8-24 review and the negotiations with property owners. R. Bessel commented that this is the first step in a long process.

Motion: W. Volovski moved to refer the request by Lori & Joe Ciuca of 27 Shallot Meadow and Jordan Moore of 21 Shallot Meadow to utilize Town property located off of Shallot Meadow Road to the Planning and Zoning Commission.

Seconded by: T. LeGeyt

The motion passed unanimously.

Approve submittal of the 2023 AARP Connecticut Livable Communities Grant in the amount of \$5,000 to support financial assistance to seniors.

R. Skinner provided details on this grant; funds would be used for housing and other services. Seniors (and other residents) need special assistance, especially with housing. This is part of the process to ensure funding.

Motion: S. Sedor moved to approve submittal of the 2023 AARP Connecticut Livable Communities Grant in the amount of \$5,000 to support financial assistance to seniors.

Seconded by: W. Volovski

The motion passed unanimously.

Review and possibly approve the Transfer Station Policies for calendar year 2024.

R. Skinner explained that, when the policy is reviewed, there is often a discussion about fee changes. The Transfer Station has a moderate reserve fund and see no need for fee changes.

Motion: T. LeGeyt moved to approve the Transfer Station Policies for calendar year 2024.

Seconded by: W. Humphrey

The motion passed unanimously.

Pursuant to section III(D) of the Town of Canton Naming Rights Policy, review and possibly accept an application from the First Selectman to name the new proposed boat

ramp at 50 Old River Road after David P. Sinish and request any additional applications for a 30 day period.

R. Bessel said that this is the first application that has been made since the new naming policy was put in effect. He read the application which recognizes Mr. Sinish's tireless advocacy for river related causes and activities. He has received dozens of emails and has had numerous conversations—this is a universal suggestion. He added that one constituent suggested an amendment to include Carrie Sinish as a way to recognize her for her help.

Motion: W. Volovski moved to accept receipt of an application from the First Selectman to name the new proposed boat ramp at 50 Old River Road after David P. Sinish and request any additional applications for a 30 day period.

Seconded by: W. Humphrey

The motion passed unanimously.

Set date, time and location for a Town Meeting to vote on whether to approve the transfer of \$275,871 from the undesignated fund balance to fiscal year 2022/2023 general fund account deficits and transfer \$181,559 from the undesignated fund balance to the EMS Special Revenue account to fund a deficit in the 2022/2023 fiscal year EMS Special Revenue Account.

R. Bessel asked for an explanation on this issue to ensure that there are no misconceptions. R. Skinner explained that this is required by Town Charter. The Town approves the budget for expenditures. We are over in certain line items; money has to be taken from the Fund Balance. There is enough revenue to cover expenses but it still must go to Town Meeting for approval of the additional amounts in the relevant line items (for both the General Fund and EMS). The BOF reviewed this and agreed that there is no other choice.

Motion: S. Sedor moved to set October 11, 2023 at 7:00pm in Room F of the Canton Community Center as the date, time and location for a Town Meeting to vote on whether to approve the transfer of \$275,871 from the undesignated fund balance to fiscal year 2022/2023 general fund account deficits and transfer \$181,559 from the undesignated fund balance to the EMS Special Revenue account to fund a deficit in the 2022/2023 fiscal year EMS Special Revenue Account.

Seconded by: W. Humphrey

The motion passed 4-0. T. LeGeyt was not present for this vote.

Review and possibly approve a \$2,000 donation from FOCUS on Canton Inc. to the Senior and Social Services General Assistance fund for Canton residents.

Motion: W. Volovski moved to approve a \$2,000 donation from FOCUS on Canton Inc. to the Senior and Social Services General Assistance fund for Canton residents.

Seconded by: S. Sedor

The motion passed 4-0. T. LeGeyt was not present for this vote.

COMMUNICATIONS FROM THE CAO, TOWN AGENCIES, OFFICIALS AND/OR OTHER GOVERNMENTAL AGENCIES AND OFFICIALS

First Selectman's Report

- R. Bessel reported that P&Z voted to impose a 15% affordable housing requirement on multi-family housing developments/subdivisions. Several developers are questioning their ability to move forward as a result of this. The rule will be effective on 10-10-23. There are suggestions that might allow for more flexibility for developers. This issue could be discussed during the 10-25-23 public hearing on the Tax Abatement Policy. He commented that, if the rule actually has a dampening effect on development, this rule won't take us forward. We need affordable housing, and housing in general.

CAO Report

- R. Skinner handed out documents that have been delivered to some residents' mailboxes. It is about a plan by Canton Land Trust for a new trail. Some of the land involved was donated to the

land trust and some is Town owned land. He presented it so Selectmen would be aware of this. He added that we have an Open Space Management Plan but it is not clear as to who has authority to approve this kind of plan. It may need approval from the Conservation Commission, or the BOS. R. Skinner will send this to the Conservation Commission and then it will come to the BOS.

- The new fire station requires a backup generator to operate and to open. The generator was a deferred project because of a grant opportunity; the grant did not come through. There is a long lag time from time of order to receipt of a new generator. ARPA funds were set aside to pay for deferred costs if necessary. Also, the grant application for the breathing apparatus did not go through. Chief Gotaski said that it may be possible to wait for another grant round—this is not an immediate issue. The generator will be needed soon. R. Bessel said that we are waiting for the Bond Commission to meet. R. Skinner said the risk is that the Bond Commission might not reimburse us for the generator. They would not do so if the item/project is already contracted. However, the fire department would like to move forward with the generator purchase. Selectmen discussed the generator load that would be needed; recommendations from Millennium Builders; and when a decision needs to be made/when the order has to be placed. R. Skinner said that Horton Electric will do an analysis. W. Volovski asked for data on the airpaks to establish when the current airpaks no longer meet the standards.
- The CIP Committee will resume their periodic meetings to review major capital projects. R. Skinner confirmed the two Selectmen that serve on this committee. He will move forward to set a schedule for meetings.
- The Tri-Board Meeting will be held on October 16th at 6:00 p.m. He recommended having a BOS quorum.

EXECUTIVE SESSION

Motion: S. Sedor moved to enter Executive Session to discuss personnel matters pursuant to Connecticut General Statutes Section 1-200(6)(A) Chief Administrative Officer.

Seconded by: W. Humphrey

The motion passed unanimously.

ADJOURNMENT

Motion: S. Sedor moved to adjourn at 9:41 p.m.

Seconded by: W. Volovski

The motion passed unanimously.