



TOWN OF MIDDLEBURY

Office of the Selectmen

MINUTES
MEETING OF THE BOARD OF SELECTMEN
Monday, May 2, 2016 – 6:00 p.m.
Town Hall Conference Room

Present: Edward B. St. John, First Selectman
Elaine M. Strobel, Selectman
Michael J. McCormack, Selectman

Also Present: Attorney Robert Smith
Attorney Dana D'Angelo
Barbara Whitaker, Recording Clerk
Bill Bittar, Reporter – Republican American
Marj Needham, Reporter – Bee Intelligencer
Linda Zukauskas, Reporter - Voices

Call to Order with Pledge of Allegiance

The First Selectman called the meeting to order with the Pledge of Allegiance.

Approval of April 2, 2016 Meeting Minutes

First Selectman St. John MOTIONED to approve the minutes of the April 4, 2016 meeting, SECONDED by Selectman Strobel. Unanimous approval.

Tax Rebates

Mark Berko, Waterbury, CT	\$145.48
Mark Berko, Waterbury, CT	\$298.49
Carolanne E. Browne, Middlebury, CT	\$112.35

First Selectman St. John MOTIONED to approve the above-mentioned tax rebates, SECONDED by Selectman Strobel. Unanimous approval.

Reappointments

First Selectman St. John MOTIONED to approve the reappointment of John R. Cookson (R) as a member of the Land Preservation and Open Space Committee for a term from April 3, 2016 through April 3, 2017, SECONDED by Selectman Strobel. Unanimous approval.

First Selectman St. John MOTIONED to approve the reappointment of Mark M. Petrucci (D), 71 Fairhaven Drive, as a member of the Economic and Industrial Development Commission – term from April 16, 2016 through April 16, 2021; SECONDED by Selectman McCormack. Unanimous approval.

Middlebury Library Lower Level Lease

Attorney D'Angelo went before the Library Board of Trustees. She discussed their concerns and they said that they ultimately wanted the Board of Selectmen to decide on this.

Selectman McCormack asked what the concern was, attorney D'Angelo said that it was the time.

Selectman Strobel said that she would have liked to have seen a shorter lease and the \$3,000 in rent that Selectman McCormack would like to see for rent. She said that we do not have any other offers and we do not know what the real estate market will be in seven years. They are tying the time to the CPI instead of the ten years. Selectman McCormack asked what changes have been made.

Attorney D'Angelo offered that the law firm has moved the law firm and there will only have two of the lawyers signing the lease personally. There will be a security deposit of one month's rent. Attorney D'Angelo added that there was a concern of a time limit because Attorney Sullivan does not want to move his business, he wants to retire you. At the end of ten years they have the option to renew for another five years. The increase would be tied to the CPI instead of the 2% that was previously suggested.

Attorney D'Angelo said the lease will be for ten years with a possibility of twenty. The Town does not have the option at the end of the ten years to stay that they want the tenant to leave. At the end of the 15 years it would be at either party's option to terminate the lease.

The First Selectman said that he is satisfied with the length of the lease.

Selectman McCormack said that a new electric meter was installed; but asked if the Town would be paying for air conditioning. Attorney D'Angelo explained that the tenant will pay for the heat because the electricity is metered separately. The First Selectman said that he discussed the issue of the meter reading and the format on reading the meter with Rita Smith. All of this will be worked out. The air conditioning in the basement is run through the meter in the basement. The heat is included, because there is no way to determine the amount of heat. The First Selectman said that there was never an issue with the heat. This is going to be metered so the energy managers will know if there is a spike in energy. The rent will go up 2% a year.

Attorney D'Angelo explained that the amount is lower than the previous offer because there was an incorrect offer in the square footage. From the time ILS withdrew their offer someone recalculated the square footage, it is less.

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Attorney D'Angelo explained that that the tenants would like to start their lease on October 1, 2016 rather than July 1, 2016.

First Selectman St. John MOTIONED to refer the matter of the Library Lower Level lease to the Planning and Zoning Commission for approval and then onto a Town Meeting, SECONDED by Selectman McCormack. Unanimous approval.

Attorney D'Angelo will attend the Planning and Zoning meeting on Thursday, May 5, 2016 and will present Planning and Zoning's approval

LOCIP Five Year Plan

The First Selectman explained that LOCIP is approved annually. The funds go into the Public Works budget. This is what our capital plan is, without a capital plan we do not receive the LOCIP money and it goes into the road resurfacing area.

First Selectman MOTIONED to approve the Five Year Capital Improvement Program, SECONDED by Selectman Strobel. Unanimous approval.

Selectman McCormack asked why road resurfacing going up \$200,000 between the First Selectman said that part of the capital plan may be projected into the LOCIP numbers. Selectman McCormack wanted to ensure that he is not approving the Capital Plan.

Women's Health Week in May – American Lung Association Resolution

First Selectman St. John MOTIONED to accept the attached Resolution, SECONDED by Selectman Strobel. Unanimous approval.

Adjournment

First Selectman St. John MOTIONED to ADJOURN the meeting at 6:20 p.m.

These minutes are submitted subject to approval.

Respectfully submitted,

Barbara J. Whitaker

Barbara J. Whitaker
Recording Clerk