

# Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Mary Bylone, First Selectman

Board of Selectman Agenda  
Regular Meeting via Zoom

Thursday, February 4, 2021 @ 7:00 PM or following the

**(ALL ITEMS ON THIS AGENDA ARE SUBJECT TO POSSIBLE ACTION)**

Please use the link below to join the webinar:

<https://us02web.zoom.us/j/87861262314?pwd=dFZNSGpXUHF0WS80c1dmRXpXeVRxQT09>

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782

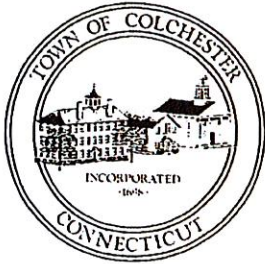
or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 878 6126 2314

Passcode: 579069

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADDITIONS AND/OR DELETIONS TO THE AGENDA
4. CITIZEN'S COMMENTS
5. CORRESPONDENCE:
6. CONSENT AGENDA
  - A. Approve the Minutes of the January 21, 2021 Board of Selectmen Meeting
  - B. Tax Abatements
7. Approve Economic Development Commission's amendment for the Colchester Tax Incentive Program Awarded September 9, 2020
8. Approve Independent Contractor Agreement for Planning Department
9. Request from Chatham Health District for Additional Monies from the COVID Relief Fund
10. CITIZEN'S COMMENTS
11. FIRST SELECTMAN'S REPORT
12. LIAISON REPORTS
13. ADJOURN

RECEIVED  
TOWN OF COLCHESTER, CT  
2021 FEB -3 PM 2:21  
Mary Bylone  
FIRST SELECTMAN



# Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Mary Bylone, First Selectman

Board of Selectman Minutes

Regular Meeting via Zoom

**immediately following the Joint Board of Selectmen and Board of Finance Meeting,  
but NOT SOONER than 7 p.m.**

Thursday, January 21, 2021 @ 7:00 PM or following the

**(ALL ITEMS ON THIS AGENDA ARE SUBJECT TO POSSIBLE ACTION)**

Members Present: First Selectman Mary Bylone, Selectmen Rosemary Coyle, Denise Turner, Denise Mizla  
and Taras Rudko

1. CALL TO ORDER: First Selectman called the meeting to order at 7:22 p.m.
2. PLEDGE OF ALLEGIANCE
3. ADDITIONS AND/OR DELETIONS TO THE AGENDA: None
4. CITIZEN'S COMMENTS: None
5. CORRESPONDENCE: See Attached
6. CONSENT AGENDA
  - A. Approve the Minutes of the January 7, 2021 Board of Selectmen Meeting
  - B. Accept Isaiah Stewart's Resignation from Ad Hoc Committee for Diversity and Inclusion
  - C. Move Joanne Philips from liaison to member of Ad Hoc Committee for Diversity and Inclusion
  - D. Tax Abatements

R. Coyle motioned to approve the Consent Agenda, seconded by D. Turner. MOTION CARRIED UNANIMOUSLY
7. Approve Job Description for Coalition Coordinator – Youth and Social Services: T. Rudko motioned to approve the Job Description for the Coalition Coordinator, seconded by R. Coyle. MOTION CARRIED UNANIMOUSLY
8. Approve Grant Submission of CT Senior Center Project: CARES Act Funding Opportunity: R. Coyle motioned to approve the grant submission and authorize the First Selectman to sign all necessary documents, seconded by D. Mizla. MOTION CARRIED UNANIMOUSLY
9. Amount of Detail Listed in the Liaison Reports: No Action Taken
10. CITIZEN'S COMMENTS: None
11. FIRST SELECTMAN'S REPORT: Colchester's case rate for COVID is 94.1%. Hoping to see that go down now that holidays are over. No new cases in any of our nursing homes. We are holding a vaccination clinic at



the Senior Center on January 27, from 9 – 3. The vaccination clinic is already full. Paid Fire Department and Police Department staff, who wanted vaccines, have received them.

12. LIAISON REPORTS: T. Rudko - Planning and Zoning Commission - There was a presentation about the horticultural manufacturing of marijuana proposed for a property near the Transfer Station. The commission is considering a floating zone regulation amendment.

D. Turner – Historic District Commission had a public hearing for a certificate of appropriateness for the Town Green project. It was approved with a few modifications.

Conservation Commission – One pending application regarding wetlands on Norwich Ave., there was a continued hearing about the enforcement issue on Middletown Road.

R. Coyle – Commission on Aging produced 200 copies of the Senior Resource Guide.

Open Space – Waiting on a decision from the state about the Open Space and Watershed Land Acquisition Grant Program.

Long Term Recovery Committee – Had no quorum.

Chatham Health District – There are issues with the vaccine distribution and the Vaccination Administration Management System (VAMS). Use of part of the municipal coronavirus relief fund will be coming to the Board of Selectmen based on a recommendation from the Chatham Health Board.

First Selectman – Budget Forum and Board of Finance – Over 700 people responded to the survey, which closed on January 18 at 8 a.m.

13. ADJOURN: D. Turner motioned to adjourn at 7:45 p.m., seconded by R. Coyle. MOTION CARRIED UNANIMOUSLY

Please see the minutes of future meetings for any corrections hereto.

Respectfully Submitted by:



Heide Perham, Executive Assistant to the First Selectman

**TOWN OF COLCHESTER  
PLANNING AND ZONING DEPARTMENT**

**TO:** Mary Bylone, First Selectman  
Board of Selectmen

**FROM:** Matthew R. Bordeaux, Planning Director *MRB*

**DATE:** January 27, 2021, Revised February 3, 2021

**RE:** Correction to C-TIP for 124 Upton Road

On August 6, 2020, the Board of Selectmen accepted a recommendation from the Town of Colchester Economic Development Commission (EDC), to grant a tax abatement in accordance with the Colchester Tax Incentive Program (C-TIP) to NCT Friction Welding Inc. for a five (5) year term. Following the Board's action, the tax abatement was approved in a 37-0 vote at a Special Town Meeting on September 9, 2020.

The Town of Colchester Assessor brought to the attention of the Economic Development Commission and myself that the property at 124 Upton Road was purchased in October 2020 by DVI Properties LLC. In accordance with the Connecticut General Statutes 12-65b, which authorizes municipalities to adopt such incentive programs, a municipality may enter into agreements with the owner of real property. Therefore, to grant the real estate property tax abatement as an incentive to NCT Friction Welding Specialists to grow their business in town, the agreement must recognize DVI Properties LLC as the recipient of the abatement.

Mr. and Mrs. Volodymyr Drobockyi applied for the C-TIP in July 2020. The Drobockyi's own and operate both NCT and DVI Properties LLC. The C-TIP application form includes a line for "Full Name" and another line for "Business Name and Address". The applicant accurately provided all required information, entering *DVI Properties LLC* under the "Full Name" and *NCT INC.* under the "Business Name and Address". In reviewing and processing the application, the NCT business name became ubiquitous with the applicant and the ultimate owner of real property and legal recipient of the tax abatement was overlooked.

To correct the oversight, on behalf of the Economic Development Commission, I am requesting that the Board of Selectmen amend their acceptance of the EDC's recommendation to grant the tax abatement to NCT Friction Welding Specialists, by naming DVI Properties LLC the recipient in accordance with the EDC's amendment made at its January 19, 2021 meeting. Please see the letter from the EDC Chairman Bruce Goldstein dated January 22, 2021, attached.

To complete the correction in accordance with State statute, a Special Town Meeting will be scheduled for February 25, 2021.

**PROPOSED MOTION:** It is hereby moved to accept the recommendation of the Economic Development Commission to grant a C-TIP property tax abatement to DVI Properties

**LLC as proposed in the amounts of 100% in year one, 90% in year two, 80% in year three, 70% in year four, and 50% in year 5, of the increase in real property tax for the new construction proposed at 124 Upton Road. Granting of the property tax incentives are contingent on the Certificate of Occupancy for the new construction issued by the Town of Colchester Building Official. The tax relief will be applied to the first full year after the Certificate of Occupancy by the Town of Colchester for each building. The recommended C-TIP package will be brought before the legislative body of the Town, the Town Meeting, on February 25, 2021, for approval.**

MRB

R:\Boards and Commissions\EDC\C-TIP\NCT Friction Welding\ROS Motion Corrected-Revised.docx

Attach.

January 22, 2021

To: Mary Bylone, First Selectman  
Colchester Board of Selectmen  
127 Norwich Ave.  
Colchester, CT 06415

RE: DVI Properties, LLC  
NCT Friction Welding Specialists  
Amended recommendation  
Application for C-Tip for 124 Upton Road

Dear Board of Selectmen;

At its special meeting of Tuesday, January 19, 2021, the Colchester Economic Development Commission has amended its recommendation of the Colchester Tax Incentive Program for NCT Friction Welding Specialists of July 20, 2020 to represent that the recipient of the abatement would be the owner of real property, **DVI Properties LLC**, for the stated intent the facility will be occupied and house the operations of NCT Friction Welding Specialists. NCT Friction Welding Specialists Inc. presented to the Commission at its regular meeting of July 20, 2020 that they would construct a new building and locate the light industrial business at 124 Upton Road.

**The Commission's previously recommended abatement has not changed or been altered. The same Property Tax Incentive is to be applied to this application/development under the name of DVI Properties, LLC.**

This change is substantially administrative and required to satisfy the legal interpretation of the Assessor. Should you need any further information, please do not hesitate to contact me.

Bruce Goldstein

*Bruce*

Chair of the Colchester Economic Development Commission



**TOWN OF COLCHESTER  
PLANNING AND ZONING DEPARTMENT**

**TO:** Mary Bylone, First Selectman  
Board of Selectmen

**FROM:** Matthew R. Bordeaux, Planning Director *MRB*

**DATE:** January 20, 2021

**RE:** Authorization to Execute Independent Contractor Personal Service Agreement

The proposed Personal Service Agreement (PSA) is for the re-formatting and user-friendly improvement of the Town of Colchester Land Development Regulations (a.k.a. zoning regulations). The Planning and Zoning Commission adopted a substantially re-written version of the Regulations in 2015. Over the subsequent years, several text amendments have been adopted by the Commission. The way it was drafted in 2015, each amendment has the potential to impact the entire document, the page numbering, section spacing, etc.

The intent of the project is to reformat the document in such a way that text amendments are adopted and incorporated so that they only impact the section they apply to. Additional improvements will include the conversion to a PDF with linkable section headings, improving the ability to navigate or search the document in its electronic form.

The project should take no more than a couple weeks to complete, approximately 10 hours in total. The project is valued at \$500.00. The fee for these services will be charged to the Professional Services line item of the Planning and Zoning Department's budget.

Proposed Motion:

*Authorize the First Selectman to sign all necessary documents related to the Personal Service Agreement with an independent contractor to make formatting improvements to the Town of Colchester Land Development Regulations, adopted July 15, 2015, as amended.*

MRB

R:\Miscellaneous\Independent Contractor PSA\Authorization Memo to BOS.docx

Attach.

**Independent Contractor Agreement  
Town of Colchester, Connecticut**

This Independent Contractor Agreement, herein after the "Agreement", is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by the Town of Colchester, a municipal corporation with offices at 127 Norwich Avenue, Colchester, Connecticut, 06415, hereinafter referred to as "The Town", and Judith Schuberth, a resident of 73 Wynding Brook Drive, Rocky Hill, CT 06067, hereinafter referred to as "the Contractor".

1. CONTRACT TERMS

- a. The purpose of the work is to provide consistency in formatting and styles throughout the document, and include improvements that will make future revisions, resulting from potential regulation amendments, easier to incorporate into the document. Work will include the provision of a linkable table of contents, pagination broken down by section and the formatting of footnotes to denote future revisions or amendments.
- b. The Contractor will be retained for the period of ten hours and a total cost of \$500.00
- c. If the project is expected to exceed the ten hours of work, the contractor will receive prior approval from the Town Planner and the contractor will charge an hourly rate of \$20.00/hour

2. INDEPENDENT CONTRACTOR

- a. The Contractor acknowledges that he/she is an independent contractor for all purposes and is not, in any respect, an employee of the Town.
- b. The Contractor acknowledges that he/she is solely responsible for reporting and paying all taxes, Federal or otherwise, upon all compensation paid hereunder.
- c. Contractor further acknowledges that:
  - i. The Town will make no contributions toward Social Security benefits in the name of that Contractor it being the sole obligation of the Contractor to make any contributions that may be required by law.
  - ii. The Contractor is not eligible for Unemployment Compensation benefits upon the termination of this Agreement.
  - iii. The Town will not provide any liability or other insurance coverage for the benefits upon the termination of this Agreement.
  - iv. The Town will not provide any medical, retirement, or other benefits beyond the compensation outlined in Part III, below.
  - v. The Contractor shall be responsible for the cost of Worker's Compensation, general, liability, and Unemployment Compensation insurance as may be required by law.

3. COMPENSATION

- a. Contractor must submit a completed W-9.
- b. Invoice for payment will be made by the contractor and payment will be received within 30 days of receipt.

4. TERMINATION

- a. The Town may terminate this Agreement for any reason upon not less than fourteen (14) days written notice.
- b. The Contractor may terminate this Agreement for any reason upon not less than fourteen (14) days written notice.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

TOWN OF COLCHESTER

Date: \_\_\_\_\_

CONTRACTOR



**From:** Russell Melmed <[russell.melmed@chathamhealth.org](mailto:russell.melmed@chathamhealth.org)>

**Sent:** Monday, December 21, 2020 12:07 PM

**To:** Mary Bylone <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>; Cox, David <[dcox@easthamptonct.gov](mailto:dcox@easthamptonct.gov)>; Robert Smith <[robert.smith@easthaddam.org](mailto:robert.smith@easthaddam.org)>; Andy Tierney <[atierney@hebronct.com](mailto:atierney@hebronct.com)>; Susan Bransfield <[sbransfield@portlandct.org](mailto:sbransfield@portlandct.org)>; Gregory Lowrey <[firstselectman@marlboroughct.net](mailto:firstselectman@marlboroughct.net)>

**Cc:** Robert Smith <[admin@easthaddam.org](mailto:admin@easthaddam.org)>; Stan Soby <[soby@sbcglobal.net](mailto:soby@sbcglobal.net)>; Rosemary Coyle <[rosemarycoyle@sbcglobal.net](mailto:rosemarycoyle@sbcglobal.net)>; Rosemary Coyle <[rcoyle@colchesterct.gov](mailto:rcoyle@colchesterct.gov)>; Kate Morris <[lakepoco8@yahoo.com](mailto:lakepoco8@yahoo.com)>; Peter Hughes <[planner@marlboroughct.net](mailto:planner@marlboroughct.net)>; Tina Lanzi <[tina.lanzi@chathamhealth.org](mailto:tina.lanzi@chathamhealth.org)>

**Subject:** Access to the Municipal CRF Allotment

**CAUTION:**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Remember to hover over any links and if you suspect the email is not legitimate or a phishing email, please contact Tom McMahon at x363.

Good afternoon Chief Elected Officials and Town Managers,

As a follow up to my calls to each of you regarding the Municipal Coronavirus Relief Fund, I would like to discuss how Chatham Health District can work with your municipalities to access a portion of this allotment. As stated in the December 16<sup>th</sup> letter from OPM, public health department expenditures are eligible expenses and health districts should “work through their municipalities for claiming reimbursements against their Municipal CRF Program allotment”.

I know you will all agree that Chatham Health District has shouldered a significant portion of our collective COVID-19 response in our municipalities. For most of the last 9 months, my time and the time of my staff has been largely focused on COVID-19 response activities, including providing public education, distributing PPE, reporting to PSAPs, conducting contact tracing, expanding access to community testing, clarifying and enforcing Executive Orders and DECD Sector Rules, supporting day cares and our school districts, providing guidance to small businesses, and directly engaging in operations planning for municipal departments such as libraries, senior centers, transfer stations, and town halls.

While we have received some funding through DPH (including the recent Epidemiology and Laboratory Capacity grant), the use of those funds has been restricted to hiring 1 new part-time staff member, covering a portion of the salary for an environmental health specialist, and some limited overtime reimbursement. The new guidance from the Department of Treasury that is detailed in the OPM memo allows that our staff salary expenses meet the substantially dedicated test; even though they were budgeted before March 27, 2020 the work being performed is substantially different than originally accounted for. Access to some of the CRF funds will allow us as your health department to recoup expenses that were not allowed under the DPH funding, and will help assure that we can continue to provide the level of services our communities require and deserve, which will be particularly important as we add vaccination to our long list of response activities.

In keeping with the OPM goal to streamline this process and to assure equity across our municipalities, I propose that each member municipality allocate 20% of its total population-based CRF allotment as a one-time, mid-year additional allocation to Chatham Health District (see table below). This will allow us to stabilize our budget from the COVID-19 disruption to our planned activities, and continue to allow you to allocate the majority of your allotment to other departments, such as public safety.

Feel free to reach out to me with any specific questions about our budget, staffing, COVID-19 expenses to date, and how specifically this allocation will support our response activities. I appreciate your consideration of our request and look forward to your response.

Russ

Municipality	Population-Based Allotment Formula	% Request	\$ Request
Colchester	\$126,769.00	20.0%	\$25,353.80
East Haddam	\$62,617.00	20.0%	\$12,523.40
East Hampton	\$96,841.00	20.0%	\$19,368.20
Hebron	\$70,092.00	20.0%	\$14,018.40
Marlborough	\$44,618.00	20.0%	\$8,923.60
Portland	\$66,682.00	20.0%	\$13,336.40
TOTAL	\$467,619.00	20.0%	\$93,523.80

**In order to prevent the spread of COVID-19, please wear a mask, maintain social distancing of at least 6 feet, avoid crowds, wash hands frequently with soap and water for 20 seconds, stay home if you're sick. For the most current updates and recommendations, visit [ct.gov/coronavirus](http://ct.gov/coronavirus). For general questions, call 2-1-1**

Russell S. Melmed, MPH  
 Director of Health  
 Chatham Health District  
 240 Middletown Avenue  
 East Hampton, CT 06424  
 Tel: 860-365-0884  
 Fax: 860-365-0885