

# Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Andreas Bisbikos, First Selectman

Board of Selectmen Agenda Minutes - Amended  
Thursday, September 1<sup>st</sup>, 2022, at 7 PM

**Members Present:** A. Bisbikos (First Selectman), D. Bates, J. LaChapelle, D. Turner, R. Coyle  
**Also Present:** D. Kratochvil (Finance Director), A. Migliaccio (Board of Finance Chairman), J. Jones (Interim Public Works Director), S. Sharpe (Fleet Management Supervisor), S. Hoffman (Fire Chief), P. DeStefano (SLR)

1. Call to Order – Meeting called to order at 7:01

2. Pledge of Allegiance

3. Correspondence

- R. Coyle made a motion to add 3A to the agenda: Board of Selectman policy regarding communications with the town attorney. 2<sup>nd</sup> by J. LaChapelle. **Motion carried unanimously 5-0**
- 3A: R. Coyle made a motion that the BOS establish this policy that any requests for legal opinions or clarification of matters by the FS or any member of the BOS to the Town Attorney must be in writing and the entire BOS must be copied. I move that this policy be added to our Bylaws as Section 6 Town Attorney and the original Section 6 be renumbered Section 7 and the original Section 7 be renumbered Section 8. The BOS shall receive an updated copy of the Bylaws and it shall be posted on the Town Website. 2<sup>nd</sup> by D. Turner. **Motion carried unanimously 5-0**

4. Citizens Comments

- G. Transue spoke about the Norton Mill Project site and encouraged collaboration with the Board of Selectmen. J. Malsbenden spoke about the correspondence. K. Paquette spoke about a political video. T. Rudko spoke about the proposed town budget. R. Silberman spoke about SLR's report and the Water & Sewer meetings. J. Ford encouraged greater collaboration and better decorum in town government. B. Dennler spoke about the town budget.

5. Consent Agenda

- R. Coyle made a motion to make the 8/18/22 Board of Selectman Special Meeting minutes make it 5.1. 2<sup>nd</sup>. by A. Bisbikos. **Motion carried unanimously 5-0**
- A. Approve the 8/2/22 Board of Selectmen Special Meeting minutes and the 8/18/22 Board of Selectman Special Meeting minutes
- B. Accept the Tax Collector's Refunds for 9/1/2022

- C. Possible action to approve of a motion that the Town of Colchester reduce Frankenmuth Mutual Insurance Company Subdivision Bond N0. SUR0000250 from \$213,575.17 to \$101,677.68 as recommended by the Town Engineer
- D. Possible action to approve the C-PACE Partial Release Agreement and allow the First Selectman to sign all necessary documents
- D. Turner made a motion to approve the consent agenda. 2<sup>nd</sup> by D. Bates. Motion carried unanimously 5-0
  - 5.1 D. Turner made a motion to approve the minutes of the 8/18/22 Board of Selectmen special meeting. 2<sup>nd</sup> by J. LaChapelle. ***Motion caried 3-0-2. R. Coyle & A. Bisbikos abstained.***
6. Motion to set a new Town Meeting date for the Town Budget
- A. Migliaccio & D. Kratochvil spoke about moving a budget forward. The Board of Selectmen had a conversation on the budget and the process.
  - A. Bisbikos made a motion to move the proposed budget from the BOF of \$15,636,525.00 to a town meeting to be held on Monday, September 19<sup>th</sup> at 6:30 pm at Colchester Town Hall, 127 Norwich Avenue, Colchester, CT. And referendum to be held on Wednesday, September 28<sup>th</sup> from 6 am to 8 pm at Colchester Town Hall, 127 Norwich Ave, Colchester, CT. 2<sup>nd</sup> by D. Bates. ***Motion carried 4-1 with J. LaChapelle dissenting***
7. Job Description Review
- A. Full-time Accountant Position - **No Action Taken**
8. Contract Discussion
- A. Possible action to approve a contract with Dime Oil Co LLC to lock in gas prices at \$2.9928 for an allocation of 25,000 gallons and allow the First Selectman to sign all necessary documents.
- R. Coyle made a motion to approve a contract with Dime Oil Co LLC to lock in gas prices at \$2.9928 for an allocation of 25,000 gallons and allow the First Selectman to sign all necessary documents. 2<sup>nd</sup> by J. LaChapelle. ***Motioned carried unanimously 5-0***
- B. Possible action to approve of a contract with DEEP – the Bureau of Outdoor Recreation, State Parks Division and accept the state grant of \$39,822.20 for a link trail associated with Colchester Cemetery Road/Church Street Connecticut Trail
- R. Coyle made a motion to approve of a contract with DEEP – the Bureau of Outdoor Recreation, State Parks Division and accept the state grant of \$39,822.20 for a link trail associated with Colchester Cemetery Road/Church Street Connecticut Trail. 2<sup>nd</sup> by D. Turner. ***Motion carried unanimously 5-0***
9. MOU Discussion
- A. Possible action to approve of the MOU between the Town of Colchester and the Colchester Police Union regarding Academy pay for new, non-certified police officers and allow the First Selectman to sign all necessary documents – **No Action Taken**

B. Possible action to approve of the MOU between the Town of Colchester and the Colchester Police Union regarding compensatory time and allow the First Selectman to sign all necessary documents - **No Action Taken**

C. Possible action to approve of the MOU between the Town of Colchester and the Colchester Public Works Union regarding temporary light duty policy and allow the First Selectman to sign all necessary documents - **No Action Taken**

#### 10. Norton Mill Project Grant Application

A. Possible action to for the Board of Selectmen to authorize the submission of a grant application to the CT DECD Brownfield Program, for funds to complete the environmental remediation at 139 Westchester Road site and authorize the First Selectman to sign all documents necessary to submit the grant application

- R. Coyle made a motion for the Board of Selectmen to authorize the submission of a grant application to the CT DECD Brownfield Program, for funds to complete the environmental remediation at 139 Westchester Road site and authorize the First Selectman to sign all documents necessary to submit the grant application. 2<sup>nd</sup> by D. Bates. ***Motion carried unanimously 5-0***

#### 11. Conversation with SLR

A. Discussion with representatives of SLR on their overall review and recommendations of the Public Works Department

- A. Bisbikos will schedule a meeting with SLR with Sewer & Water. After the meeting A. Bisbikos will schedule a special meeting of the Board of Selectmen to discuss SLR's recommendations.

#### 12. ARPA Discussion

A. Possible action to approve of \$27,730 in ARPA funding for a new roof on Company #2 Roof on Westchester Road with Millstream Construction and have the First Selectman sign any necessary documents

- R. Coyle made a motion to approve of \$27,730 in ARPA funding for a new roof on Company #2 Roof on Westchester Road with Millstream Construction and have the First Selectman sign any necessary documents. 2<sup>nd</sup> by A. Bisbikos. ***Motion carried unanimously 5-0***

B. Possible action to approve of the ARPA Committee's Municipal Evaluation Rubric

- R. Coyle made a motion to approve of the ARPA Committee's Municipal Evaluation Rubric. 2<sup>nd</sup> by A. Bisbikos. ***Motion carried unanimously 5-0***

C. ARPA Playbook Review, Updates, Next Steps

#### 13. Citizen's Comments

- M. Hayes spoke about the budget process. C. Russi spoke about how the medical driver need should be studied before approved. D. Lambert spoke about the budget process. L. Pasternak spoke about BOF meeting minutes, about ARPA being used for Norton Park, and encouraged a

study on the medical driver. R. Silberman spoke about the budget process. K. Paquette spoke about the FS and politics.

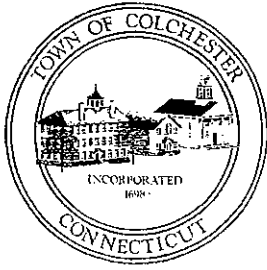
- R. Coyle made a motion to adjourn. J. LaChapelle 2<sup>nd</sup> the motion. Meeting adjourned at 10:15 pm

14. First Selectman's Report

15. Liaison Reports

16. Adjourn

Submitted by A. Bisbikos



# Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Andreas Bisbikos, First Selectman

Board of Selectmen Minutes  
Thursday, September 15<sup>th</sup>, 2022, at 7 PM

**Members Present:** A. Bisbikos (First Selectman, R. Coyle, D. Turner, J. LaChapelle

**Member Absent:** D. Bates

**Others Present:** T. Quinn (Park and Recreation Director)

RECEIVED  
COLCHESTER, CT  
2022 SEP 19 PM 4:23  
Gayle Furman  
TOWN CLERK

1. Call to Order – Meeting called to order 7:00 pm
2. Pledge of Allegiance
3. Correspondence
  - R. Coyle made a motion to add M. Ritter’s clarification of last week’s motion regarding Legal Opinions as C. under Policy Discussion. 2<sup>nd</sup> by J. LaChapelle. **Motion carried unanimously 4-0**
  - R. Coyle made a motion to make 9.1 Transfers on the agenda. 2<sup>nd</sup> by J. LaChapelle. **Motion carried unanimously 4-0**
  - J. LaChapelle made a motion to add FOI Policy Discussion for 8D. 2<sup>nd</sup> by D. Turner. **Motion carried unanimously 4-0**
4. Citizens Comments
  - B. Denner spoke about transfers. D. Bouchard spoke about the importance of following established policies. M. Rudko spoke about policies. S. Silberman spoke about the town meeting on the budget. K. Paquette spoke about the importance of collaboration.
5. Consent Agenda
  - A. Approve the 9/1/22 Board of Selectmen Meeting minutes – No action
6. Contract Discussion
  - A. Possible action to approve a contract with DRVN Enterprises Inc to lock in salt prices at \$107.95 for an allocation of 1,900 tons and allow the First Selectman to sign all necessary documents. – No action
  - B. Possible action to approve of a contract with LexisNexis and approve of the minimum service contract increase of \$50 and allow the First Selectman to sign all necessary documents. – No action
  - C. Review order agreement of Prism Printers – No action
    - A. Bisbikos will send the lease term expiration dates for various printers/copiers to the Board of Selectmen.
7. MOU Discussion

A. Possible action to approve of the MOU between the Town of Colchester and Middlesex Hospital regarding the Sixth Amendment being added to the Agreement

- R. Coyle made a motion to approve of the MOU between the Town of Colchester and Middlesex Hospital regarding the Sixth Amendment being added to the Agreement. 2<sup>nd</sup> by D. Turner.

***Motion carried unanimously 4-0***

8. Policy Discussion

A. Possible action to approve of the Sports League Reservation Policy

- R. Coyle made a motion to approve the changes to the Sports League Reservation Policy now entitled “Town of Colchester Athletic Facility Reservation Policy”. 2<sup>nd</sup> by J. LaChapelle. ***Motion carried unanimously 4-0***

B. Review of the Endowment Policies from other communities

- A. Bisbikos provided an overview of Endowment/Donation Policies provided by CCM. R. Coyle suggested that we ask Department Heads for existing Endowment/Donation Policies.’

C. Review of Matt Ritter’s Legal Opinion Language

- R. Coyle made a motion to use M. Ritter’s language in the bylaws amendment in contacting the town attorney in place of R. Coyle’s initial approved motion. 2<sup>nd</sup> by D. Turner. ***Motion carried unanimously 4-0***

D. Review of FOI Policy Proposal – No action

9. ARPA Discussion

A. Possible action to approve of the ARPA Municipal Community Survey – No action

B. ARPA Playbook Review, Updates, Next Steps

- A. Bisbikos provided an update on various municipal projects

9.1. Transfers

- R. Coyle recommended various items for the Board of Selectmen to have before reviewing and approving transfers.

10. Citizen’s Comments

- C. Russi spoke about endowments/donations. R. Silberman spoke about irrigation and policies. L. Pasternak spoke about donation policies. G. Transue spoke about budget and transfer documents being easily accessible to the public. D. Lambert spoke about the importance of collaboration between the Board of Selectmen and on the Charter. M. Rudko spoke accessing zoom links. D. Bouchard spoke about FOI policies. A. Day spoke about irrigation. K. Paquette spoke about citizens comments.

11. First Selectman’s Report

1. Congratulations to K-9 Dutch on joining the Colchester Police. Dutch will be paired with Officer Dominic Sullivan. We wish them both the best.
2. A Town Meeting on the Town Budget is scheduled for Monday, September 19th, at 6:30 pm at Town Hall in Meeting Room 1. The Town Budget referendum will be held on Wednesday, September 28th. If the budget passes, the new mill rate will be 26.83 mills.
3. Celebrate Colchester is this Saturday, September 17th and it will be held on the Town Green. The event will be held from 1 pm – 5 pm. There will be a dunk tank for the First Selectman.

The event will be funded entirely through sponsors and donations – and is not a line item in our budget. My promise to bring back a remixed version of 57 Fest will be delivered.

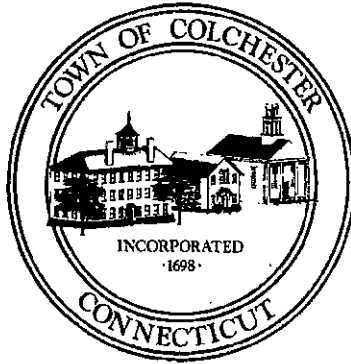
#### 12. Liaison Reports

- R. Coyle provided updates on Chatham Health and on the Senior Center Building Committee

13. Adjourn – D. Turner motioned to adjourn. 2<sup>nd</sup> by R. Coyle. Meeting adjourned at 8:48 pm.

Minutes submitted by F. Brown

**Code Administration**  
Building Official  
Fire Marshal  
Wetlands Enforcement



**Planning and Zoning**  
Planning Director  
Zoning Enforcement  
Town Engineer

September 14, 2022

To: Colchester Board of Selectmen

From: Salvatore A. Tassone P.E. – Town Engineer

A handwritten signature in black ink, appearing to read "Sal Tassone", is written over the printed name of the Town Engineer.

Re: Willow Land LLC Subdivision plan for Stanavage Road Lot 4A and Subdivision plan for Stanavage Road Lot 5A – owner, John Doran

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The owner of the two above referenced subdivisions has requested the release of his Subdivision Public Improvements maintenance bonds.

The Town is currently holding a surety bond number BC400821 for Lot 4A from Boston Indemnity Company Inc. in the amount of \$3,999.00 and a surety bond number BC400822 for lot 5A from Boston Indemnity Company Inc. in the amount of \$1,897.00.

As of September 14, 2022, these two public improvements maintenance bonds have been in place for more than the required 1 year period (in place since 9/15/2020) and all public improvements are in good condition.

**RECOMMENDED MOTION:**

Motion that the Town of Colchester release Boston Indemnity Company Inc. Subdivision Bond number BC400821 and Boston Indemnity Company Inc. Subdivision Bond number BC400822 as recommended by the Town Engineer.



## First Selectman

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**From:** Keith Albert <kalbert@prismoffice.com>  
**Sent:** Friday, September 16, 2022 9:51 AM  
**To:** First Selectman  
**Subject:** RE: Copier Lease

These will expire 9/2027.

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**From:** First Selectman <selectman@colchesterct.gov>  
**Sent:** Friday, September 16, 2022 9:46 AM  
**To:** Keith Albert <kalbert@prismoffice.com>  
**Subject:** RE: Copier Lease

Hi Keith,

The Board of Selectmen wanted to know when the lease expires for these new printer models:

- A) Planning
- B) Tax Assessor
- C) Senior Center
- D) Finance

Sincerely,

Andreas

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**From:** Keith Albert <kalbert@prismoffice.com>  
**Sent:** Thursday, June 30, 2022 2:38 PM  
**To:** First Selectman <selectman@colchesterct.gov>  
**Subject:** RE: Copier Lease

Hi Andreas,

Thanks for meeting this morning. I was able to get Toshiba to approve funds to give the Town of Colchester a check for the remaining payments of the 4 Ricoh machines listed on the spreadsheet below. Also below is a spreadsheet showing savings with the new units. The town will be saving \$142.45 per month and all the town copier equipment will be with 1 vendor. I have attached the order agreement and brochures for you to review. If you want to move forward, just scan over a signed packet and I will place the order. Let me know if you have any questions.

Model	Location	B&W AMV	Color AMV	B&W CPC Rate	Color CPC Rate	Monthly Service Cost	Monthly Lease Cost	Total Monthly Spend	Lease End	Remaini Payment
MP 6004EX	Planning	1,022	1061	\$ 0.0054	\$0.05	\$53.05	\$270.00	\$323.05	7/17/2023	\$ 1,
MP C2504EX	Tax Assessor	4,124	238	\$ 0.0054	\$0.05	\$34.17	\$138.50	\$172.67	12/21/2022	\$
MP C2504EX	Senior Center	1,126	667	\$ 0.0054	\$0.05	\$39.43	\$118.99	\$158.42	3/19/2024	\$ 2,
MP 6055	Finance	9,175		\$ 0.0070		\$64.22	\$101.48	\$165.70	7/17/2023	\$ 3,

Model	Location	B&W AMV	Color AMV	B&W CPC Rate	Color CPC Rate	Monthly Service Cost	Monthly Lease Cost	Total Monthly Spend
5015AC	Planning	1,022	1061	\$ 0.0036	\$ 0.036	\$41.88		\$41.88
3515AC	Tax Assessor	4,124	238	\$ 0.0036	\$ 0.036	\$23.41		\$23.41
3515AC	Senior Center	1,126	667	\$ 0.0036	\$ 0.036	\$28.07		\$28.07
4518A	Finance	9,175		\$ 0.0036	\$ 0.036	\$33.03		\$33.03
						<b>\$126.39</b>	<b>\$ 551.00</b>	<b>\$677.39</b>

Best regards,

Keith

Keith Albert

Director of Service

Prism Office Solutions

**(203) 654-3300 x115**



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**From:** First Selectman <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>  
**Sent:** Thursday, June 30, 2022 9:44 AM  
**To:** Keith Albert <[kalbert@prismoffice.com](mailto:kalbert@prismoffice.com)>  
**Subject:** RE: Copier Lease

I'm in the office.

**From:** Keith Albert <[kalbert@prismoffice.com](mailto:kalbert@prismoffice.com)>  
**Sent:** Thursday, June 30, 2022 9:13 AM  
**To:** First Selectman <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>  
**Subject:** Re: Copier Lease

Ok no problem. I will see you then.

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**From:** First Selectman <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>  
**Sent:** Thursday, June 30, 2022 9:12:35 AM  
**To:** Keith Albert <[kalbert@prismoffice.com](mailto:kalbert@prismoffice.com)>  
**Subject:** Re: Copier Lease

I apologize, something urgent came up. I will be in around 935

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**From:** Keith Albert <[kalbert@prismoffice.com](mailto:kalbert@prismoffice.com)>  
**Sent:** Thursday, June 30, 2022 9:09:25 AM  
**To:** First Selectman <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>  
**Subject:** Re: Copier Lease

Good Morning Andreas,

I was told you aren't in yet. Did you want to reschedule?

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**From:** First Selectman <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>  
**Sent:** Thursday, June 23, 2022 10:21:17 AM  
**To:** Keith Albert <[kalbert@prismoffice.com](mailto:kalbert@prismoffice.com)>  
**Subject:** RE: Copier Lease

Thursday, June 30<sup>th</sup> at 9 am it is

**From:** Keith Albert <[kalbert@prismoffice.com](mailto:kalbert@prismoffice.com)>  
**Sent:** Wednesday, June 22, 2022 8:31 PM  
**To:** First Selectman <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>  
**Subject:** Re: Copier Lease

Can we do Thursday at 9am?

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**From:** First Selectman <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>  
**Sent:** Wednesday, June 22, 2022 10:05:40 AM  
**To:** Keith Albert <[kalbert@prismoffice.com](mailto:kalbert@prismoffice.com)>  
**Subject:** RE: Copier Lease

Hi Keith,

Anytime between 9am – 4:30pm Wednesday or Thursday of next week will work for me. Please let me know what works!

Sincerely,

Andreas

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**From:** Keith Albert <[kalbert@prismoffice.com](mailto:kalbert@prismoffice.com)>  
**Sent:** Tuesday, June 21, 2022 3:31 PM  
**To:** First Selectman <[selectman@colchesterct.gov](mailto:selectman@colchesterct.gov)>  
**Subject:** Copier Lease

Good Afternoon Andreas,

Prism Office Solutions is the current copier vendor for the town. In 2021, the Town of Colchester switched the majority of the copiers to from Ricoh to Prism Office Solutions. This resulted in a huge savings for the Town. There are currently Ricoh copiers that have leases coming due where I can provide additional savings to the town. Would you have any availability to meet next week?

Best regards,  
Keith

Keith Albert  
Director of Service  
Prism Office Solutions  
(203) 654-3300 x115



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## First Selectman

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**From:** Lindsay Floyd <lindsayfloyd@gmail.com>  
**Sent:** Wednesday, September 28, 2022 10:15 AM  
**To:** First Selectman; William Hochholzer; Ellen Sharon; Denise Turner; Rosemary Coyle  
**Subject:** Resignation

Hello everyone,

For personal reasons, I will be effectively resigning from both the Open Space Committee and the Historic District Commission. I wish all of you the best of luck in your endeavors.

All my best,  
Lindsay Floyd

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## Commission Members-Reappointment

Kayla Fortier <kfortier@colchesterct.gov>

Fri 9/23/2022 1:56 PM

To: Franchesca Brown <fbrown@colchesterct.gov>; First Selectman <selectman@colchesterct.gov>

The following individuals would like to be reappointed for another term. Both have 3 year terms

**Falk Von Placheki**-Conservation Commission Term Expires 10.31.2022

**Leslie Curtis**-Ag Commission Term Expires 11.30.2022

Thank you

*Kayla Fortier*

Assistant Town Clerk

Town of Colchester

P: 860-537-7215

Email: kfortier@colchesterct.gov

## Mary Stevens-Open Space Commission

Kayla Fortier <kfortier@colchesterct.gov>

Thu 9/22/2022 3:47 PM

To: Franchesca Brown <fbrown@colchesterct.gov>

Cc: First Selectman <selectman@colchesterct.gov>; Gayle Furman <townclerk@colchesterct.gov>

Hello,

Mary Stevens reached out by phone and would like to be reappointed for another term on the Open Space Commission. Her term is due to expire on 10/1/2022. This commission has 3-year terms.

Can this please be added to the next BOS agenda to have her reappointed?

Thank you!

*Kayla Fortier*

Assistant Town Clerk

Town of Colchester

P: 860-537-7215

Email: kfortier@colchesterct.gov

*Kayla Fortier*

Assistant Town Clerk

Town of Colchester

P: 860-537-7215

Email: kfortier@colchesterct.gov



## First Selectman

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**From:** Tim Crowell <timcrowell382@gmail.com>  
**Sent:** Monday, September 19, 2022 6:12 AM  
**To:** First Selectman  
**Subject:** Jason LaChapelle

Hello my name is Tim Crowell and I would like to make a formal complaint against Jason. While I was out at a local business in town we ran into each other he asked are you tim crowell I said yes why he then proceeded to tell me that if I kept posting things on Facebook that it could be my job. I did take this as a threat and he was going to do something and ruin my life by getting me fired. I have not ever said anything to him for this unprovoked attack on me and I just want him to know this is unacceptable behavior from a board member. I am hoping that after you read this some kind of action will be taken against him. I am reaching out to my union representative to let him know that this happen and will wait to see what he thinks I should do next. Thank you for your time.

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SEIU Local 506



**MUNICIPAL EMPLOYEES UNION INDEPENDENT**

PO Box 1268  
Middletown, CT 06457

September 23, 2022

Dear First Selectmen Bisbikos,

I am regretfully sending this letter out of concern for my bargaining unit members. The Union has been informed that a member was approached about comments he made on Facebook by one of the Town of Colchester Selectmen. The member felt as if his personal opinions were being silenced and if he did not comply, his job was in jeopardy. This is highly inappropriate and needs to be addressed immediately.

Any postings made by Union members that are not privileged must be allowable. There have been many court cases on this subject and the Union demands our members have the right to comment on any issue that is not privileged. Any town citizen or official who does not agree with or like things being posted by Union members on Facebook are invited to unfriend the offending individual, or simply ignore the comment.

The most troubling aspect that needs attention is the implied or explicit threat to the job security of Union members. If anyone in Town, especially an elected official, has a complaint about a bargaining unit member, it should be brought to you and not addressed outside the guidelines set forth in the collective bargaining agreement between the parties. To be clear, any and all concerns about any employees job performance or viability to satisfactorily remain in a bargaining unit position should be addressed by the offending employees immediate supervisor and if necessary, yourself. It is not acceptable that anyone else be involved in a disciplinary process for a Union member or threaten such.

Thank you for promptly addressing this issue and ensuring it does not happen again.

Sincerely,

Theo Horesco

Union Representative

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**SEIU Local 506, AFL-CIO, CLC**

www.meui.org • 860-344-0311 phone • 860-344-8648 fax



## Formal request for an investigation into the complaint by Mr. Tim Crowell

Jason LaChapelle <jLaChapelle@colchesterct.gov>

Wed 9/28/2022 5:24 PM

To: Rosemary Coyle <rcoyle@colchesterct.gov>; Denise Turner <dturner@colchesterct.gov>; Deborah Bates <dBates@colchesterct.gov>; First Selectman <selectman@colchesterct.gov>

Dear Board of Selectmen:

On 9/19/2022 Mr. Tim Crowell wrote an email to the First Selectman that alleges that I, effectively, told him to stop making posts on Facebook or I would get him fired. Tim also notified the MEUI Local 506 union, which issued a statement that all but confirms the accusations against me by Tim. Not a single member from the MEUI Local 506 Union, or the First Selectman, or the Town's Attorney have reached out to me regarding the claims by Mr. Crowell.

The allegations against me are 100% false and without merit. I have not been given the chance to defend myself and prove the claims to be false.

This letter is a formal request for a complete and transparent investigation into the complaint by Mr. Crowell. As part of this investigation, I am requesting a hearing that is open to the public and attended by myself, the Board of Selectmen, a MEUI Local 506 union representative, and Mr. Crowell. As the accused in this matter I do not wish to hide this from public view. I am requesting that this investigation be conducted by an independent third party that has no ties to the Town of Colchester, Mr. Crowell, the MEUI Local 506 union, or First Selectman Andreas Bisbikos. I have proof that Andreas has forwarded this complaint to members of the press unsolicited. He has proven himself unable to be impartial and thus should not be part of the investigation.

I am also formally requesting to be provided the specific date, time, and local business where this alleged interaction occurred. I am requesting this information to be provided to me in a reasonable timeframe before the requested public hearing so that I may request surveillance footage in order to prove myself innocent. I have already requested this information from both Andreas and the union but neither have responded to my inquiry. I am also requesting to be informed of which Facebook post in particular Mr. Crowell believes would provoke me to go out of my way to approach him in public and threaten his job.

Should my request for a complete and transparent investigation, or my request for a public hearing, be denied I will have no choice but to retain legal counsel in order to protect my reputation and character.

Thank you,

Jason LaChapelle  
Board of Selectmen

Please include this letter as part of correspondence for the Board of Selectmen meeting on October 6th, 2022.

## First Selectman

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**From:** Steven Farrelly <steve@drvninc.com>  
**Sent:** Friday, September 16, 2022 1:19 PM  
**To:** First Selectman  
**Subject:** Treated Road Salt Contract 2022-2023 Season

Dear Selectman Bisbikos,

This email enforces that DRVN estimate # 1715 dated 8/4/2022 for Treated Road Salt provided to the Town Of Colchester will constitute a contract once signed by a legal representative of the Town. We use this format with many of our customers including other municipalities . Please feel free to call with any further questions you may have.

Regards,

Steve Farrelly  
DRVN Enterprises, Inc.  
President  
(860) 989-8081



**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.

## John Jones

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**From:** Steven Farrelly <steve@drvninc.com>  
**Sent:** Thursday, August 4, 2022 3:35 PM  
**To:** John Jones  
**Subject:** Treated salt quote  
**Attachments:** TOWN OF COLCHESTER 2022-2023 TREATED ROAD SALT CONTRACT.pdf

John,

Please see the attached quote for your review and signature . Please feel free to call with any questions you may have.

Thank you,

Steve Farrelly  
DRVN Enterprises, Inc.  
President  
(860) 989-8081



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DRVN Enterprises Inc.  
 969 Cloverdale Circle  
 Wethersfield, CT 06109



# Estimate

Date	Estimate #
8/4/2022	1715

Name / Address
Town of Colchester Accounting Department 127 Norwich Ave. Suite 203 Colchester, CT 06415


Date	Activity	Qty	Rate	Amount
8/4/22	WINTER SEASON 2022-2023 TREATED SALT PER TON DELIVERED  DRVN WILL NOT LIMIT THE TONNAGE REQUESTED BY THE MUNICIPALITY STATED ON THIS ESTIMATE IF MORE IS REQUIRED	1,900	107.95	205,105.00

**Total** \$205,105.00

This estimate will only be enforced as a contract when signed by a legal representative of DRVN Enterprises Inc. and the prospective customer named on the estimate.

Thank you,  
 Steve Farrelly

Accepted By & Accepted Date

Colchester Hayward Fire Department.	<b>100 Administration</b>	<b>Codification: 100-315</b>
	Date Issued: TBD	
<b>Policy</b>	Last Revised:	
Chief: Chief Steve Hoffmann Author: Chief Steve Hoffmann 	Subject: Use of Department Take Home Vehicles	

**I. SCOPE**

The purpose of this policy is to establish the procedures for the off-duty use of department take home vehicles. The use of take home vehicles is an essential component of the department’s ability for Executive Command Staff and the Fire Marshal to facilitate a quicker response to emergency incidents or for other legitimate department needs.

**II. DEFINITIONS**

Definitions related to this policy include:

**Take-home vehicle** - A vehicle owned by the Department that is authorized for commuting between work and home and/or off-duty use. Department vehicles secured at a location other than the member’s assigned work location for the purpose of reducing a member’s response time shall also be considered take-home vehicles.

**III. POLICY**

The Department provides vehicles for official business use and may assign take-home vehicles based on its determination of operational efficiency, economic impact to the Department, emergency and investigative responses, and other considerations.


- **Emergency response**- A member’s assignment requires immediate response during off duty hours to other than the member’s normal work location to handle an emergency incidents.
- **Investigative response**- A member’s assignment requires timely response during off duty hours to other than the member’s normal work location to handle a fire investigation.

**IV. PROCEDURE**

Department members authorized to use take-home vehicles must adhere to the following guidelines:

- (a) Vehicles shall only be used for official business and, when approved, for commuting to allow members to respond to department-related business and respond to emergency incidents outside their regular work hours.
- (b) Members authorized to use take-home vehicles are to monitor the radio whenever they are operating the vehicle. They are to make appropriate notification or take appropriate action on any fire-related or ems-related matter that may come to their attention via the radio or through personal observation.
- (c) Department members are prohibited from driving Department vehicles any time their driving ability may be impaired by prescription or non-prescription drugs or alcoholic beverages.
- (d) Department members shall not relinquish control of, nor allow any person to operate, department vehicles if that person is not a member of the Department, or a town employee except in the case of an emergency where the member is unable to drive him/herself.



Colchester Hayward Fire Department.	<b>100 Administration</b>	<b>Codification: 100-315</b>
	Date Issued: TBD	
<b>Policy</b>	Last Revised:	
Chief: <b>Chief Steve Hoffmann</b>  Author: Chief Steve Hoffmann	Subject: Use of Department Take Home Vehicles	

- (e) The Fire Chief, Deputy Fire Chief and Fire Marshal will be assigned take home vehicles. The assignment of these vehicles may be amended by the Fire Chief based on the needs of the fire department.

## V. ASSIGNED VEHICLE AGREEMENT

Members who have been assigned a take-home vehicle may use the vehicle to commute to their workplace and for department-related business. The member must be approved for an assigned vehicle by the Fire Chief and shall sign an agreement that includes the following criteria:

- (a) The member must live within a 20-minute commute of his/her regularly assigned work location (based on average traffic flow). A longer response time may be allowed based on special assignment of the member.
- (b) Except as may be provided by a collective bargaining agreement, time spent during normal commuting is not compensable.
- (c) Member take home vehicles may be used for travel to and from community service functions, training sites, conferences, seminars, etc when such are in line with the fire department needs.
- (d) Vehicles shall be locked when not attended.
- (e) No person shall smoke in any department vehicle.
- (f) All department identification, portable radios and equipment should be secured or removed from the vehicle.
- (g) The member shall at all times exercise good judgment in using assigned vehicles. Vehicles shall not be operated in such a manner that will cause unfavorable comment or reflect discredit upon the Department. Misuse of individually assigned vehicles may result in disciplinary action.
- (h) Members shall be responsible washing their take home vehicle on a regular basis to ensure professional representation.
- (j) Members shall be given a copy of the Use of Department Take Home Vehicle Policy. Members shall also sign an agreement to the policy's requirements and expectations.

The assignment of vehicles is at the discretion of the Fire Chief. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

## VI. VEHICLES SUBJECT TO INSPECTION

All department-owned vehicles are subject to inspection and/or search at any time by a supervisor. No member assigned to or operating such a vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

## VII. ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions or deletions of any equipment or accessories shall be made to department vehicles without written permission from the Fire Chief.

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE TOWN OF COLCHESTER  
AND  
COLCHESTER MUNICIPAL EMPLOYEES UNION INDEPENDENT (MEUI), LOCAL  
506, SEIU, AFL-CIO, CLC (PUBLIC WORKS UNION)**

The Town of Colchester and the Colchester Public Works Union hereby agree to the following Temporary Light Duty Policy:

**Temporary Light Duty**

(a) Purpose: It is the purpose of this policy to establish the Colchester Department of Public Works Department (“Department”) policy regarding temporary light-duty assignments and the rules and procedures for granting temporary light-duty to eligible employees.

(b) Policy: Temporary light-duty assignments, when available as determined by the Town in its sole discretion, are for eligible employees who, because of injury, illness or disability, are temporarily unable to perform their regular assignments, but who are capable of performing temporary light duty assignments. Temporary light-duty assignments, when available, will only be provided when there is a reasonable expectation that the employee will be able to return to work at full capability within a reasonable amount of time. Nothing in this policy is intended to supplant the provisions of applicable state and/or federal law. If any provision conflicts with the Connecticut Workers’ Compensation Act, the provisions of that Act are controlling.

(c) Definitions:

1. Eligible Personnel, for purposes of this policy shall mean:

i. Any full-time employee of the Department suffering from non-work related medically certified illness, injury or temporary disability requiring treatment by a licensed health-care provider and who, because of injury, illness or disability, is temporarily unable to perform the regular assignment, but is capable of performing temporary light duty assignments.

ii. Any full-time employee of the Department suffering from a work-related illness, or injury, as certified by a professional included on the list of approved physicians, surgeons, podiatrists, optometrists and dentists developed by the Workers Compensation Commission pursuant to Reg. Conn. State Agencies § 31-280-1 and who, because of the employee’s work-related injury or illness, is temporarily unable to perform their regular assignment but is capable of performing a temporary light duty assignment.

2. Licensed Health Care Provider: An individual licensed to practice within the scope of their authorized practice by the state in which the individual practices, including but not limited to doctors, psychiatrists, psychologists, nurses and physical/occupational therapists.

(d) Procedures

I. General Provisions:

i. The Town reserves the right to assign or modify temporary light duty assignments at any time if deemed in the best interest of the employee, Town and the Department.

ii. This policy in no way affects the rights of employees under provisions of the Family and Medical Leave Act, Americans with Disabilities Act, the Connecticut Workers' Compensation Act, Connecticut Fair Employment Practices Act, or other federal or state law.

iii. Assignment to temporary light-duty shall not affect an eligible employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits. Employees on temporary light-duty status will be considered full time active members of the Department.

iv. No specific position within the Department shall be established for use as a temporary light-duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on temporary light-duty.

v. Temporary light-duty assignments are limited in number and variety, are strictly temporary and normally should not exceed three (3) months in duration. After three (3) months, employees on temporary light-duty who are not capable of returning to their original duty assignment shall:

a. Present a request for an extension of temporary light-duty, with supporting medical documentation, to the Public Works Director who shall review the request and evaluate it based on the extent/potential duration of the injury, the opportunity for additional temporary light duty and Department operations; or

b. If unable to obtain additional temporary light duty, the employee may utilize any remaining paid sick time and shall pursue other options as provided by employment provisions of this Department or federal or state law.

c. Once an employee has reached maximum recovery, the employee must either return to full duty status if medically able to do so or if unable to do that, because of their injury or illness, they must explore alternatives pursuant to the Collective Bargaining Agreement that may include retirement, resignation or termination.

vi. Eligible employees on temporary light-duty are prohibited from engaging in outside employment in which they may reasonably be expected to perform job functions for which they have been determined unable to perform on behalf of this Department and that form the basis for their temporary light-duty assignment.

vii. Employees who have a work-related injury or illness may not refuse temporary light-duty assignments that are supported by and consistent with the recommendations of an

attending physician or licensed health-care provider. Employees who have a non-work-related injury or illness have the option to use sick leave (and not work temporary light duty) or a combination of sick leave and temporary light duty.

viii. Employees requesting temporary light-duty assignments for non-work-related illnesses or injuries must present a certification from a Licensed Health Care Provider that the employees' illness or injury is expected to cause the employee to be unable to perform their regular assignments for a period of at least fourteen (14) consecutive calendar days.

## 2. Nature of Temporary Light-Duty Assignments:

i. Temporary light-duty assignments may be drawn from a range of functions that include, but are not limited to the following, depending on the nature of the employee's limitations:

- Administrative functions (e.g. special projects, data entry, research, etc.)
- Site maintenance, minor repair work and hazard identification
- Equipment inspections and maintenance
- Cross training other workers

ii. In determining the employee's light duty assignment, the Public Works Director may seek input from employees, supervisors, and the Union, however the Public Works Director has the sole and absolute discretion in determining what these assignments will be, provided assigned duties are consistent with those regularly performed by Department personnel and within the employee's skills and abilities.

iii. Decisions on temporary light-duty assignments shall be made based upon the availability of an appropriate assignment given the eligible employee's knowledge, skills and abilities; availability of temporary light-duty assignments and light duty work, and the medical limitations imposed on the eligible employee.

iv. Temporary light-duty assignments will not be drawn from bargaining unit work of other bargaining units.

v. Reasonable effort shall be made to assign eligible employees to positions consistent with their grade and pay classification. However, personnel may be assigned to positions designated for personnel of lower grade or pay classification. Eligible officers thus assigned:

a. shall answer to the supervisor of the unit to which they are assigned with regard to work responsibilities and performance

### 3. Procedure for Requesting Temporary Light-Duty Assignment:

i. Eligible employees who have a work-related injury or illness may be required by the Department to work a temporary light-duty assignment consistent with the provisions of the Connecticut Workers' Compensation Act and/or its accompanying regulations. The Department retains all rights provided to it under that Act and its accompanying regulations and conforms its procedures for providing light-duty to employees with work-related injuries to the rules established by the Act and its regulations.

ii. Eligible employees who have a non-work-related injury, illness or medical condition may request temporary light-duty assignments. Requests should be submitted in writing to the Director of Public Works. Requests must be accompanied by a statement of medical certification to support a requested temporary light-duty assignment, which must be signed by a Licensed Health Care Provider. The certificate must include an assessment of the nature and probable duration of the illness, injury or medical circumstance, prognosis for recovery and nature of work restrictions.

iii. As a condition of continued assignment to temporary light-duty, eligible employees may be required to submit to monthly physical assessments of their condition as specified by the Director of Public Works or designee.

4. Notwithstanding any other provisions of this Policy, the Department, including but not limited to the Director of Public Works, may not discriminate in regard to any request or assignment to temporary light-duty as between employees with a work-related injury or illness and officers with non-work-related injury, illness or medical condition.

5. The Town may elect to end individual light duty assignments and light duty as a whole at any time in the event that the Town deems it in the best interests of the Department and the Town.

6. Decisions relating to the implementation of this light duty policy shall not be subject to the grievance procedure.

7. The execution of this Agreement shall not be construed as precedent or practice regarding any aspect of the bargaining relationship between the Parties or regarding any aspect of the interpretation of the provisions of the collective bargaining agreement between the Parties, except as that relationship and/or collective bargaining agreement are expressly modified by this Agreement.

Town of Colchester

MEUI

\_\_\_\_\_  
Andreas Bisbikos, First Selectman

\_\_\_\_\_  
\_\_\_\_\_, President

**RE: Policy motion**

Hennick, Thomas A <Thomas.Hennick@ct.gov>

Mon 9/19/2022 9:45 AM

To: First Selectman <selectman@colchesterct.gov>

Good morning Andreas,

While I can't give you any kind of official ruling on this policy, it certainly seems as if there's nothing in it that runs afoul of the law. Many towns keep FOI logs and make them available to the public, especially in times when the number of requests seems to be on the rise. Many towns also designate someone in town hall to be a "coordinator" for requests. As long as the funneling of requests through one entity doesn't slow the process, there is no issue with that structure. All requests should initially still go through the department that has the records. I will say that I have not seen too many policies requiring a monthly "FOI report." There is nothing improper about that idea though.

Hope this helps,

Tom

**From:** First Selectman <selectman@colchesterct.gov>

**Sent:** Monday, September 19, 2022 9:33 AM

**To:** Hennick, Thomas A <Thomas.Hennick@ct.gov>

**Subject:** FW: Policy motion

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Tom,

Please review the following proposal. Is this FOI format acceptable for a town to follow? Do other towns conduct business similarly, especially when it comes to FOI logs at their Board of Selectmen meetings? Do you have any suggestions on how this should be applied?

Sincerely,

Andreas

**From:** Jason LaChapelle <jLaChapelle@colchesterct.gov>

**Sent:** Thursday, September 15, 2022 6:00 PM

**To:** First Selectman <selectman@colchesterct.gov>

**Cc:** Rosemary Coyle <rcoyle@colchesterct.gov>; Deborah Bates <dBates@colchesterct.gov>; Denise Turner <dturner@colchesterct.gov>

**Subject:** Policy motion

Per the request at our previous meeting to see policy suggestions ahead of time, I am forwarding a policy I plan to motion to adopt at tonight's meeting.

I move the Board of Selectmen establish the following policy, and that it be added to our bylaws as Section 7 titled "Freedom of Information Requests", with Section 7 becoming Section 8 and Section 8 becoming Section 9.

The office of the First Selectman shall maintain an electronic Freedom of Information (FOI) log that is accessible to the public at their request. This log shall contain the following information:

- The date the request was received
- The name of the citizen making the request
- What the citizen has requested
- The date the request was acknowledged
- The date the request was fulfilled
- # of days to complete request

The FOI log shall be presented to the Board of Selectmen (BOS) during their second regularly scheduled meeting of each month. If, for whatever reason, the second regularly scheduled BOS meeting does not take place then the FOI log shall be provided to the board electronically on or before the third Thursday of each month.

The First Selectman's executive assistant shall act as the FOI coordinator, per the position's job description. They will be the point person for all electronic and in-person FOI requests to the First Selectman's office.

Every town employee shall act in accordance with all applicable state and federal Freedom of Information laws.

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