

**BOARD OF SELECTMEN
SPECIAL MEETING MINUTES
June 18, 2024**

Present: Ryan Curley-First Selectman, John Dillon, Michael Hernandez, Shaun Manning, Michael Pelton, James Tripp

Absent: Robert Hetrick

Others Present: Ryan O’Halpin (Dir. Of Public Works)

1. First Selectman Call Special Meeting to Order

First Selectman Ryan Curley called the Special Meeting to order at 7:35 p.m. in the Portland High School Media Center located at 95 High Street, Portland, Connecticut.

2. Resolution Recommending an Appropriation and Bond Authorization for the Renovation and Expansion of Valley View Elementary School into a Pre-K-Grade 5 School

Ryan gave some history of what has transpired and how we got to where we are now. There were a number of options and each one had a price tag. Valley View was the most affordable option. To get the feedback of most of the voters, it must be on a referendum vote on the November ballot.

John Dillon said he struggled with it for months. He doesn’t necessarily think it is the best option but based on the discussion, the survey and the committee results, this is not a slam dunk. It is difficult; it is not appropriate for him to say that this is what we should do. It should go to the voters. He believes at this point, we have to be educated. His fear is that people aren’t going to educate themselves on the question and won’t be knowledgeable of the issues. There is a cost decision to be made. He told how the taxes will be affected. At the next BOS meeting, he will propose that a financial document be developed showing where we are with the town and what we have to do with financial needs now and into the future, i.e., the wells, Brainerd Place, and possibly the need of a new firetruck to service the tall buildings. All the public should understand all aspects before voting. They need to understand the financial circumstances.

Shaun Manning said it has to make sense to everyone in the town. At the last meeting, he was quite upset because he doesn’t think people are educated as to what this will mean. His concern is that the November referendum vote will pass and then about two years later, we will have to ask the voters for millions more. He delineated some of the needs of the town with the infrastructure, sewers, etc. That leaves him skeptical. He personally doesn’t see enough transparency in this to give the voters the proper knowledge to make an intelligent decision in November. He was hoping for more than 1,000 people responding tonight. That’s where he is tonight.

John Dillon said when the survey results were in, he flipped to the page to see what people chose. What comes with a survey is a host of data and what continues to ring in my head is that 82% of the people want to know what we are going to do with this and Gildersleeve before going to the polls. If we do not figure out a way to utilize those buildings and at least make them net zero, the costs they are talking about will not be there if the taxpayers decide they want the school but not get rid of the two schools. To get rid of the schools with the hazardous waste, etc., is an expensive choice too. It is a difficult choice.

Shaun said with every action, there is a reaction. If the town can't do something with the two decommissioned schools, the savings Charles has talked about will go out the window. One good thing is that we have some time. Shaun and John would like to put together a primer with good information as to what the expenses will be for all the projects and what it will mean for additional taxes for the taxpayer. Just like your own house, as a town we have to plan for upcoming things that will have to be done and will be expensive.

Michael Pelton said everything he heard enforces the fact that we should put it to the voters. People are listening. Given that, this is a huge project that can change the town for the better. Because it is so mixed, and a deep amount of passion, everyone needs to know more; what will this mean for a homeowner? It's a huge project that can change the nature of the town. It isn't clear enough for him to advocate on either side. We should have a good old-fashioned debate. He wants to move this forward to give the voters a right to say yes or no. This will give each person an opportunity to advocate their position. There are real stakes in this so the more we educate ourselves, the better prepared we will be to make the right decision.

Jim Tripp said with the public comments and the comments from the BOS, it is a 50/50 issue. He tends to agree with the first option to keep the schools open. We need to operate more efficiently. The long-term impact on students, if we don't change the model, is how will we have the money. Whether we close one or two, he sees pros and cons in both. He looked at the cost, having served on BOE, and he sees the clear benefits to teachers, and what gets lost when kids move from one facility to another. He sees benefits to students; the savings is in efficiencies and closing properties. We need to come up with a good plan. He laments the fact that we are getting started later than we should have. Another concern is what happens with inflation in the coming years if we don't get on this cycle. Everything will get more expensive if we wait a year or two. With no referendum question, how will we get the information out to the taxpayers. He supports it going to a referendum.

Michael Hernandez feels strongly that we fix what we have. It would be a lot cheaper for the taxpayers. He doesn't see the logistics of it working very well. He told of his experience as a child when the class had to hide under their desks during a state shooting and how scared everyone was. Because of that, he doesn't like the idea of having all the kids in one place for security. He will probably vote against it.

Ryan Curley said you can't have an either/or question. You would have to have two questions. It is our duty to do what the town people want. There is no easy answer on this. Jim Tripp said it is important that if we want to add a second question that we could do it.

Michael Pelton read the resolution and made a motion, seconded by John Dillon, to approve the resolution recommending an appropriation and bond authorization for the renovation and expansion of Valley View Elementary School into a Pre-K-Grade 5 School.

VOTE:

AYE: Ryan Curley, John Dillon, Michael Pelton, James Tripp

NAY: Shaun Manning, Michael Hernandez

Abstain: none

Motion carried.

RESOLUTION RECOMMENDING AN APPROPRIATION AND BOND AUTHORIZATION FOR THE RENOVATION AND EXPANSION OF VALLEY VIEW ELEMENTARY SCHOOL INTO A PRE-K-GRADE 5 SCHOOL

RESOLVED, that the Board of Selectmen recommends that the Town of Portland (the "Town") appropriate \$68,000,000 for costs related to the renovation and expansion of Valley View Elementary School into a pre-K-Grade 5 school (the "Project"). The appropriation may be expended for site improvements, design, construction, renovation and installation costs, engineering and professional fees, inspection, evaluation and surveying costs, materials, equipment, furniture, purchase costs, legal fees, financing costs, interest expense on temporary borrowings, and other costs related to the Project. The appropriation shall include any federal, state or other grants-in-aid received for the Project. The Board of Selectmen or, a building committee, if established, is authorized to determine the particulars of the Project. The Board of Selectmen may reduce or modify the scope of the Project and the entire appropriation may be expended on the Project as so reduced or modified.

FURTHER RESOLVED, that the Board of Selectmen recommends that the Town finance the appropriation by issuing the Town's bonds or notes in an amount not to exceed \$68,000,000, or so much thereof as may be necessary after deducting grants to be received for the Project.

FURTHER RESOLVED, that the Board of Selectmen hereby refers the Project to the Planning and Zoning Commission for approval in accordance with Connecticut General Statutes Section 8-24.

3. Resolution to call a Special Town Meeting and Referendum Vote: Set Special Town Meeting Date (June 26th at 6:30 PM)

Michael Pelton read the resolution and made a motion, seconded by Jim Tripp, to approve the resolution to call a special town meeting on June 26th at 6:30 p.m. and referendum vote, all were in favor, motion carried.

RESOLUTION TO CALL A SPECIAL TOWN MEETING AND REFERENDUM VOTE

WHEREAS, following a public hearing held on June 18, 2024, the Board of Selectmen has recommended that the Town of Portland (the "Town") appropriate \$68,000,000 for costs related to the renovation and expansion of Valley View Elementary School into a pre-K-Grade 5 school (the "Project") and finance the appropriation by issuing the Town's bonds or notes in an amount not to exceed \$68,000,000, or so much thereof as may be necessary after deducting grants to be received for the Project.

BE IT RESOLVED, that the attached detailed appropriation and bonding resolution for the Project (the "Resolution") is hereby approved and shall be submitted to a Special Town Meeting to be held on Wednesday, June 26, 2024 in accordance with the attached Warning of Special Town Meeting, which is also hereby approved. A copy of the full text of the Resolution shall be available for public inspection at the Town Clerk's Office.

FURTHER RESOLVED, that pursuant to Section 7-7 of the Connecticut General Statutes and Section 1204 of the Town Charter, the Board of Selectmen hereby submits the Resolution to a referendum vote on the voting tabulators or the paper ballot for approval or disapproval by the voters of the Town in conjunction with the general election to be held on Tuesday, November 5, 2024 between the hours of 6:00 A.M. and 8:00 P.M. (E.S.T.).

FURTHER RESOLVED, that the Resolution shall be placed upon the voting tabulators or the paper ballot under the following heading:

“SHALL THE TOWN OF PORTLAND APPROPRIATE \$68,000,000 FOR THE RENOVATION AND EXPANSION OF VALLEY VIEW ELEMENTARY SCHOOL INTO A PRE-K-GRADE 5 SCHOOL AND AUTHORIZE THE ISSUANCE OF BONDS OR NOTES OF THE TOWN IN AN AMOUNT NOT TO EXCEED \$68,000,000 TO FINANCE THE APPROPRIATION, OR SO MUCH AS MAY BE NECESSARY AFTER DEDUCTING GRANTS TO BE RECEIVED FOR THE PROJECT?”

YES NO

Voters approving said Resolution will vote "Yes" and those opposing said Resolution will vote "No".

Voters qualified to vote who are not electors shall vote at the Portland Middle School, 93 High Street, Portland, Connecticut in accordance with the procedures contained in Section 9-369d of the Connecticut General Statutes, which procedures the Town hereby chooses to apply. Absentee ballots will be available in the Town Clerk's Office.

FURTHER RESOLVED, that the Town Clerk is authorized to prepare a concise, explanatory text of the Resolution which has been submitted to a referendum vote on the voting tabulators of the Town. Subject to the approval of the Town Attorney, the Board of Selectman authorizes the First Selectman to prepare and print explanatory materials regarding this resolution, such explanatory text and explanatory materials to be prepared in accordance with Connecticut General Statutes Section 9-369b.

4. Resolution Transfer of Funds Authorization – Board of Education System Wide BOE Capital

Ryan explained about the oil tanks being removed and that it was completed under budget. The BOE asked that the funds be transferred for an upgrade for HVAC improvements.

Jim Tripp read the resolution and made a motion, seconded by John Dillon, to accept the resolution Transfer of Funds Authorization-Board of Education System Wide BOE Capital. Vote unanimous, motion carried.

TRANSFER OF FUNDS AUTHORIZATION – BOARD OF EDUCATION SYSTEM WIDE BOE CAPITAL

WHEREAS, continual needs exist to make HVAC upgrades in the district system wide; and

WHEREAS, the underground oil tank removal projects at Valley View, Gildersleeve and Brownstone Intermediate Schools were successfully completed under the amount budgeted by \$42,805; and

WHEREAS, the \$42,805 can assist to fund in part some of the needed HVAC upgrades; and

WHEREAS, in account # 08-141-000-89010 Board of Education – System Wide, \$42,805 remains from the project Oil Tank Removal/Replacement – System Wide; and

WHEREAS, Board of Education – System Wide BOE – HVAC Upgrades would benefit from \$42,805 to make continual progress on projects.

NOW, THEREFORE, BE IT RESOLVED that the Board of Selectmen of the Town of Portland, hereby approves the transfer of \$42,805 to “HVAC Upgrades” from “Oil Tank Removal/Replacement,” all with in account # 08-141-000-89010 Board of Education – System Wide BOE.

5. Water Project Update

Ryan O’Halpin gave an update of the positive things that are taking place with the water sewer project. He met with the Dept. of Public Health on June 10th in response to our application. They gave the okay to move forward using the water source contract from the RFP and RFQ that was done in 2021 and 2022. This would allow us to do an amendment with GZA this upcoming year. It will need to be approved by the Dept. of Public Health before moving to the next stage but keeps us eligible for future funding. He continued to explain details of the process. Ryan Curley said this will result with another question on the ballot in November. He thanked Ryan O’Halpin for all his hard work.

6. Resolution Authorizing The Fixing of Real Property Assessments (Third Amendment: BRT DiMarco)

Ryan Curley said P&ZC denied the last text amendment. Dan Bertram is here and he submitted a new proposal. This proposal requires a change to the regulations. Ryan told what the changes would be. It alleviates concern regarding school children for the additional apartments and alleviates concern about traffic. This nearly doubles the commercial space. It extends the timeline to March 14, 2025. This grants additional time

to the developer to complete Phase I. This is a stop gap to allow for the project to take place. Ryan went through the changes in the amendment.

Shaun Manning read the resolution and made a motion, seconded by Michael Pelton, to accept the third amendment to the Fixed Tax Assessment Agreement with BRT DiMarco. Vote unanimous, motion carried.

RESOLUTION AUTHORIZING THE FIXING OF REAL PROPERTY ASSESSMENTS

BE IT RESOLVED, that the Board of Selectmen hereby approves the third amended and restated Fixed Assessment Agreement dated June 18, 2024 (originally approved March 15, 2017, amended October 14, 2021, amended March 22, 2022) between the Town of Portland and BRT DiMarco, PTP, LLC, and authorizes Ryan J. Curley, the First Selectman, to sign the fixed assessment agreement on the Town's behalf.

7. Public Comment

Ben Srb regarding the DiMarco resolution, commented that once DiMarco is found in default, you can't amend it. He doesn't think the BOS understands some of the ramifications and hopes that Bertram will still fund one of the buildings that he is going to use for his own project. Ben is upset that he just received this at 7:00 o'clock that night when he requested it a while ago. There are multiple issues in it.

Michael Hernandez asked about Jobs Pond and the testing of the water at the YMCA camp. Ryan explained that the testing is done at the swimming area on a biweekly basis and the results are shared. We want to make sure we're not pumping contaminated water and that it is going into the river. The testing levels have been very good. Any parent who is concerned should reach out to the camp because they have all of the data.

8. Request of Refund of Excess Tax Payment:

Shaun Manning made a motion, seconded by Michael Pelton, to approve Corelogic for a refund of excess tax payment in the amount of [\$2,137.94]. Vote unanimous, motion carried.

9. Adjourn Special Meeting

A motion was made by Shaun Manning to adjourn the meeting, seconded by Michael Pelton, all were in favor and the meeting was adjourned at 8:44 PM.

Respectfully submitted,

Sharon Hoy

Sharon Hoy, Board Clerk