

Board of Selectmen Meeting  
Grange Hall  
May 7, 2014  
Regular Meeting Minutes

Selectmen Present: E. Lyman, E. Malavasi Absent: M. Walter  
Also Present: R. Dill; E. Blaschik; M. Malavasi; C. Mansfield; C. Varricchio; L. Stuhlman; P. Stuhlman; P. Lacy; L. Zemienieski

1. Selectman Lyman called the Board of Selectmen's meeting to order at 7:00 p.m. and the attendees said the Pledge of Allegiance.
2. Approval of Agenda: Motion made by Mr. Lyman, seconded by Mr. Malavasi, to approve the agenda as written. Mr. Malavasi noted that he had received the background materials only shortly before the meeting and, since he had not had time to review them, he would not feel comfortable voting on a number of agenda items. Unanimous aye.
3. Approval of Minutes: Special Meeting of April 7, 2014, Special Meeting of April 22, 2014, Special Meeting of April 28, 2014 and Special Meeting of April 29, 2014.

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to approve the minutes of the Special Meeting of April 7, 2014 as written. Unanimous aye.

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to approve the minutes of the Special Meeting of April 22, 2014 as written. Unanimous aye.

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to approve the minutes of the Special Meeting of April 28, 2014 as written. Unanimous aye.

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to approve the minutes of the Special Meeting of April 29, 2014 as written. Unanimous aye.

4. Correspondence:
  - A. Board of Assessment Appeals – Spring 2014 Final Report: Mr. Lyman referred to the Spring Final Report received from the Board of Assessment Appeals April 11, 2014. Mr. Blaschik confirmed that the correspondence contained the results of the Board's decisions on the most recent list of appeals they had considered and noted that the Grand List had been reduced by \$241,770.00.
  - B. Letter from BOE Regarding Connecticut Public Act 13-60: Mr. Lyman also noted that the Town had received correspondence from the Board of Education dated May 6, 2014, regarding Connecticut Public Act 13-60; an Act Concerning the Consolidation of Non-Educational Services-Line Item Transfers-Written Explanation to Municipal Authority.
5. First Selectmen's Report: Mr. Lyman noted that a Connecticut Department of Transportation employee was removing directional signs posted by several of the businesses. He stated that the employee informed him that he will continue to remove the signs until he received

different instructions from his supervisor. Mr. Lyman advised that he will follow up and try to resolve the issue.

6. Citizen's Concerns: Mr. Pat Lacy asked about the status of his proposal to adopt a resolution to protect Moodus residents against Section 1021 of the NDAA. Mr. Lyman confirmed that he had been delegated the task of researching the recommendation and that he has been reviewing the materials on the subject.

Mr. Mansfield responded to a question raised by Ms. Malavasi regarding one of the proposed revisions to the charges related to the Emergency Services and Building Advisory group. Ms. Malavasi expressed her concern about the charge singling out one committee for cooperation with the Building Advisory group and noted that it is her expectation that all of the Town committees would cooperate with the Building Advisory group.

In response to Ms. Malavasi's request for an update on the status of the Advisory Groups, Mr. Lyman advised the Selectmen had not yet had any in-depth discussions about future direction for the groups.

In response to a question from Mr. Randy Dill, Mr. Lyman confirmed that the Wocl Road agenda item would be tabled for this meeting. Mr. Dill stated that he did not feel the Town should incur the cost to remedy the situation; he felt it should be the landowner's responsibility.

7. Unfinished Business:
  - A. Tax and Business Incentive Program Applications: This item was tabled until the next meeting.
  - B. Blight Ordinance Discussion: This item was tabled until the next meeting.
  - C. Wocl Road Discussion: This item was tabled until the next meeting.
  - D. Scoville Landing Emergency Right of Way: This item was tabled until the next meeting.
  - E. A.P. Gates Road/Warner Road Drainage Discussion: This item was tabled until the next meeting.
8. New Business
  - A. Resolution for Authorization for the Issuance of Refunding Bonds: Ms. Varricchio advised that the Town's financial adviser had informed her that several of the Town's bonds are too new to refinance; however, there is an opportunity to do an advanced refunding. She explained how the transaction would work and noted the projected savings on the debt being considered is \$205-265,000.00. She further stated that she has been working with the Board of Finance on this project and that Mr. Walter was up-to-speed on and supported the proposal. She responded to several questions raised by Mr. Malavasi.

Motion made by Mr. Malavasi, seconded by Mr. Lyman, to adopt the following resolution:

WHEREAS, Section 7-370c of the Connecticut General Statutes provides authority for any municipality to issue refunding bonds for the payment, funding or refunding of bonds, notes or other obligations previously issued; and

WHEREAS, Section 7-370c provides that such refunding bonds shall be authorized and issued by resolution of the legislative body of the municipality; and

WHEREAS, the Town of East Haddam, Connecticut (the "Town"), desires to refund all or any portion of any one or more series of the Town's outstanding general obligation bonds (the "Prior Bonds").

NOW THEREFORE, BE IT RESOLVED,

(1) That the Town issue its general obligation bonds in the aggregate principal amount of up to \$11,000,000 (the "Bonds") to refund certain of the Prior Bonds and to finance such additional amounts as are needed to pay all fees, costs, expenses and redemption premium, if any, in connection with the refunding of the Prior Bonds and the authorization, issuance and sale of the Bonds, including, but not limited to, legal, advisory, printing and administrative expenses, underwriter's discount, and expenses in connection with credit enhancement, if necessary, and the proceeds of the Bonds be appropriated for the foregoing purposes; provided, however, that the refunding of the Prior Bonds provides a net debt service savings to the Town and that the amount of the Bonds issued does not exceed the amount needed to refund the Prior Bonds and to pay the costs authorized herein.

(2) That the First Selectman, or a majority of the Board of Selectmen, and the Treasurer (the "Officials") are hereby authorized to determine the date, rates of interest, principal payment amounts, maturities, dates of principal and interest payments, the form of such Bonds, the provisions for protecting and enforcing the rights and remedies of the holders of such Bonds and such other terms, conditions and particular matters regarding the Bonds and the issuance and securing thereof, all in accordance with the Connecticut General Statutes and the Charter of the Town, and to take such actions and execute such documents including, but not limited to, a contract of purchase, to provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, U.S. Securities and Exchange Commission Rule 15c2-12, and any other applicable provision of law thereto enabling. The Bonds authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

(3) That the Bonds shall be signed by the Officials either by their genuine signatures or by facsimiles of such signatures printed on the Bonds and that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as bond counsel to render an opinion approving the legality of the issuance of the Bonds.

(4) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, escrow agent, transfer agent and paying agent for such Bonds; to provide for the keeping of a record of the Bonds; to designate a financial advisor to the

Town in connection with the sale of the Bonds; and to designate an underwriter in connection with any negotiated sale and purchase of the Bonds.

(5) That the Officials are authorized to sell the Bonds at a public or negotiated sale; to deliver the Bonds and to perform all other acts which are necessary or appropriate to issue the Bonds; to make representations and covenants on behalf of the Town for the benefit of the holders of the Bonds to provide secondary market disclosure information in accordance with U.S. Securities and Exchange Commission Rule 15c2-12, as it may be amended from time to time, including, but not limited to, executing and delivering a continuing disclosure agreement; their respective approvals to be conclusively evidenced by their signature on any such agreements relating thereto.

(6) That the Officials are authorized to refund the Prior Bonds from the proceeds of the Bonds and other moneys as they may determine to make available for this purpose, and to defease the Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof.

(7) That the Officials are hereby authorized on behalf of the Town to make such representations and covenants for the benefit of the holders of the Bonds which are necessary or appropriate to ensure the exemption of interest on the Bonds from taxation under the Internal Revenue Code of 1986, as amended, including, but not limited to, covenants to pay rebates of investment earnings to the United States in future years; their respective approvals to be conclusively evidenced by their signature on any such agreements relating thereto.

(8) That the Officials be authorized to designate other officials or employees of the Town to take such actions and execute such documents, as are determined to be necessary or advisable and in the best interests of the Town in order to refund the Prior Bonds and to issue, sell and deliver the Bonds, and that the execution and delivery of such documents shall be conclusive evidence of such determination.

Unanimous aye.

- B. Approval of Local Traffic Plan for Route 82 Bridge Construction: Mr. Mansfield reviewed the issues and concerns related to the bridge construction and noted several updates to the proposed local traffic plan. He responded to a question Mr. Malavasi raised regarding enforcement.

Motion made by Mr. Malavasi, seconded by Mr. Lyman, to approve the recommendation of the East Haddam Emergency Management Group and implement the Local Traffic Plan for Route 82 Bridge Construction. (A copy of the local traffic plan is attached to these minutes as reference). Unanimous aye.

- C. Amendment of Charge for Municipal Facilities Building Advisory Group: Mr. Mansfield reviewed the changes to the charge for the Municipal Facilities Building Advisory Group and advised that the Town and the Board of Finance have established an expenditure range, that does not take into consideration any grant funding or State aid. He stated that, consequently, the Town will review the projects with the Advisory Groups to discuss phase-in/prioritization plans.

Mr. Mansfield noted that preliminary discussions with the Advisory Group members indicated a consensus to pull the Emergency Services out of the municipal facilities project plans.

The Selectmen agreed to table the vote on the changes to the Committee's charge until the next Board of Selectmen meeting.

- D. Amendment of Charge for Emergency Services Committee: Mr. Mansfield provided background on the Emergency Services Committee and advised that the Town would like to re-institute the Committee to evaluate the current Emergency Services facilities issues and develop a proposal to address those issues.

Mr. Mansfield responded to several questions raised by Mr. Malavasi. The Selectmen agreed to table the vote on the changes to the Committee's charge until the next Board of Selectmen meeting with the exception of the change to the number of committee members.

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to recommend and adopt the following amendment to the original charge adopted on October 1, 2008 which established an Emergency Services Committee:

RESOLVED: That an Emergency Services Committee of ~~nine~~ eight members be appointed, effective October 1, 2008 for the purpose of investigation and study of ways in which the operating practices and policies of the Town of East Haddam can be improved with the town's Emergency Services. The current Town of East Haddam Fire Marshal will serve as a non-voting member of the Emergency Services Committee.

- E. Board/Commission/Committee Changes (MFBAG & EMSC): The Selectmen reviewed the list of proposed members for the Municipal Facilities Building Advisory Group and the Emergency Services Committee.

#### **Municipal Facilities Building Advisory Group**

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to change the status of David Nelson and Karan Conover from alternate members to regular members on the Municipal Facilities Building Advisory Group. Unanimous aye.

There was a general discussion about one of the Committee member's ability to serve on the Municipal Facilities Building Advisory Group.

#### **Emergency Services Committee:**

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to remove William Planeta and Gary Havican as members on the Emergency Services Committee. Unanimous aye.

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to change the status of Donald Angersola from voting member to non-voting member on the Emergency Services Committee. Unanimous aye.

Motion made by Mr. Lyman, seconded by Mr. Malavasi, to appoint Shawn Daigle and Kevin Cavallo as members on the Emergency Services Committee. Unanimous aye.

F. Tax Refunds: There were no tax refunds to consider at the meeting.

9. Public Comment: Mr. Mansfield responded to a question from Mr. Dill regarding traffic on Porges Road as a result of the Route 82 bridge work.

In response to a question from Mr. Lacy regarding the Emergency Services Committee voting procedure, Mr. Mansfield advised that, to break a tie, the Chairman of the Committee would refrain from voting.

Mr. Lacy advised that the flags used in the Grange and possibly in the First Selectmen's office is a Jolly Roger which signifies Maritime law rather than the law of the land.

10. Selectmen's Discussion: There was no additional Selectmen's discussion.

11. Adjournment: There being no additional regular business to discuss, a motion was made by Mr. Lyman, seconded by Mr. Malavasi, to adjourn the meeting at 7:42 p.m. Unanimous aye.

Respectfully submitted,

Emmett Lyman, Secretary

Recorded

#### **LOCAL TRAFFIC PLAN RECOMMENDATION FOR RT 82 BRIDGE CONSTRUCTION**

#### **RT 82 at Ray Hill Road will be closed to all traffic from April 15 – November 1, 2014**

At the request of First Selectman Mark Walter, On February 6, 2014, the East Haddam Emergency Management group met and discussed a local traffic plan for implementation during the RT 82 Bridge Construction.

This plan has been designed knowing that most vehicles will not follow the State detour but will use the Town roads as a way to reach their destination.

Areas of concern include the following:

- Porges Road / Bonfoey Road – Road very narrow and not designed to handle traffic other than for local residents.
- Landing Hill/Orchard Road /Maple Avenue – Roads are not designed to handle large trucks or heavy vehicles. Public works must fill potholes several times a week from damage cause by the trucks continuing to use these roads.
- Intersection of Landing Hill and Maple Avenue – Substantial blind spots for vehicles trying to enter Landing Hill from Maple Avenue.

- Maple Avenue in Area of Ballek's Nursery – There are Blind Spots as you crest the hill by the house. Additionally, the nursery crosses the road with staff and equipment very frequently in this area.
- Wigwam Road in area of Skate Park – Vehicles traveling up Wigwam Road are difficult to see when pulling out of Skateboard Park. Road also not designed for truck traffic.

After review of the roads to be effected the group agreed on the following plan to be presented to the Board of Selectmen and ultimately approved by the Local Traffic Authority as a Local Traffic Plan for the duration of the RT 82 shutdown:

1. Porges Road will be made into a one way road in the direction of RT 82 to RT 149. Appropriate signage will be posted. Additionally, Porges Road will be posted "Residents Only" and "No Thru Traffic."
2. The following roads will be posted as "No Thru Trucks":
  - Landing Hill / Orchard Road
  - Wigwam Road
  - Creek Road
  - Maple Avenue
3. The following roads will have "5 ton" weight limit signs posted.
  - Landing Hill / Orchard Road
  - Maple Avenue
4. The intersection of Landing Hill and Maple Avenue will become a three-way stop. Additionally, "Stop Sign Ahead" signs will be posted in all directions as you approach the intersection.
5. Maple Avenue in the area of Ballek's Garden Center- signs will be posted noting "Farm Equipment Crossing." Additionally, Rich Toolan will research the options for installation of temporary speed bumps for this area.
6. "Speed Limit Strictly Enforced" and additional Speed Limit Signs will be posted on the following Roads:
  - Landing Hill / Orchard Road
  - Wigwam Road
  - Creek Road
  - Maple Avenue
  - Upper end of Boardman Road

#### Other Items Discussed:

- Use of the Town's Speed Trailer as an educational tool.
- East Haddam Police/Resident Trooper to do ongoing Education / Enforcement throughout the project.

- Public Works will ensure that all affected intersections are cut back and remain cut back through the project to help maintain site lines.
- Road centerlines will be repainted in spring.
- KX, Valley Shore, CSP, Middlesex Paramedics have all been notified of the Road Closure.
- The group has a major concern over an issue occurring on the Main Street Section of RT 149. With RT 82 closed any incident (accident, Structure Fire, wires down, etc.) will shut down access to and from town via the East Haddam Bridge.
- The town will work with DOT on local business directional signs to be allowed the state right away at the major detour intersections.
- Additionally, local businesses will be allowed to place “lawn” signs on town property and along town roadways directing customers to their business. These signs will not be allowed to be placed in any areas that block traffic site line.