

Board of Selectmen Meeting
Grange Hall
September 2, 2015
Regular Meeting Minutes

Selectmen Present: M. Walter; E. Lyman; E. Malavasi

Also Present: R. Dill, J. Dill, L. Treat-Perry, T. Dickinson, E. Blaschik, K. Barrows, L. Branscombe, W. Cross, R. Parker, J. Rocznia, D. Dill, E. Dill, T. Quinn, J. Moreau, E. Gubbins, D. Denette, D. Denette, L. Stuhlman, Trooper Hawes, L. Zemienieski

1. First Selectman Walter called the Board of Selectmen's meeting to order at 7:00 p.m.
2. Approval of Agenda:

Motion made by Mr. Walter, seconded by Mr. Malavasi, to approve the agenda as written.
Unanimous aye.

3. Approval of Minutes: Regular Meeting of August 19, 2015:

Motion made by Mr. Walter, seconded by Mr. Lyman, to approve the minutes of the Regular Meeting of August 19, 2015. Unanimous aye.

4. Correspondence:

Mr. Walter advised that the Town had received notification concerning a decision on a motion of contempt regarding the impact of the Town's installation of a driveway swale in front of the Shorthouse's property. He reviewed the decision which was in favor of the Town.

- A. Letter Regarding Eagle Scout Service Project: Mr. Walter advised that he had received a letter from Mr. Buhl concerning the Conservation Commission's representation that "... *that is was the town's policy to reimburse one-half the cost of bridges and other structures built on town open space by volunteers*". Mr. Walter stated that he reviewed the minutes of the Conservation Commission meeting where the Eagle Scout project was approved and noted that the Conservation Commission agreed to help with the funding of the bridge, provided the scouts attempt to do some fundraising and that Mr. Buhl stated that he might have enough lumber to make both bridges. Mr. Walter advised that he would check with the Conservation Commission to determine what arrangement they had made with the Eagle Scout.

In response to a question raised by Mr. Lyman, Mr. Walter confirmed that any reimbursement would come out of the Conservation Commission budget.

5. First Selectmen's Report:

- A. Police Department Update – Trooper Ian Hawes: Mr. Walter noted that the Town received the state’s August 19th revised projection for its Resident State Trooper costs which reflected 6.2% step increase for Trooper Hawes and 85% rate of reimbursement to the State. Mr. Walter advised that the Town had budgeted for a 3% increase and a 70% reimbursement rate leaving a total shortfall of \$32,925.00. He stated that the bill is typically received long after the annual budget process is complete and the increase and reimbursement rates used for this year’s budget were reasonable based on past history.

Mr. Walter also reviewed the budget for the Town police salaries which includes the hiring of two new full-time police officers. He noted that both officers have signed their letters of acceptance and one officer will begin his employment with the Town in October and the second in November. Mr. Walter advised that the salaries for the full-time officers plus the projected part-time constable salaries result in a surplus of \$39,642.00 for the 2015-16 Police Wages budget line, pending any unforeseen emergency. He noted that the Board of Finance has the option to use the surplus to cover the shortfall in the Resident State Trooper budget.

In response to a question raised by Mr. Malavasi, Trooper Hawes stated that he did not anticipate the part-time hours to exceed what is budgeted for and that the schedule is closely monitored. There was a general discussion about the use of part-time constables and sources of reimbursement for certain duties.

Motion made by Mr. Malavasi, seconded by Mr. Lyman, to recommend that the Board of Finance use any remaining funds from the police salary budget at year end to cover the projected increase in the Resident Trooper budget. Unanimous aye.

Mr. Lyman advised that he had requested the Town police keep an eye on his house while he was away on vacation this summer. He noted that his daughter had hired a contractor to do some work at the house during that time as a surprise anniversary gift for him and his wife. He stated that the contractor told him he was very impressed with the coverage the Town police provided and Mr. Lyman thanked Trooper Hawes for the department’s diligence.

6. Citizen’s Concerns:

The following citizen’s concerns were expressed:

- Joan Dill discussed the tree damage on Beebe Road caused by the June microburst and noted that Public Works Director Lunt had walked the area with her in July but has not gotten back to her regarding any plan to trim branches or remove dead trees in anticipation of the upcoming hurricane season. Mr. Walter agreed to follow-up with Director Lunt and stated he would get back to Mrs. Dill.
- Terry Dickinson expressed a similar concern regarding Daniel Peck Road and Mr. Walter stated he would follow-up on her concern also.

- Bill Cross read a letter into the minutes regarding the participation of the Friends of Harris Property's participation in Agriculture Commission meetings and discussions concerning the STEAP grant proposal for the Harris Property Community Gardens plan. His letter, in its entirety, is attached to and incorporated into these minutes by reference.

Mr. Walter advised that he had been prepared to discuss all of Mr. Harris' wishes at the August 27th public meeting; however, civility at the meeting had deteriorated to such an extent that he felt the public in attendance was not receptive such a discussion. He noted that Mr. Harris's wishes will be incorporated into the plan for the property.

- Joanne Roczniak asked if building capacity signs will be posted in the Town's public facilities, in particular at the Old Town Hall and the Grange. Ms. Denette stated that she believed the signs at the two buildings were removed when they were painted and that she asked the Fire Marshal, Don Angersola to re-post the notices and he stated he would do so.
- Lisa Treat-Perry inquired why the Town Ordinances are not posted on the Town's website. Ms. Denette advised that the ordinances had to be codified and she has been working on the project for several years. She stated that the work is 95% complete but she still needs to make sure that they meet statutory requirements and then they must be discussed at a Public Hearing and accepted at a Town Meeting. She confirmed that all the ordinances the Town adopted continue to be in place and she agreed to provide Ms. Treat-Perry with a copy of any ordinance she requests.

7. Unfinished Business:

- A. Blight Ordinance Discussion: There was no update on this agenda item.
- B. Emergency Communications Center Contract for Municipal Services Discussion: Mr. Walter reported that a temporary tower was installed on the garage located at the Town Office Site and that the related frequencies were activated and secured.
- C. Trowbridge Road/Middle School Property Discussion: Mr. Walter stated that the proposed property exchange was approved at the last Planning and Zoning Commission meeting and Mr. Ventres is in the process of getting appraisals for both parcels.

8. New Business:

- A. Town Beach Ordinance Amendment Discussion: Mr. Walter advised that the Town Beach ordinance was adopted at Special Town Meeting on June 30, 1966 and amended at Special Town Meeting December 30, 1998. He stated that Recreation Director Tiffany Quinn had proposed changes to the current ordinance during the General Code review process; however, the General Code revisions have not yet been adopted and further changes will be required to the General Code version of the ordinance. He stated that Director Quinn would prefer to adopt all the changes now instead of waiting for the whole code book to be adopted because she is ordering new signs for the beach which

will need to comply with the final ordinance.

Motion made by Mr. Walter, seconded by Mr. Malavasi, that the ordinance entitled “Town Beach Regulations”, approved by East Haddam Special Town Meeting on June 30, 1966 and amended by East Haddam Special Town Meeting on December 30, 1998 be amended and restated in its entirety and said amendments and restated ordinance be sent to Town Meeting for approval.

The Selectmen reviewed the proposed revisions to the ordinance language. Mr. Malavasi raised the following questions and concerns:

- He feels “dusk” is a nebulous term and “sunset” may be a better term.
- Does the animals/pets exclusion include service animals?
- Are e-cigarettes included in the smoking prohibition?

Ms. Quinn advised that the proposed revisions and the terminology used were recommended by the Town’s insurance company and she will raise the Selectmen’s questions with their representative. She also advised that service animals are never excluded from municipal facilities and that it is not required for ordinances to explicitly state that.

Unanimous aye.

- B. Petition for Town Meeting: Mr. Walter advised that a petition to schedule a Town Meeting to rescind the acceptance of the 2013 STEAP Grant for the Center for Community Agriculture was received on September 1st and 2nd. He stated that the petition is in proper form, provided more than the required number of signatures, and that State Statutes require the Board of Selectmen to hold such meeting within twenty-one days after receiving such application.

Motion made by Mr. Walter, seconded by Mr. Malavasi, to consider and act upon the following resolution received by petition from the required number of registered voters of the Town of East Haddam:

Shall the Town of East Haddam rescind the action taken at the Special Town Meeting of June 19, 2013 authorizing the Town to accept a STEAP grant in the amount of \$431,200.00 to undertake the Center for Community Agriculture Project and to enter into an Assistance Agreement associated therewith?

A copy of the complete petition is on file in the Town Clerk’s Office during normal business hours.

Unanimous aye.

- C. Call for Town Meeting: The Selectmen briefly discussed the call for Town Meeting.

Motion made by Mr. Walter, seconded by Mr. Malavasi, to approve the following call for Town Meeting:

All electors and citizens eligible to vote in town meetings of the Town of East Haddam, Connecticut (the "Town") are hereby warned and notified that a Special Town Meeting of the Town is to be held at the Nathan Hale-Ray High School Auditorium located on School Drive in East Haddam, Connecticut on Monday, September 21, 2015 at 8:00 p.m., for the following purposes:

Item 1: To consider and act upon the following resolution received by petition from the required number of registered voters of the Town of East Haddam:

Shall the Town of East Haddam rescind the action taken at the Special Town Meeting of June 19, 2013 authorizing the Town to accept a STEAP grant in the amount of \$431,200.00 to undertake the Center for Community Agriculture Project and to enter into an Assistance Agreement associated therewith?

A copy of the complete petition is on file in the Town Clerk's Office during normal business hours.

Item 2: To consider and act upon the recommendation of the Board of Selectmen and the Board of Finance to adopt the following resolution:

RESOLVED: That a grant in an amount of \$800,000 is hereby accepted under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93 – 3 83, as amended; for the East Haddam Renovations at Oak Grove Senior Housing Phase II Project.

In furtherance of this resolution, Mark B. Walter, the First Selectman, is duly authorized to execute an Assistance Agreement with the State of Connecticut for State financial assistance on behalf of the Town of East Haddam. Mark B. Walter currently holds the office of First Selectman and has held that office since November 7, 2007. The First Selectman is further authorized to provide such additional information and execute such other documents as may be required by the local, state or federal government in connection with said contract and to execute any amendments, rescissions, and revisions thereto.

Item 3: To consider and act upon the recommendation of the Board of Selectmen and the Board of Finance to adopt the following resolution:

RESOLVED: That a grant in an amount not to exceed \$30,000 is hereby accepted from the State of Connecticut, Office of Policy and Management, Intergovernmental Policy Division; for reimbursement of the costs associated with a financial accounting system upgrade and conversion from a local chart of account to the state-developed Uniform Chart of Accounts (UCOA) (revenue account 33250-43000-C0035 and expense account 33250013-58926-C0035).

In furtherance of this resolution, the Board of Selectmen has authorized Mark B. Walter, First Selectman of the Town of East Haddam to execute a Notice of Grant Award and perform the necessary administrative actions to enter into a binding agreement with the Office of Policy and Management according to the terms of the UCOA grant program.

Item 4: To consider and act upon the recommendation of the Board of Selectmen and the Board of Finance to adopt the following resolution:

RESOLVED, that a grant in the amount of \$3,000 is hereby accepted from the State of Connecticut, State Library, for the purpose of historic document preservation and appropriated to Fund 2600 - Historic Document Preservation Fund; and that Mark B. Walter, First Selectman, is empowered to execute and deliver in the name and on behalf of this municipality, a contract with the Connecticut State Library for an Historic Document Preservation Grant.

Item 5: To consider and act upon the recommendation of the Board of Selectmen to accept the following resolution:

BE IT HEREBY RESOLVED, that the ordinance entitled "Town Beach Regulations", approved by East Haddam Special Town Meeting on June 30, 1966 and amended by East Haddam Special Town Meeting on December 30, 1998 be amended and restated in its entirety to adhere to current beach practices and regulations. Said amended and restated text is on file at the Town Clerks Office during normal business hours.

Unanimous aye.

- D. Board/Commission/Committee Changes (MOBC, ESRBC, FHRBC): The Selectmen considered several Commission and Committee memberships.

Municipal Office Building Committee

Mr. Walter stated that ten applications have been received for the Municipal Office Building Committee. He advised that seven regular members and two alternate member must be appointed, that all of the current members of the Municipal Facilities Building Advisory Group would like to serve on the new Committee, and that Mr. Morrison had indicated he would be willing to serve as an alternate on the Committee.

Mr. Walter suggested revising the ordinance to add a third alternate position in order to include all the highly qualified applicants and there was a general discussion regarding his suggestion.

Motion made by Mr. Walter, seconded by Mr. Lyman, to appoint Roy Parker, Edward Blaschik, Karan Conover, Robert Weronik, Craig Mansfield, Chuck Smith and Vincent Garofalo as regular members and Phil Barlow and Erik Dill as alternate members of the Municipal Office Building Committee until the completion of the project. Unanimous aye.

Mr. Malavasi recommended that the charge be amended at this time and added to the call for Town Meeting that was approved earlier in the meeting. The Selectmen agreed with his recommendation.

Motion made by Walter, seconded by Malavasi, to amend the membership in Section 1 of the charge of the Municipal Office Building Committee to include a third alternate position and send to Town Meeting for approval. Unanimous aye.

Motion made by Mr. Walter, seconded by Mr. Lyman, to amend the previously approved call for Town Meeting to include item 6 as follows:

Item 6: To consider and act upon the recommendation of the Board of Selectmen to amend the committee membership portion of the charge of the Municipal Office Building Committee as follows:

Section 1. The Committee shall consist of **7** members and **3** alternates, to be appointed by the Board of Selectmen. The term of office of said members shall continue until the project is complete and accepted by the town and the committee is discharged, except that any member may resign or be removed by a vote of the Board of Selectmen for just cause. Any vacancy on the Committee shall be filled by the Board of Selectmen. The Committee shall select its own chairman, vice chairman, secretary and treasurer. This committee shall answer to the Board of Selectmen and shall make quarterly progress reports to the Board of Selectmen.

Copies of the complete charge are on file in the Town Clerk's Office during normal business hours.

Unanimous aye.

Elementary School Renovation Building Committee

Mr. Walter noted that the Town has not yet received enough applications to appoint members to the Elementary School Renovation Building Committee; however, he expects to receive several applications before the next Board of Selectmen's meeting.

Firehouse Renovation Building Committee

Mr. Walter stated that eight applicants (7 regular and 1 alternate) were appointed to this Committee at the last Board of Selectmen meeting, leaving one alternate position open. An application was received last week for this position.

Motion made by Mr. Walter, seconded by Mr. Lyman, to appoint Jennifer Spencer as an alternate member of the Firehouse Renovation Building Committee until the completion of the project.

Unanimous aye.

E. Tax Refunds: Mr. Walter called the Selectmen's attention to two tax refunds.

Motion made by Mr. Walter, seconded by Mr. Malavasi, to award tax refunds in the amounts as presented.

- \$ 343.62 to Joseph Wright
 - \$ 105.17 to Honda Lease Trust
- Unanimous aye.

9. Public Comment:

The following public comments were discussed at the meeting:

- In response to a question raised by Ms. Branscombe, Mr. Walter advised that he recommended using paper ballots at the Town Meeting considering the petition to rescind the acceptance of the 2013 STEAP Grant for the Center for Community Agriculture because he anticipated it would be a highly attended meeting.
- In response to a questions raised by Ms. Dickinson, Mr. Walter explained the process for applying for a position on Town Committees and advised that each Committee determines the frequency of their regular meetings.

Ms. Dickinson also stated that there was a rumor on Facebook that the Selectmen would be discussing the option of establishing a full-time police force at tonight's meeting. Mr. Walter stated that the rumor was false and there was a general discussion regarding the reliability of information on Facebook.

- Mr. Dill inquired about the ownership of the property on Trowbridge Road that will be used in the exchange and Mr. Walter advised that, it is not clear why, but the property was not taken as part of the Middle School project.

Mr. Dill also suggested that the language in the Town Beach ordinance related to the timing of its closing should state "one-half hour after sunset". Trooper Hawes noted that the police have historically enforced the "dusk" closing at Town parks as at dark. There was a general discussion regarding Mr. Dill's suggestion and Recreation Director Quinn agreed to run it by the Town's insurance company.

- Ms. Dickinson suggested the Selectmen should have anticipated the step and reimbursement increases for the Resident State Trooper when planning the current budget. Trooper Hawes explained that on-going contract negotiations and other contingencies made it very difficult to predict the increases this year.
- In response to questions raised by Ms. Treat-Perry regarding the Small Cities Grants received for work on the Town's Senior Housing, Mr. Walter informed her that there is no required match for the grants from the Town, listed the renovations that were being done and stated that the Town's only in-kind contribution is to manage the grant application and funding process.

- Kim Barrows asked about the Town's plans for putting in and/or upgrading the speaker phones in meeting locations so that there is good sound quality. Mr. Walter recognized Town Clerk Denette who stated that Board/Committee members should not vote on issues via phone if they cannot hear or be heard well and Mr. Walter concurred with her opinion.

10. Selectmen's Discussion:

In response to a request from Mr. Malavasi, Mr. Walter stated he will make every effort to provide the Selectmen with the definitive cost of returning the Harris Property STEAP grant by their next regular meeting.

In response to a question from Mr. Lyman, Mr. Walter provide the status of the project to renew the urn on the green in the Village.

In response to a question from Mr. Malavasi, Mr. Walter stated that he believes the O'Connell Road Extension drainage/paving project is on the agenda for discussion at the next Planning and Zoning Commission meeting. He stated that the goal is to complete the project by the beginning of winter or, at a minimum, to install the drainage pipes this fall and complete the paving next spring. He noted that there is a challenge with the location of the power lines and the Town is negotiating with Eversource regarding that issue.

11. Adjournment: There being no additional business to discuss, a motion was made by Mr. Walter, seconded by Mr. Lyman, to adjourn the meeting at 8:18 p.m. Unanimous aye.

Recorded
Attachment:
Sept. 2, 2015 Letter from
Todd Gelston & Bill Cross

Respectfully submitted,

Emmett Lyman, Secretary

Sept. 2, 2015

Town of East Haddam
Board of Selectmen
7 Main Street, P.O. Box K
East Haddam, Ct. 06423

Dear Sirs,

The recent August 17, 2015 letter, sent by Agriculture Chairman, Ron Gross to the Board of Selectmen, left no doubt in the readers mind that the Agriculture Commission fully supported the revised STEAP grant proposal for the Harris Property Community Gardens despite the lack of any defined business plan. The letter also mentioned the Friends of Harris as being in attendance at each meeting leading up to their vote. The letter goes on to say and I quote, "The Commission members felt that their input and their ideas were crucial in the process of examining the grant, the Property, and the future of both".

Given that the wording in the letter is misleading and could lead a reader, who did not attend the August 27, Public Hearing, to garner the impression that the Friends of Harris named in the letter, Todd Gelston and William Cross, agree with the recommendation, we offer the following clarification.

Friends of Harris and specifically, Mr. Gelston and Mr. Cross, were not given the courtesy of reviewing the letter prior to release and do not agree or support the Agriculture Commission's recommendation to support the revised STEAP Grant in any way, shape or form for the following reasons:

- 1) While Mr. Gelston and Mr. Cross may have been in attendance at certain Agriculture meetings, Mr. Gross' document fails to state that we were and remain steadfastly opposed to building hoop houses and green houses due to the significant long term cost impact to the taxpayers that these structures represent.
- 2) A year ago, Friends of Harris submitted an alternative plan for the Harris Property to the Board of Selectmen which emphasized starting small with just one acre, achieving year-after-year success with little or no cost to the town while developing and exercising an adequate soil management plan with the intent to be organic. Upon successful completion of Phase I, our plan recommended moving to Phase II by increasing the total acreage in cultivation to 2 acres, accomplishing these things in a manner which would be **cost neutral** to the town. Our proposal and ideas were completely disregarded in favor of moving forward with the multi structure proposal presented on August 27, 2015 which represents uncalculated cost to the taxpayers.
- 3) Information submitted to First Selectman, Mark Walter on May 29, 2015, approved by Dan Harris, requested that a pavilion erected on the Harris property would be named the **Sol and Bertha Harris Memorial Park**. Additionally, the road leading from Old Mt. Parnassus south to the field known as the 7 acre lot would be named **Sol Harris Lane**. Further, signage describing the Harris family's stewardship of the land for almost a century, wording again approved by Mr. Harris and submitted to Mr. Walter on May 29, 2015, was disrespectfully left out of the presentation and discussion regarding the selectman's plans. (To quote Mr. Harris' May 8, 2015 email, "Just so you know, **Jim Ventres** agreed when the land was purchased that there would be mention of the family name on the land. It was not just a thought".)

- 4) The plan presented on August 27, 2015 provided **NO** indication whatsoever of where the revenue would come from to support all the infrastructure proposed for the Harris property, a principal that ignores sound and basic business practice procedure. This lack of a well disciplined business plan which outlines the long term costs, clearly does not represent “Best Practice” procedure and frankly represents a total disregard of the East Haddam tax payers who represent the investors in this proposal.

As a result of the above, we respectfully request this clarifying letter be read into the record and become a permanent part of the official record regarding the Harris Property documentation going forward.

Thank you very much,

Sincerely,

Todd Gelston and Bill Cross