

Special Town Meeting
March 12, 2015

Town Clerk, Debra H. Denette called the Special Town Meeting to order at 8:00 at the Town Meeting Hall, 492 Town Street, East Haddam. Approximately fifty (50) people were in attendance. The Pledge of Allegiance was recited.

Edward Blaschik motioned to nominate Deb Denette as Moderator. Mark Walter seconded the motion. Additional nominations were solicited, none were offered. Laurie Alt motioned to close nominations, TJ Tarbox seconded the motion. The motion closing nominations carried unanimously via voice vote. The Town Clerk called for a vote appointing Deb Denette to serve as Moderator, the motion carried unanimously via voice vote.

The Moderator briefly defined the rules of conduct and read the call of the meeting. Pete Govert motioned to accept the call as presented. Rob Smith seconded the motion. The motion accepting the call as presented carried unanimously via voice vote.

Mr. Walter motioned, Rob Smith provided the second that the legislative body herein assembled consider and act upon the following resolution as recommended by the Board of Selectmen:

RESOLVED: That the Sidewalk Ordinance adopted by Town Meeting, April 6, 1988 be amended to include the following paragraph (g)(1)(2)(3) as follows:

(g)(1) Notwithstanding the provisions of Section 13a-149 of the Connecticut General Statutes or any other General Statutes, or any other General Statute or Special Act, the Town of East Haddam shall not be liable to any person injured in person or property caused by the presence of ice or snow on a public sidewalk unless the Town of East Haddam is the owner or the person in possession and control of land abutting such sidewalk, other than land used as a highway or street, provided that the Town of East Haddam shall be liable for its affirmative acts with respect to such sidewalk.

(2) The owner or person in possession and control of land abutting a public sidewalk shall have the same duty of care with respect to the presence of ice or snow on such sidewalk abutting his property as the municipality had prior to the effective date of this section, adopted pursuant to the provisions of Public Act No. 81-340 (C.G.S. § 7-163a) and shall be liable to persons injured in person or property where a breach of said duty is the proximate cause of said injury.

(3) No action to recover damages for injury to the person or to property caused by the presence of ice or snow on a public sidewalk against a person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two years from the date when the injury is first sustained.

Mr. Walter advised that this ordinance amendment was requested by the insurance carrier CRMA to limit our exposure. Comments were noted by Mr. Will Brady, Mr. Rob Smith and Mr. TJ Tarbox. There being no further comment, the Moderator called for a vote regarding acceptance of the amendment to the sidewalk ordinance. The Ordinance Amendment carried unanimously via voice vote.

Mr. Peter Govert motioned and Mrs. Anita Ballek provided the second that the legislative body herein assembled consider and act upon the following resolution as recommended by the Board of Selectmen and the Board of Finance.

RESOLVED, that a grant in an amount of \$6,000.00 is hereby accepted from the State of Connecticut, Department of Energy and Environmental Protection, to provide funding for Control of Aquatic Invasive Species Grant "Moodus Reservoir Pilot Project Test, Effectiveness of Herbicides to Control Fanwort and Variable Milfoil on 25 Acres" (revenue account 33050-43000-G1501 and expense account 33055011-58820-G1501) upon the terms and conditions set forth in the Personal Service Agreement.

BE IT RESOLVED, that it is in the best interest of the Town of East Haddam to enter into contracts with the Department of Energy and Environmental Protection.

IN FURTHERANCE OF THIS RESOLUTION, Mark B. Walter, the First Selectman, is duly authorized to enter into and sign said contracts 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.

Mr. Walter noted the partnership created between the Lakes Association and the Town and added that this partnership makes this grant.

Mr. Tarbox provided comments regarding the methodology for the weed control, to which Mr. Walter responded. There being no other comment, the Moderator called for a vote accepting a \$6,000 grant from the State of Connecticut, Department of Energy and Environmental Protection to provide funding for control of aquatic invasive species "Moodus Reservoir Pilot project test". The motion carried via voice vote with Mr. Tarbox voicing a lone nay.

Mr. Walter motioned, Mr. Smith provided the second that the legislative body herein assembled act upon the following resolution:

RESOLVED, that a grant in an amount of \$9,050.00 is hereby accepted from the State of Connecticut, Department of Energy and Environmental Protection, to provide funding for Control of Aquatic Invasive Species Grant "Lake Hayward Invasive Aquatic Plants Mitigation" (revenue account 33050-43000-G1502 and expense account 33055011-58820-G1502) upon the terms and conditions set forth in the Personal Service Agreement.

BE IT RESOLVED, that it is in the best interest of the Town of East Haddam to enter into contracts with the Department of Energy and Environmental Protection.

IN FURTHERANCE OF THIS RESOLUTION, Mark B. Walter, the First Selectman, is duly authorized to enter into and sign said contracts 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.

Mr. Walter stated that similar to the last item, this grant is for Lake Hayward. He noted that because of the draw down, Bashan Lake was ineligible. The Moderator solicited questions or comments, hearing none, she called for a vote: The vote authorizing a \$9,050 grant from the State of Connecticut, Department of Energy and Environmental Protection to provide funding for Control of Aquatic Invasive Species Grant "Lake Hayward Invasive Aquatic Plants Mitigation carried unanimously via voice vote.

Will Brady motioned, Edward Blaschik seconded that the legislative body herein assembled consider and act upon the recommendation of the Board of Selectmen and the Board of Finance to accept a gift in the amount of \$5,000 for the Rathbun Library for the repair of the cupola (revenue account 33250-43000-C0032 and expense account 33250013-58926-C0032).

Mr. Walter advised that this repair has already been made and that it was funded by a donor who wished to remain anonymous. Responsive to inquiry from the audience, it was noted that Dennis Coburn did the work.

There being no further discussion, The moderator called for a vote authorizing the acceptance of a gift in the amount of \$5,000 for the Rathbun library for the repair of the cupola. The motion carried unanimously.

Mr. Mansfield motioned, Mr. Merrow seconded that the legislative body herein assembled authorize the First Selectman to enter into two-year agreements from July 1, 2015 through June 30, 2017 with East River Energy for #2 heating oil at \$2.2749/gallon and diesel fuel at \$2.2929/gallon .

Mr. Walter advised that this is a significant savings over the current contract, and will result in an approximate \$400,000 savings. Responsive to inquiry from Mr. Brady, Mr. Walter clarified that both the Board of Education and Town Government will benefit from these lowered prices and that the total savings is approximately \$400,000.

There being no further inquiry the Moderator called for a vote authorizing the First Selectman to enter into two-year agreements from July 1, 2015 through June 30, 2017 with East River Energy for #2 heating oil at \$2.2749/per gallon and diesel fuel at \$2.2929/gallon.

The motion carried unanimously via voice vote.

Lastly the Moderator brought forward item #6 and #7 together for discussion only:

(a) to appropriate \$127,500 for costs related to the acquisition of approximately 19.26 acres of land or rights therein located on Sarah Baker Road (also known as the Zeleznicky property) in East Haddam, Connecticut, shown and designated as Lot #10 on the East Haddam Assessor's Map #43 for open space purposes, such as, but not limited to, preservation, conservation, recreation and forestry, including, without limitation, the costs of land acquisition, site work, demolition and removal, easement acquisition, engineering, legal, administration, temporary and permanent financing and any other costs and expenses related thereto; (b) to authorize the Town to issue and sell its notes and bonds pursuant to the Connecticut General Statutes, as amended, or any other provision of law thereto enabling, in an amount not to exceed \$127,500 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor, including, but not limited to, a grant from the State of Connecticut in the amount of \$78,000, general fund monies and/or capital reserve funds); and (c) to authorize such other actions relating to the foregoing as may be necessary or appropriate.

AND

(a) to appropriate \$767,000 for costs related to the acquisition of approximately 207 acres of land or rights therein located on Tater Hill Road and Babcock Road (also known as the Lena property) in East Haddam, Connecticut, shown and designated as Lot #62 on the East Haddam Assessor's Map #22 for open space purposes, such as, but not limited to, preservation, conservation, recreation and forestry, including, without limitation, the costs of land acquisition, site work, demolition and removal, easement acquisition, engineering, legal, administration, temporary and permanent financing and any other costs and expenses related thereto; (b) to authorize the Town to issue and sell its notes and bonds pursuant to the Connecticut General Statutes, as

amended, or any other provision of law thereto enabling, in an amount not to exceed \$767,000 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor, including, but not limited to, a grant from the State of Connecticut in the amount of \$487,500, general fund monies and/or capital reserve funds); and (c) to authorize such other actions relating to the foregoing as may be necessary or appropriate.

The full text of the foregoing authorizing resolutions are on file and open to inspection at the office of the Town Clerk, Town Hall, East Haddam, Connecticut for the use or inspection of any interested person.

All electors and persons eligible to vote in town meetings of the Town are hereby further notified that pursuant to Section 7-7 of the Connecticut General Statutes, as amended, the Board of Selectmen of the Town has removed the above items numbered six and seven on the call of this Special Town Meeting for submission to the electors and citizens of the Town who are eligible to vote at town meetings by voting machine. The aforesaid items shall be placed on the voting machines under the following headings:

SHALL THE TOWN APPROPRIATE \$127,500 FOR THE ACQUISITION OF APPROXIMATELY 19.26 ACRES OF LAND ALSO KNOWN AS THE ZELEZNICKY PROPERTY LOCATED ON SARAH BAKER ROAD FOR OPEN SPACE PURPOSES AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES OF THE TOWN IN THE SAME AMOUNT, OR SO MUCH THEREOF AS MAY BE NECESSARY AFTER THE DEDUCTION OF GRANTS OR OTHER SOURCES OF FUNDS AVAILABLE THEREFOR, TO FINANCE SUCH APPROPRIATION?

SHALL THE TOWN APPROPRIATE \$767,000 FOR THE ACQUISITION OF APPROXIMATELY 207 ACRES OF LAND ALSO KNOWN AS THE LENA PROPERTY LOCATED ON TATER HILL ROAD AND BABCOCK ROAD FOR OPEN SPACE PURPOSES AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES OF THE TOWN IN THE SAME AMOUNT, OR SO MUCH THEREOF AS MAY BE NECESSARY AFTER THE DEDUCTION OF GRANTS OR OTHER SOURCES OF FUNDS AVAILABLE THEREFOR, TO FINANCE SUCH APPROPRIATION?

The vote will be conducted on Tuesday, March 24, 2015, during the hours from twelve o'clock p.m. to eight o'clock p.m. at the Town Meeting Hall, Town Street, East Haddam, Connecticut. Absentee ballots will be available from the Town Clerk's Office. Voters approving the resolution will vote "Yes" and voters opposing the resolution will vote "No".

Mrs. Denette requested Mr. Ventres to make a presentation regarding the properties in question.

Mr. Ventres made a comprehensive presentation identifying the parcels, their size and location, the reasons the parcels were selected and how they fit into the "green belt" being assembled. The State's open space goals, along with the Town's

Plan of Conservation and Development were reviewed.

Mrs. Denette opened the floor for comments. The following speakers offered comments:

Lynn Branscombe

Candy Karle

Steve from Shanaghan Road

Todd Gelston

Lou Fafn

TJ Tarbox

Charlotte Gelston

Tracy Gionta

Michelle Grant

Will Brady

Linda Stuhlman

Ed Blaschik

Rob Smith

Mrs. Denette advised that absentee ballots would be available beginning tomorrow morning.

Mr. Walter motioned that the legislative body herein assembled adjourn to referendum to be held here on March 24, 2015 at noon. Mr. Brady seconded the motion, the motion carried unanimously at 9:04 p.m.

Attest: Debra H. Denette, East Haddam Town Clerk

March 17, 2015