

## Special Town Meeting March 1, 2011

Town Clerk, Debra H. Denette called the Special Town Meeting to order at 8:01 at the Town Meeting Hall, 492 Town Street, East Haddam. Approximately fifty (50) people were in attendance. The Pledge of Allegiance was recited and a moment of silence observed for pfc, David Fahey, killed defending our country in Afghanistan and for the victim of a motorcycle fatality earlier today on route 82.

TJ Tarbox motioned to nominate Deb Denette as Moderator. Mark Walter seconded the motion. Additional nominations were solicited, none were offered. Mr. Walter motioned to close nominations, Shannon Hawkins seconded the motion. The motion closing nomination carried unanimously via voice vote. The Moderator 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 presented the call of the meeting. Mr. Walter motioned to accept the call as presented, Emmett Lyman seconded the motion. The motion accepting the call as presented carried unanimously via voice vote.

Bruce Dutch motioned, Mr. Lyman seconded that the legislative body herein assembled consider and act upon the recommendation of the Inland Wetlands and Water Courses Commission and the Board of Selectmen that the ordinance entitled "Inland Wetlands and Water Courses Commission", adopted June 20, 1974 and amended December 27, 1994 and further amended December 26, 2006, is hereby amended to remove the requirement that one member be from the Conservation Commission and add language related to the election of officers under Section 2 - Membership, and add the word "inclusive" in Section 3 - Responsibilities as follows:

Voted, Be it ordained by a duly warned and called town meeting of the Town of East Haddam: That the following ordinance be adopted pursuant to the provisions of the Inland Wetlands and Water Courses Act. P.A. 155 (1972), codified as Connecticut General Statute 22a-36 through 22a-45; as amended by P.A. 73-571, effective June 20, 1973, as amended.

### Section 1. Statement of Purpose

The inland wetlands and water courses are an indispensable and irreplaceable but fragile natural resource with which the citizens of the Town of East Haddam have been endowed. The wetlands and water courses are an interrelated web of nature essential to an adequate supply of surface and underground water; to hydrological stability and control of flooding and erosion; to the recharging and purification of ground water; and to the existence of many forms of animal, aquatic and plant life. Many inland wetlands and water courses have been destroyed or are in danger of destruction because of unregulated use by reason of disposition, filling or removal of material, the diversion or obstruction of water flow, the erection of structures and other uses, all of which have despoiled, polluted and eliminated wetlands and

water courses. Such unregulated activity has had, and will continue to have a significant, adverse impact on the environment, thus adversely affecting the ecological, scenic, historic and recreational values and benefits of the Town for its citizens now and forever more. The preservation and protection of the wetlands and water courses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the Town of East Haddam. It is, therefore, the purpose of this act to protect the citizens of the Town of East Haddam by making provisions for the protection, preservation, maintenance and use of the inland wetlands and water courses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state or local authority; preventing damage from erosion turbidity of siltation; preventing loss of fish and other beneficial aquatic organism, wildlife and vegetation and the destruction of the natural habitats thereof; deterring and inhibiting the danger of flood and pollution; protecting the quality of wetlands and water courses for their conservation, economic, aesthetic, recreational, and other public and private uses and dangers of drought, overdraft, pollution, misuse and mismanagement by providing an orderly process to balance the need for the economic growth of the Town of East Haddam and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of the Town of East Haddam the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.

### Section 2. Membership

**An Inland Wetlands and Water Courses Commission is hereby established which shall consist of five (5) members and two alternates who are electors of East Haddam and shall be appointed by the Board of Selectmen by a majority vote for a term of office of two years. In the event that a Commission member is absent from four consecutive meetings, the Board of Selectmen may remove the member by a majority vote and fill the vacancy created.**

Any elector of East Haddam who is a municipal employee may be appointed to serve as member or alternate to the Inland Wetlands and Watercourses Commission as provided by Connecticut General Statutes, Section 7-421(e)(2)(D). (Town Meeting December 26, 2006)

**At the first regular meeting of the Commission in January of every even numbered year the members shall elect officers, a chairman, a vice-chairman and a secretary.**

### Section 3. Responsibilities

The Commission shall have all the powers and responsibilities authorized under said Public Act (1972), codified at Connecticut General Statutes Sections 22a-36 to 22a-45 **inclusive**; as amended by Public Act 73-571, effective June 20, 1973, as amended from time to time.

Section 4. Effective Date

The Provisions of the Ordinance shall become effective ten (10) days after adoption by the legislative body of the Town of East Haddam, and publication in accordance with law.

Jim Ventres briefly noted that the reason for the ordinance amendment is to eliminate the potential for conflict and address quorum concerns. No comments or questions were brought forward. Accordingly, the Moderator called for a vote.

The ordinance amendment to the "Inland Wetlands and Water Courses Commission", as aforementioned carried unanimously via voice vote.

Todd Gelston stopped the meeting briefly with Point of Order noting that additional benches were needed as individuals were standing in the back of the room. This was accommodated and the meeting resumed.

**Item #2:** Ms. Hawkins motioned, Rob Smith seconded 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 \$250,000 is hereby accepted from the State of Connecticut, Department of Transportation upon the terms and conditions set forth in the First Supplemental Grant Agreement, and the First Selectman, Mark B. Walter, be, and hereby is authorized to sign the agreement entitled: "FIRST SUPPLEMENTAL AGREEMENT TO THE ORIGINAL AGREEMENT DATED JUNE 6, 2005 STEAP GRANT AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF EAST HADDAM FOR THE CONSTRUCTION RELATED TO THE SAFETY IMPROVEMENTS TO POWERHOUSE ROAD", and is authorized to affix the corporate seal of the municipality; said funds to be appropriated to Reserve for Capital Projects.

No comments were made, no questions were asked. The Moderator called for a vote.

The motion adopting the aforementioned resolution regarding acceptance of a \$250,000 grant from the State of Connecticut, Department of Transportation carried unanimously via voice vote.

**Item #3:** Will Brady motioned, Mr. Dutch seconded that the legislative body herein assembled consider and act upon the recommendation of the Planning and Zoning Commission and Board of Selectmen to accept the following resolution:

RESOLVED, that the Town Meeting authorize the Board of Selectmen to accept the following certain conveyances, to wit:

1. The conveyance from RODNEY C. DAVIS II to the Town of East Haddam of that portion of property known generally as Grove Street and shown and
  2. designated as "Grove Street" on a certain map entitled "ROAD AS-BUILT GROVE STREET, "GREEN VILLAGE ESTATES" PREPARED FOR RODNEY C. DAVIS II EAST HADDAM, CONNECTICUT SCALE 1"=40' DATED FEB. 5, 2001 REVISED 11-13-03 ADDED EASEMENTS AND REVISED STREET LINES REVISED 12-03-04 CHANGED 25' TO 20' EASEMENT" prepared by Robert R. Weaver, L.S. 147 Parker Road, East Haddam, Connecticut 06423. Said map being on file with the Town Clerk of the Town of East Haddam.
2. The conveyance from RODNEY C. DAVIS II which includes a snow and slope easement as shown on said map as SNOW SHELF & SLOPE EASEMENT LINE IN FAVOR OF TOWN OF EAST HADDAM; and a drainage easement as shown on said map as PROPOSED 20' DRAINAGE EASEMENT & FIRE PROTECTION EASEMENT IN FAVOR OF THE TOWN OF EAST HADDAM at the southerly end of said Grove Street. Said map being on file with the Town Clerk of the Town of East Haddam.

Mr. Ventres briefly stated that Mr. Davis built the road to the Town's specifications. He stated that all of the requirements have been met other than installation of the monuments, which have been bonded for. (Those will be done when weather permits). Mr. Gelston inquired what a snow shelf and slope easement line was. Mr. Ventres stated that it is the area where the snow gets plowed to. There being no further questions, the Moderator called for a vote.

The motion accepting the aforementioned conveyances from Rodney C. Davis, II carried unanimously via voice vote.

Item 4 - Item 6 were discussed together:

**Item #4:** To consider and discuss (but not vote on) a resolution:

(a) to appropriate \$585,000 for costs related to the acquisition of approximately 135 acres of land or rights therein located on Mount Parnassus Road in East Haddam, Connecticut for municipal and open space purposes, 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 \$585,000 (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 \$108,900, 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.

**Item 5:** To consider and discuss (but not vote on) a resolution:

(a) to appropriate \$820,000 for costs related to the acquisition of a conservation easement in respect of approximately 280 acres of land located on Parker Road in East Haddam, Connecticut for open space purposes, including, without limitation, the costs of easement and land acquisition, site work, demolition and removal, 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 \$820,000 (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 \$400,000, 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.

**Item 6:** To consider and discuss (but not vote on) a resolution:

(a) to appropriate \$200,000 to fund a grant to the East Haddam Land Trust for costs related to the acquisition of a conservation easement in respect of approximately 45 acres of land located along the Moodus River in East Haddam, Connecticut, known as the "Bogan Property," for preservation, conservation, hiking and open space purposes, including, without limitation, the costs of easement and land acquisition, site work, demolition and removal, 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 \$200,000 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor); 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, the contracts and other documents related to the acquisitions described in items numbered four through six above and more detailed descriptions of the subject properties 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 four through six 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 \$585,000 FOR THE ACQUISITION OF APPROXIMATELY 135 ACRES OF LAND KNOWN AS THE HARRIS PROPERTY LOCATED ON MOUNT PARNASSUS ROAD FOR MUNICIPAL AND 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 \$820,000 FOR THE ACQUISITION OF A CONSERVATION EASEMENT IN RESPECT OF APPROXIMATELY 280 ACRES OF LAND KNOWN AS THE DEAN PROPERTY LOCATED ON PARKER 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 \$200,000 TO FUND A GRANT TO THE EAST HADDAM LAND TRUST FOR THE ACQUISITION OF A CONSERVATION EASEMENT IN RESPECT OF APPROXIMATELY 45 ACRES OF LAND KNOWN AS THE BOGAN PROPERTY LOCATED ALONG THE MOODUS RIVER FOR PRESERVATION, CONSERVATION, HIKING AND 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 Thursday, March 10, 2011, 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".

The Moderator requested Mr. Ventres to provide an overview. Mr. Ventres noted specifics for the Harris and the Dean property, Mr. Smith and Ms. Hawkins reviewed the specifics for the Bogan property.

Comments were raised and questions were asked and answered: The following speakers were recorded:

T.J. Tarbox	Will Brady
John. Matthews	Todd Gelston
Charlie Farrow	Jeff Wiswell
JanetWann	Mark Walter
Cindy Varricchio	Shannon Hawkins
Paul Maxwell	Rob Smith
Gary Laliberte	Jim Ventres
Chris Kindell	Laurie Alt

Mrs. Denette reminded the legislative body to avoid debate and run comments and questions through the Moderator.

After approximately an hour of discussion, the Moderator called for a motion to adjourn the special town meeting to referendum at which time the above-noted questions would be voted.

**Item 7.** Mr. Dutch motioned, Mr. Smith seconded that the legislative body herein assembled consider and vote upon a resolution to adjourn the special town meeting to a vote by voting machine on the above questions set forth in items numbered four through six to be held on the date, during the time and at the noticed polling place referred to in Item No. 6 above. The motion carried unanimously via voice vote.

Dated at East Haddam, Connecticut  
This 3rd day of March, 2011.

Debra H. Denette  
East Haddam Town Clerk