

Board of Selectmen  
Town Office Annex  
November 17, 2010  
Regular Meeting Minutes

Selectmen Present: Mark Walter, Pete Govert, Emmett Lyman

Also Present: A. Blaschik, E. Blaschik, K. Blaschik, R. Dill, G. Geisey, T. Gelston, P. Maxwell, S. Mackinnon, R. Smith, B. Sullivan (East Haddam Today), T.J. Tarbox, J. Ventres, W. Peckham, S. Wheeler

1. First Selectman Walter called the meeting to order at 7:00 p.m. and the attendees said the Pledge of Allegiance.
2. Approval of Agenda: Mr. Walter stated that he would like to amend the agenda to add, under New Business, item 8.E. Commission Appointment (IWWC). Motion made by Mr. Lyman, seconded by Mr. Govert, to approve the agenda as amended. Unanimous aye.
3. Approval of Minutes: Regular Meeting of November 3, 2010 and Special Meeting of November 9, 2010:

Motion made by Mr. Walter, seconded by Mr. Lyman, to approve the minutes of the Regular Meeting of November 3, 2010 as written. Unanimous aye.

It was noted that the minutes of the Special Meeting of November 9, 2010, were not ready for review and the Selectmen agreed to table their approval at this time.

4. Correspondence: Mr. Walter called the Selectmen's attention to the following correspondence in their meeting packets:

A. Letter from Ms. Frechette, Deputy Commissioner of CT Department of Environmental Protection (DEP), dated November 15, 2010: Mr. Walter noted the letter was to provide an update on the status of DEP's plans to issue a Request for Proposals for the management of Sunrise State Park.

In response to a question from Mr. Govert, Mr. Walter advised that Ms. Stricker, from the Economic Development Commission, was keeping in touch with the DEP at least monthly regarding their plans and activities related to the property. Mr. Ventres advised that the State had purchased the park as an Open Space parcel and, therefore, there were restrictions as to the types of activities that could be accommodated there.

Mr. Govert noted that the electricity had not been entirely shut off to some of the buildings.

B. An e-mail from Sharon Wheeler, dated November 17, 2010: Mr. Walter stated that Ms. Wheeler was a member of the Middle School Conversion Committee and her e-mail expressed her disappointment that he had not advised the committee that he would be speaking out against the project at the November 10<sup>th</sup> Public Hearing and also that she was offended by the way Mr. Maxwell spoke to the Committee at their meetings. Ms. Wheeler's e-mail stated that she looked to Mr. Walter to ensure "*an environment of civility in the interactions of all individuals working on behalf of the Town*".

Mr. Walter responded to Ms. Wheeler's comments and stated that he felt a Public Hearing was a forum to express his opinion and that he believed the Committee should not have been surprised to hear his comments because he had expressed concern about the projected cost of the project for some time. Ms. Wheeler stated she did not disagree with Mr. Walter's points but said that she felt it would have been more considerate to inform the Committee before the Public Hearing as to what his talking points were going to be.

5. First Selectman's Report:

A. Open Space Discussion: Mr. Ventres advised that the State had awarded the Town and the East Haddam Land Trust a grant of \$660,000.00 toward the acquisition of the three parcels under consideration for purchase as Open Space. He reviewed the attributes and development potential of the three parcels and noted that an 18 acre portion of the Harris property was being reserved for future municipal use. In response to a question from Mr. Walter, he confirmed that that portion would be under the control of the Town for municipal use. In response to a question from Mr. Govert, Mr. Ventres advised that when the Town purchased the development rights to a property, the owner could still use the land for farming or forestry.

Mr. Ventres noted that the Town had a financial obligation to the property owners that must be met within 120 days of the October 15<sup>th</sup> announcement from the State of Connecticut Department of Environmental Protection to purchase the land. It was noted that the Land Trust was requesting a \$200,000.00 grant for their purchase and the Town's purchase would cost approximately \$800,000.00. In response to a question from Mr. Walter, Mr. Ventres confirmed that he believed the owners would agree to a short extension. Mr. Ventres reviewed next steps with the Selectmen.

In response to a question from Mr. Govert, Mr. Ventres reviewed the Open Space expenditures to date and confirmed that the current \$861,000.00 funding request was well within the remaining balance of the \$5,000,000.00 bond authorization the Town voted to authorize pending a referendum for approving each property for this purpose. There was a general discussion about whether to bond for the purchase or fund it from the general account. Mr. Walter noted the expense of bonding and stated it would be his recommendation to use savings but stated that the decision would ultimately be the Board of Finance's.

Motion made by Mr. Walter, seconded by Mr. Lyman, to recommend that the Board of Finance consider the Open Space Committee's request at their December 13, 2010 meeting. Unanimous aye.

6. Citizen's Concerns: In response to a question from Mr. Tarbox, Mr. Walter clarified the purpose of Agenda items 6 (Citizen's Concerns) and 9 (Public Comment). Mr. Tarbox then stated that the Town was in violation of the 911 Statute in that many residents do not display their house number. He noted that the lack of house numbers makes it difficult for emergency personnel to respond to some calls. Mr. Walter acknowledged that was a problem and discussed solutions used by other towns. He agreed to consult with the Fire Marshal, Emergency Management Director, and Ambulance Association regarding Mr. Tarbox's concern.

7. Unfinished Business

A. 4-8 Middle School: Mr. Walter reported that the State had accepted the Town's last change order notice and that he has been in touch with Mr. Moss to discuss final steps for wrapping up the project.

B.      Goodspeed Opera House Update: Mr. Blaschik reported that construction on the new actors' housing was going well and that they continued to make progress with the State on the water system. In response to a question from Mr. Lyman, he advised that, in total, 14 houses were being constructed.

In response to a question from Mr. Govert, Mr. Walter advised that, to date, no further action has been taken on the State's land-swap proposal. He noted that Sen. Daily had attended the October meeting of EDC and was aware that the Town would like to be informed if new legislation was proposed. He stated that the State DEP and the Railroad also know that East Haddam wanted to be included in any discussions regarding a land-swap deal and that the Goodspeed was aware of East Haddam's preferences.

C.      Old Middle School: Mr. Walter reported that there was a Public Hearing on the project the evening of November 10<sup>th</sup>. He noted that survey forms had been distributed and he stated he would forward the other Selectmen copies of the returned surveys. He reiterated his concerns about the impact of the current economic environment on taxpayers and again noted that he could not support a project of the scope and expense of those options identified by the Middle School Conversion Committee.

He stated that the options the Committee could consider were limited by their charge; however, he has spoken with architects and representatives from Newfield Construction about the possibility of a substantially reduced project that would also take advantage of purchasing satellite properties.

In response to a question from Mr. Govert, Mr. Walter advised that the Board of Selectmen and the Board of Finance would have to support the recommendation of the MSCC in order to move it to a referendum. Mr. Govert stated that he did not believe it was necessary for the Board of Selectmen or the Board of Finance to agree on a project to put it out for a referendum.

Mr. Walter advised that there may be other options available to the Town and while, he would be happy to let the citizens vote on a solution to the over-crowding and ADA issues at the current Town Offices, he thought they should be made aware of alternatives other than relocating the Town's municipal offices to the old Middle School. Mr. Ventres stated that previous studies reviewed numerous options available to the Town.

Mr. Walter stated that he would like the cost of the project to be cut in half. Mr. Govert stated that he was in favor of bringing the MSCC's recommendation to a referendum.

D.      Road Acceptance and Associated Drainage Easement – Meadow Brook Road: There was no new update on this agenda item.

E.      STEAP Power House Road Grant: There was no new update on this agenda item.

F.      Clark Gates Road Petition: Mr. Walter advised that enforcement of the speed limits at this location continued to be a priority and that Public Works would be installing larger stop signs at the intersection. Mr. Govert requested that using groove-cuts to control speeding on that road be discussed with Mr. Thumm's replacement when s/he was hired.

G.      Rotary Club Donation of Edgar D. Williams Park: Mr. Walter stated he has not yet received copies of the Goodspeed's Phase I and II reports on the property.

H. DCS Energy – Solar Panel Offer: In response to a question from Mr. Govert, Mr. Walter confirmed that it was still the intention to install solar panels on the Salt Shed.

Mr. Govert reported that Mr. Bradway agreed to register with the Town as a Doing-Business-As entity but that he was not willing to make the extensive revisions to the contract as requested by Atty. Poliner. Mr. Govert noted that he has spoken with the towns of East Hampton and Salem who advised they had had the contract reviewed by their attorneys and were comfortable signing it without making and changes. He said that they also spoke very highly about the work quality of the solar panel installations. Mr. Govert reiterated that the deadline to sign the contract was November 30<sup>th</sup> and he was concerned about losing the benefit of the free solar panels.

There was a general discussion regarding Atty. Poliner's comments on the DCS contract and Mr. Walter and Mr. Lyman stated the primary comment they would like to see addressed was that the First Selectman must give written consent for the use of the Town's name in any advertising or media stories. Mr. Govert agreed to ask Mr. Bradway to make that revision.

Mr. Govert advised that he had spoken with Mr. Farrow about the program and that the Historical Society and Sanctuary will also be participating in the program. He stated that he had also spoken with Ms. Golec about the panels that will be installed on the Senior Center and that she was very pleased with the plan.

#### 8. New Business

A. Extension of Gasoline Contract: Mr. Walter stated that he was waiting to hear back from East River Energy regarding an extension of the Town's contract and the Selectmen agreed to table this item until the next meeting.

B. Call for Town Meeting: The Selectmen discussed the call to send various items to Town Meeting.

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

The Electors and citizens of the Town of East Haddam, Connecticut qualified to vote in Town Meeting are hereby warned and notified that a Special Town Meeting will be held in the Town Hall on Town Street in the said Town of East Haddam at 8:00 p.m. on Tuesday, November 30, 2010 for the following purposes, to wit:

**Item 1:** To consider and act upon the recommendation of the Board of Selectmen to approve an ordinance entitled "Commission on Aging Ordinance". Copies of said ordinance are on file in the Town Clerk's Office during normal business hours.

**Item 2:** To consider and act upon the recommendation of the Open Space Committee and the Board of Selectmen to accept the following resolution:

BE IT HEREBY RESOLVED that the ordinance entitled "Open Space Trust Fund", approved by the East Haddam Town Meeting on June 28, 1998 and amended and restated in its entirety at Town Meeting

on December 30, 2002, is hereby amended to add the Agriculture Commission to Section 4 – Definitions: Open Space Committee as follows:

Open Space Committee: the Board of Selectmen shall appoint a Land Preservation Committee. The membership of the Committee shall be composed of an individual or representatives from each of the following commissions, boards, and organizations; the Board of Selectman, the Board of Finance, the Board of Education, the Planning and Zoning Commission, the Conservation Commission, the Inland Wetlands and Watercourses Commission, the Historic District Commission, the Economic Development Commission, the Recreation Commission, **[add: the Agriculture Commission]** and the East Haddam Land Trust, Inc. The membership shall coincide with terms of election or appointment from each committee or board and follow the political balance in accordance with Connecticut General Statutes. This Committee will be responsible for the preservation of agricultural and open space in Town, for the review and selection of agricultural and open space and for making recommendations to the Town for the land and for expenditures of any funds from the Open Space Trust Fund or any other source.

Copies of said ordinance are on file in the Town Clerk's Office during regular business hours.

**Item 3:** To consider and act upon the recommendation of the Board of Selectmen and the Board of Finance to accept a grant in the amount of \$1,750.00 from the Bureau of Justice Assistance, Bulletproof Vest Grant Program.

**Item 4:** To consider and act upon the recommendation of the Board of Selectmen and the Board of Finance to accept a donation of a 1977 Maxum 85' Ladder Truck from the Essex Fire Engine Company #1 for the East Haddam Fire Department.

**Item 5:** To consider and act upon the recommendation of the Board of Finance to transfer \$796 from 704-588701 Contingency to 710-582201 Tax Collector for the 2009-2010 Budget.

**Item 6:** To consider and act upon the recommendation of the Board of Finance to transfer \$7,766 from 704-588701 Contingency to 723-542301 Technology-Financial Software (\$6,039) and 723-542390 Technology-IT Service (\$1,727) for the 2009-2010 Budget.

**Item 7:** To consider and act upon the recommendation of the Board of Finance to approve a supplemental appropriation in the amount of \$39,373 to 712-540000-71712 Town Counsel (\$21,433) and 712-540000-71722 Labor Counsel (\$17,940) for the 2009-2010 Budget.

**Item 8:** To consider and act upon the recommendation of the Board of Finance to approve a supplemental appropriation in the amount of \$14,391 to 723-542390 Technology-IT Service.

Unanimous aye.

C. Volunteer of the Month: Mr. Walter recognized Mr. Tarbox and noted his many volunteer contributions to the Town.

Motion made by Mr. Walter, seconded by Mr. Govert, to nominate T.J. Tarbox as volunteer of the month for November 2010. Unanimous aye.

D. Tax Refunds: Mr. Walter called the Selectmen's attention to one tax refund.

Motion made by Mr. Walter, seconded by Mr. Lyman, to award a tax refund in the amount presented.

- \$ 50.59 to John F. Valley, Sr.  
Unanimous aye.

E. Commission Appointment (IWWC): Mr. Walter called the Selectmen's attention to an appointment recommendation letter in their meeting packets from Mr. Randy Dill, Chairman of the Inland Wetlands and Watercourses Commission, dated November 17, 2010.

Motion made by Mr. Walter, seconded by Mr. Govert, to appoint Susan O'Dell for a vacant two-year term to expire June 30, 2012 as an alternate member on the Inland Wetlands and Watercourse Commission. Unanimous aye.

9. Public Comment: Mr. Dill stated that he had come before the Board of Selectman a few months ago on behalf of the IWWC to request the Commission's ordinance be changed so that the representative from the Conservation Commission was a liaison rather than a voting member. He reviewed the reasons for the request and asked the matter be moved forward to a Town Meeting. The Selectmen confirmed that they were in agreement with his request and Mr. Walter stated he would pull out his file on this matter and take the steps necessary to add it to the next call for a Town Meeting.

Mr. Dill further stated that he was in favor of waiting for the State's budget to be finalized before the Selectmen recommend a referendum on either the Open Space funding request or the Middle School Conversion project.

Mr. Tarbox stated that he disagreed with waiting any longer on the Middle School Conversion project and encouraged the Selectmen to schedule a referendum. Mr. Blaschik stated he agreed with Mr. Tarbox and said that he did not know when it would be a good time to do the project. It was his opinion that if the project was delayed further, construction costs would go up, the cost of bonding would go up, and the buildings would continue to deteriorate.

10. Selectmen's Discussion: Mr. Govert stated that he would like to revisit the issue of Mr. Walter's comments at the Public Hearing on the Middle School Conversion options. He advised that he believed that it was an elected official's role to listen to the public at Public Hearings rather than try to convince the public. He noted that he understood that it was a matter of opinion but stated that he would have preferred that Mr. Walter had waited until the public was through commenting before he voiced his opinion. Mr. Walter stated that he appreciated Mr. Govert's opinion.

In response to a question from Mr. Lyman, Mr. Walter stated that the State had held back payment to the contractor who had done work on two bridges in Town and, as a result, the contractor owed the Town money. He stated that the contractor was now suing the Town for expenses they incurred on delays they felt were caused by the State.

11. Adjournment: There being no additional regular business to discuss, a motion was made by Mr. Walter, seconded by Mr. Govert, to adjourn the meeting at 8:48 p.m. Unanimous aye.

Respectfully submitted,

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Emmett Lyman, Secretary