

**Board of Selectman
Meeting Minutes
June 28, 2012**

Attendees:

First Selectman Clay Cope
Chris Jellen, Selectman

Andrea O'Connor, Selectman

I. Call to Order

First Selectman Clay Cope called the meeting to order at 7:01 p.m. at Mallory Town Hall.

II. Pledge of Allegiance

III. Approval of Minutes

- a. Board of Selectmen, May 24, 2012: Selectman O'Connor notes two points: i) p. 9: The Board approved 2 resolutions, and these should appear in the minutes as a matter of record ii) p. 11 – 1st paragraph – the discussion needs to be amplified, and Selectman O'Connor will provide Laura (Clerk) with additional thoughts about this via email. Selectman O'Connor also inquires if Selectman Cope reviews the minutes for typos/name misspellings, which he does. The Board decides to put off approval of these minutes until the resolutions are actually included and the noted changes made.
- b. Board of Selectmen, Special Meeting, May 31, 2012: Selectman O'Connor moves to accept, Selectman Jellen seconds, all in favor.

IV. Correspondence

First Selectman Clay Cope relays the following items of correspondence:

- A. A letter from The Connecticut Environmental Review Team in Haddam, dated 6/5/12.
- B. State Senator Michael McLachlan's 2012 Acts Affecting Municipalities Report.
- C. A letter of invitation from Firstlight for a Functional Exercise to be held on 9/26/12.
- D. Selectman O'Connor inquires if First Selectman Cope received a letter from Catherine Cooke, resigning from the Housing Commission. First Selectman Cope did not receive this letter.

V. Public Comment

Janet Hopkins reviewed old Sherman Sentinel issues and Town records for information regarding the plan of drafting a lease agreement pertaining to the O'Neil property. She is not sure the property is free to be used in the proposed way. According to Janet, the use of this property as open space was addressed at a Town Meeting on August 20th, 1993. The result was an agreement with Iroquois Gas, for use of this land as a nature trail, jogging track, and construction of a playground near the school. A portion of this land was to be maintained as "open space", and the specific legal terminology was "in perpetuity". At the time, attorney Randy DiBella noted that the term is not a flexible one, but rather quite firm. Janet located the end result of the Town Meeting in the Ordinance book, Volume T-5 p. 793. It was resolved that the Town of Sherman would dedicate and maintain the 36 acres of land at Colonial Park as public open space to be used solely for public outdoor recreational purposes in perpetuity. Janet notes the total property is 60 +/- acres, and she is not sure where the open space line is drawn, Fran Frattini can't find the map, and the Town Clerk can't find the map. Janet feels it is implied that there is some sort of line of demarcation on this land, and she notes that Ruth Byrnes send an email to Iroquois to check into this.

Selectman O'Connor says she researched this years ago. There is no easement map on file, and the property has never been subject to a survey. Selectman O'Connor says Town Clerk Carol Havens told her it was a 'floating easement' – wherever the Town wants it to be. Selectman O'Connor says all records from the attic would be in Old Town Hall. First Selectman Cope says he suggested that Ruth Byrnes reach out to Iroquois Gas on this, and as soon as he receives more information he will share with Janet and the other Selectmen.

VI. Old Business

A. Progress report on Town Projects

1. Emergency Services Facility Project: First Selectman Cope notes that the exterior sign has been installed, parking lights are striped (they need to be striped down to the liquor store), DEPPCO is 95% complete, controls people have been here all week, touch up painting is complete. The snafu is the water tanks (ordered from R&R). First Selectman Cope understands they will be installed July 8th, but it is a 2-3 week process. Flooring will continue over the next few weeks, transfer switch will be installed, and elevators will be the last thing. There was a need to relocate the Firehouse suppression tank, and testing of the tank will be scheduled at a later date. Selectman O'Connor asks about the financial status of the project. She notes that Eric Holub's report of March 22, 2012 said there was \$319,537 remaining in the funds, and there is concern now that money is running out. First Selectman Cope notes that the Petrocelli bills are a big part of this. Selectman O'Connor believes the only bill that came in after March 22 was the Petrocelli bill of approximately \$40K, and she wonders how the Town ran out of money, because she has not seen any

other bills to sign. First Selectman Cope says that Eric Holub has been monitoring spending carefully, and there should be updates to June.

2. Sherman Library expansion project: Joan Laucius states that the library is on the 7/5/12 agenda for P&Z. Tim Simpkins will sign off on the project, they are going out to bid around mid-summer, and they are hoping for a mid-fall start date. The B.O.E. will be offering some room for storage, and they have asked that the library make some alterations to keep the library & school separate, and the library will only use an exterior entrance. These alterations will be A.D.A. compliant, the library will maintain its hours of operation and will have staff on the premises of this temporary Sherman School location. First Selectman Cope notes that the library has signed the grant as written by the Board of Selectmen.
3. Spring Lake Road paving project: First Selectman Cope refers to a report generated by Ron Cooper regarding the paving issues. NJR has agreed to remove the asphalt and base in marked areas, and install new base, compact/test and repave. The areas have been "saw-cut" and the repair will occur the week of July 8th. The Town has requested a 2 year warranty on the paved surface to cover damages. First Selectman Cope feels this is the best compromise they could reach. The thickness variations run in long lengths, not just concentrated areas. Regarding the driveway aprons, Ron Cooper met with the contractors "sub" and identified each driveway entrance. The existing aprons have been saw-cut, and new aprons will be installed next week.
4. Fox Run detention basin project: First Selectman Cope reads an email from Arthur H. Howland & Associates regarding the modifications. The letter details calculations of the types of storm events that the pond can handle. First Selectman Cope notes that he is waiting for the design, so he can take it to Chuck Lee at DEEP. Arthur H. Howland & Associates assure First Selectman Cope that he will have the plan by the next B.O.S. meeting in July.

B. STEAP FY 2012 application resolutions: First Selectman Cope refers to a resolution he drafted covering four STEAP applications for this period:

- i. The bathroom renovations for the Playhouse.
- ii. Renovations to the 1926 portion of the Sherman Library (the red brick building). First Selectman Cope notes that exterior renovations of the library are not part of the expansion project.
- iii. A wash station at the Town Garage for public works equipment – First Selectman Cope has reached out to staff at O.P.M. and they are researching if this is something that would work as a STEAP grant.
- iv. Replacement of the boardwalk at the boat launch – First Selectman Cope received a complaint from a resident about the portion of the boardwalk on the left when facing the lake, the area the docks are attached to. The idea

here would be to make the boardwalk wider and possibly have benches every 100/150 feet for leisure.

First Selectman Cope moves to approve this resolution, Selectman O'Connor seconds, all in favor of signing this resolution authorizing First Selectman Cope to apply for STEAP funding for these projects. Selectman O'Connor inquires about the playhouse windows, and First Selectman Cope says the plan is to have the windows & bathrooms done at the same time. Selectman O'Connor also inquires about the tennis court STEAP application, declined in the last STEAP cycle. First Selectman Cope notes that OPM implied that this would not be a 'high priority' STEAP, due to the fact that tennis courts serve a limited group of people in town. Selectman O'Connor also inquires about a STEAP for a new ambulance, and First Selectman Cope informs her that EFS has indicated that they do not need the ambulance this year.

C. Public Safety Communications follow up: First Selectman Cope reads correspondence from this committee comprised of Chris Pitcher, Monty Clark, Sid Head, and David Hopkins. The status report notes that Town Attorney Jeff Sienkiewicz reviewed the proposal from RCC Consulting, and adapted it to serve as a contract between RCC and the Town. This has been approved by both Jeff and RCC, and now the Board of Selectmen must approve the contract, and authorize First Selectman Cope to sign it, and appoint a liaison to act for the town to manage the contract. Also, LCD and the Fire Department did a coverage test for new LCD equipment. The test consisted of sending 5 different teams to 46 locations around town, recording the quality of the calls on a scale of 1-5. The data collected will be available to RCC. Once the contract is signed, work will begin as per the contract. Selectman O'Connor moves to approve the radio analysis/conceptual design and authorize First Selectman Cope to sign said contract, and to appoint David Hopkins as the liaison on the contract, Selectman Jellen seconds, all approve. First Selectman Cope notes that this proposal will be in his office.

VII. New Business

A. Approve tax refunds – Selectman Cope notes one refund, for \$19.51 for property tax. Selectman Jellen moves to approve the refund, Selectman O'Connor seconds, all in favor.

B. Self-composting facilities issue at Veteran's Field – First Selectman Cope received complaints about the conditions inside the facilities. Tim Simpkins (Director of the Health Department) did an onsite inspection on June 7, 2012. Tim says the conditions were deplorable, with feces on the women's room floor and overwhelming odors. He suggested closing the restrooms and using portable toilets until some organization is assigned to maintain and clean the facilities. First Selectman Cope says the facilities were locked. He is concerned about the wooden material on the floor being absorbent and difficult to clean, and he suggests some sort of solid flooring instead. Selectman O'Connor notes that there are difficulties with these facilities because the introduction

of water has to be controlled. She had hoped to hire a service to take care of the facilities, and she agrees that the interior is made of inappropriate materials. First Selectman Cope will obtain estimates on solid flooring materials, and he and Selectman O'Connor agree that these facilities need to be locked at certain times. Selectman O'Connor notes that it would have been helpful if she and Selectman Jellen had received this letter earlier, as they receive complaints from people as well.

C. Appropriation transfer discussion – First Selectman Cope is working with Town Treasurer Eric Holub to find out how to best move funds from certain accounts to other accounts. Selectman O'Connor notes that bills will come in for a month after closing of the fiscal year and it can be difficult to know where you have funds that you can move. She says she is not certain if they can absorb overruns with the existing budget. She looked at Eric's figures on building permits – there is some money they could recover there, but that is a budget adjustment and would require a Town Meeting. She does not see a lot of wiggle room in here, at 97% expended, with more bills to come in. First Selectman Cope will be working with Eric on this over the next couple of days.

D. Discussion of Housing Commission affordable senior housing initiative – Selectman O'Connor drafted a resolution for Board consideration. She would like a lease to be drafted between the Town and an entity, to use a portion of the Town-owned property at Colonial Field for an affordable senior housing complex. The goal would be to give the Housing Commission what they are seeking. A lease would allow them to do their exploration and get things moving. Selectman O'Connor says the Commission is looking for a base map, and they have been urged to form a 501c (3) necessary to manage it. First Selectman Cope would like to move this to the agenda for the July meeting. He is concerned about what the Town does with this property. He also suggests that the people in Town should be a part of this decision process before a lease is drawn up.

E. Discussion of Sherman Board of Education Resolution– First Selectman Cope refers to an email to Robert Gamper (Board of Education Chairman) from Donald Fital (Superintendent of Schools). This email notes that the grant receipts for the 2011-12 school year fall short by \$19K of the grant amounts on which the School Budget was developed. There was also an unbudgeted expense of \$70K for special education, and an upsurge of \$11K for free/reduced lunches. The point of this mail is to note that the school may end the year with a deficit. This requires the Board of Education to notify the Board of Selectmen (acting as Board of Finance) to expect a resolution from the B.O.E. containing an updated projection of the deficit in the next week. First Selectman Cope met with Robert Gamper and this resolution was approved. The school was short \$19,042 during the 2011-12 school year, and this is the deficit of \$19,059. The B.O.E. resolves to transmit to the B.O.S./B.O.F. to provide an additional appropriation to the B.O.E. to cover this deficit, in an amount not to exceed \$23,000. Final numbers from the B.O.E. will be received by July 20th.

The Selectmen agree to meet again on July 12th at 7:00 p.m., and Eric Holub will be here at that time. Selectman O'Connor suggests dealing with overruns and town transfers at this meeting. She would also like to discuss periodic reports on the status of capital non-recurring (they show open projects that have been closed), as well as the status of the EFS funding project. The primary purpose of this meeting is to discuss bonding for the library.

F. BOS Appointee for Library Building Committee (Selectman Jellen added this to the agenda): First Selectman Cope moves to have Selectman Jellen appointed as B.O.S. Appointee to the Library Building Committee, Selectman O'Connor seconds, all in favor.

G. Personnel Issue (Executive Session): Selectman O'Connor moves for the Board to enter into Executive Session, Selectman Jellen seconds, and the Selectmen recess into private session for 18 minutes, at which time Selectman O'Connor moves to end Executive Session, Selectman Jellen seconds, and the regular meeting resumes.

VIII. General Discussion: Items to be brought up by Selectmen for future agendas

Selectman O'Connor notes she has signed 2 checks for Laura Pettinato as the Tax Collector's Assistant. That appointment needs to be made by the Board. She asks that Pat Werme (Tax Collector) bring this to the Board for Approval, as she (Pat) has been adamant in the past about having a certified assistant. Selectman O'Connor wants something from Pat about this at the July 26th meeting.

IX. Public Comment

Janet Hopkins is shocked to learn that the old brick portion of the library is not part of the expansion budget, and she hoped that the lamppost would be part of this project too. She hopes that the STEAP for the library will be enough to cover this as well.

Joan Laucius says the 1926 portion of the library will be brought up to code in the expansion project, but the project won't cover restoration – just repair/renovation.

Kathy Wriston says her understanding is that the proposed Senior Housing would be HUD affordable housing, with a 100% lottery system spanning a 50 mile radius around Sherman. She says there is no way to know that any Sherman residents would actually be placed in there if it existed. She also notes that we don't even know if the people in Town would want this. She says the first order of business is a vote as to whether the people in this Town even want to pursue such a project.

Dorinda Lenihan has a question about what happens with this proposed Senior Housing site if nobody has a line in the property. First Selectman Cope is trying to find out more about this from Iroquois.

Veronica Scheer inquires about the results of the public safety testing, and First Selectman Cope will have Dave Hopkins reach out to her on this.

Joe Keneally speaks regarding the Senior Housing proposition. He knows that Governor Malloy has allowed 300 million of state money to help fund these projects.

Carol Faure states that there is a need for a small number of rental units in this town. She says these exist in Roxbury, Kent, and Washington. Her understanding of the lottery is that people that live here and their mothers would get points to put them ahead on the list. She feels people like to stay in a place that they know, with their church and friends.

X. Adjournment

Selectman Jellen moves to adjourn the Board of Selectmen Meeting at 8:25 PM, with Selectmen O'Connor seconding and all voting in favor.

Respectfully Submitted,
Laura Pettinato, Clerk

Clay Cope

Chris Jellen

Andrea O'Connor