



Town of Sherman  
Board of Selectman  
Special Meeting Minutes  
January 27, 2014  
7:00 p.m.  
Mallory Town Hall

FINAL

**Members Present:** First Selectman, C. Cope, Selectman B. Ostrosky & Selectman A. O'Connor

**Invited:** Treasurer, Eric Holub and Town Atty. Jeff Sienkiewicz

Purpose of the Meeting is to discuss and possibly act on the transition of Happy Acres Farm from the Hapanowich Trust to the Town of Sherman.

**Call to Order:**

First Selectman C. Cope Called the Meeting to Order at 7:02 p.m.

**Public Comment:**

N. Volkmar suggested it might be more helpful to allow public comment following the main discussion of this meeting.

L. LaVia showed concerns regarding the vacant farm house located on Happy Acres Farm, strongly suggesting allowing the Farm Manager the opportunity to live on the premises.

P. Scheer shared information regarding Ambler Farm in CT, stating it would be a good model to emulate when considering the future of Happy Acres Farm.

J. Freed agreed with N. Volkmar's statement that it would be more productive to allow the public to comment once the main discussion has taken place. Mrs. Freed stated she encourages competitive proposals for the future operations at the Farm and recommends the Town be presented the information at a Town Meeting.

T. Beatty spoke in support of keeping Happy Acres as it is today a cattle farm, stating that is what he voted in favor of three years ago and that is what he hopes will continue.

**Discussion and Possible Action:**

First Selectman C. Cope Closed the Public Comment portion of the Meeting. Treasurer, E. Holub asked what formal recommendations were shared from the Ad Hoc Committee on Happy Acres Farm. J. Freed, Chairman of the Ad Hoc Committee on Happy Acres Farm referred to the (HAFC) Minutes of November of 2013, stating the recommendation of the Committee was to offer the Farm Manager a short term agreement and not to extend living quarters as part of the employment with the goal of making the Farm available for proposals from independent enterprises or 501-c-3 corporations. First Selectman C. Cope shared information with the BoS and Invited correspondence received from the Estate Atty, Richard Sperry, stating the farm's insurance policy was set to expire

March 19<sup>th</sup>, and a decision is necessary to determine the future of the Farm. Atty. Sienkiewicz stated the Town has a competitive bid ordinance and asked if any RFP's have been issued. Treasurer, E. Holub asked if an employment opportunity was posted. Atty. Sienkiewicz stated a job description would be necessary and shared a few examples. Selectman B. Ostrosky stated he was having difficulty understanding the financial model, if the Town were to hire the Farm Manager as an employee, how would the Town break even? Discussion followed weighing the costs and responsibilities of the Town if the Farm Manager were to be hired as a Town employee. Atty. Sienkiewicz stated there is specific language for a lease agreement if the Town were to lease the Farm or its' land. Treasurer E. Holub discussed the status of a promissory note issued to the Estate from the Town. Mr. Holub additionally passed out an outline in reference to how funding could be used moving into the future. Discussion followed regarding the interpretation of the Trust and specifically the restrictions with the use of funding. There was still confusion in regard to what was defined in the Trust as "Maintenance". Atty. Sienkiewicz suggested contacting with the Atty. General to discuss the interpretation of the Trust. Atty. Sienkiewicz recommended the BoS hold a Town meeting as soon as possible to appropriate funds from the accumulated cell tower revenue to fund the farm operations and related costs to the end of the fiscal year. First Selectman C. Cope then allowed additional Public Comment.

**Public Comment:**

T. Beatty spoke in reference to when he voted in favor of preserving Happy Acres Farm, he intended to do just that, preserve a cattle farm.

T. Pease stated it is unrealistic to expect nothing to change, additionally she asked if the Town would consider having more than one tenant farmer at a time.

L. LaVia stated she agreed with Mr. Beatty's comment, the Town voted three years ago to preserve a cattle farm, before any decisions can be determined regarding the Farm's future, let the Town hear what is being proposed at a Town meeting.

J. Wozniak stated she wished the BoS had requested a recommendation from the Ad Hoc Committee on Happy Acres Farm prior to this meeting to facilitate the decision making process, the Committee is currently working toward determining the best timeline for the operation of the farm and hopes the Town carefully considers options not to incur additional costs to taxes allowing the revenue from the farm and cell tower to cover the expenses.

P. Scheer asked the BoS not to make quick decisions based on fear when considering the future of the Farm.

N. Volkmar shared frustration regarding the lack of communication between the BoS and the Ad Hoc Committee on Happy Acres Farm. Mr. Volkmar asked how the Committee can make any recommendations when none of the financial information has been shared. Additionally, Mr. Volkmar stated, the Committee has not proposed a RFP because has been waiting on feedback from the BoS regarding the results of negotiations between the farm manager and the Town.

J. Freed additionally shared frustration, stating she volunteered to Chair the Ad Hoc Committee on Happy Acres Farm to help the Town come up with a plan for the Farm. The Committee consists of members who have a wide range of expertise. She asked what the point of the Committee was if the BoS won't take recommendations seriously?

First Selectman C. Cope resumed the discussion of the BoS and invited guests, the following action took place.

Selectman A. O'Connor Moved to appropriate the sum of \$64,000 (Sixty four thousand dollars) to fund the operation of Happy Acres Farm through the end of the fiscal year, June 30,2014 including the cost of labor and employees, insurance, utilities, and other related farm costs including administrative fees and legal costs. Said appropriation shall be met by the expenditure of funds from the accumulated cell tower revenue in the Capital Non-recurring Fund account and revenues derived from farm operations.  
Seconded by: Selectman B. Ostrosky Vote: For: Unanimous

Selectman A. O'Connor Moved to authorize the First Selectman to set the date for a Town Meeting for the Happy Acres Farm appropriation, recommended date of February 7, 2014 or such other date as may be feasible.  
Seconded by: Selectman B. Ostrosky Vote: For: Unanimous

Adjourn

Selectman B. Ostrosky Adjourned the Special Meeting at 9:25 p.m.

Respectfully submitted by:



Christine Branson  
January 28, 2014

AMENDED AS PER BoS 3/27/14 RMM

  
First Selectman C. Cope  
Selectman B. Ostrosky  
Selectman A. O'Connor