



**Town of Sherman  
Board of Selectman  
Regular Monthly Meeting  
April 23, 2015  
7:00 p.m.  
Mallory Town Hall**

**FINAL**

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

**Audience & Invited:** G. Linkletter, J. O'Connor, BoE: R. Hanley, C. Diotte, J. Kenealley, C. Jellen, Treasurer E. Holub, Housing Commission A. Von Plachecki, B. Hoag, Facilities Manager, F. Spaziani and V. Sheer (Citizen News)

**Call to Order:**

**First Selectman C. Cope Called the Meeting to Order** at 7:01 p.m.

**Approval of Minutes:**

**Selectman B. Ostrosky Moved to Approve** the Minutes of Regular Meeting of February 26th, 2015 as written.

**Seconded by:** A. O'Connor **Vote: For: 2 Abstain:1 (O'Connor)**

**Selectman A. O'Connor Moved to Approve** the Minutes of Special Meeting of March 26th, 2015 as written.

**Seconded by:** B. Ostrosky **Vote: For: Unanimous**

**Selectman A. O'Connor Moved to Approve** the Minutes of Regular Meeting of March 26th, 2015 as Amended (correct the spelling of J. Burzinski).

**Seconded by:** B. Ostrosky **Vote: For: Unanimous**

**Selectman A. O'Connor Moved to Approve** the Minutes of Special Meeting of March 31st, 2015 as Amended (correct the spelling of J. Laucious and correct the final FY 2015-16 Budget amount approved to the Library \$ 145,000.00).

**Seconded by:** B. Ostrosky **Vote: For: Unanimous**

**Selectman A. O'Connor Moved to Approve** the Minutes of Special Meeting of April 8th, 2015 as written.

**Seconded by:** B. Ostrosky **Vote: For: Unanimous**

**Selectman A. O'Connor Moved to Approve** the Minutes of Special Meeting of April 13, 2015 6:30 pm, 2015 as written.

**Seconded by:** B. Ostrosky **Vote: For: Unanimous**

**Selectman A. O'Connor Moved to Approve** the Minutes of Special Meeting of April 13, 2015 7:00 pm, 2015 as written.

**Seconded by:** B. Ostrosky **Vote: For: Unanimous**

**Correspondence:**

**M. Arena-** in response to the 2015-16 Budget funding cut to the S.P.A.R.K. program.

**C. Bloom-** in reference to the milfoil problem at Candlewood Lake and Squantz Pond.

**D. Cardillo-** in reference to the milfoil problem at Squantz Pond.

**Town of Kent, First Selectman B. Adams-** Collective letter represented by several area Selectmen in reference to concerns regarding Tribal Recognition and gambling.

**Clean Energy Communities Municipal Pledge-** First Selectman, C. Cope agreed to sign on the Town's behalf.

**Sherman Social Services Municipal Agent, B. Trott-** in reference to May is Older Americans Month.

**Old Business:**

**Progress Report on Town Projects:**

**Emergency Services Facility:**

First Selectman C. Cope reported the lift has been re-delivered to install the air exhaust system to the garage bays. The floors still need to be painted and striped properly, the original application did not adhere. The next step is to get quotes for removing the finish the floor with epoxy and then paint and stripe the bay floor area.

**Public Works Wash Station:**

First Selectman C. Cope reported the Bid Documents are being adjusted to include a Construction Manager.

**Housing Commission Report:**

Chairman A. Van Plachecki reported on recent inaccuracies that have been published in the newspapers and wishes to clarify any misconceptions of a particular statement made back in January. Mr. Van Plachecki then gave a brief history of the CT Affordable Housing Act of 1989. It is a State Mandate with a sub-section referring to Senior Affordable Housing. The Housing Commission recognizes this town may not be an ideal candidate for affordable housing for Seniors, there are no local Doctor's offices, no pharmacy, no public water and sewer systems, public transportation, and no way to commute on foot safely for long distances. Previously there was a survey conducted to determine the kind of housing the Commission should recommend. The survey yielded no useful data, since it did not request information specific relative to needs. The previous Housing Commission worked very hard to create a suitable housing scenario but was met with defeat when it came time for the people to vote. This new Commission will move forward with their charge to determine what is best for Sherman with specific focus on Seniors and residents. Mr. Van Plachecki reiterated that the Commission in no way made any reference to re-writing the existing Zoning Regulations, nor did they speak in reference to Accessory Dwellings and Apartments, the only change they are actively working on is in reference to the P&Z Public Hearing coming up on June 4th to request reconsideration to the limitations proposed for accessory dwellings limited to properties that are eight acres or greater. Mr. Van Plachecki spoke in reference to concerns of increased density. There are no current regulations that allow apartment buildings. He stated the Commission is well informed on the requirements set forth by the CT State Mandate regarding Affordable Housing. Mr. Van Plachecki stated he plans on attending the P&Z Public Hearing to speak about the eight acre limitations proposed for accessory dwellings, he looks forward to the opportunity to have open dialogue regarding the new proposed Regulation. Housing Commissioner B. Hoag then presented a summary regarding proposed tax relief scenarios for seniors in Sherman. The State provides a program currently called the "Circuit Breaker", which qualifying low income Seniors can be relieved of a portion of their taxes. The Circuit Breaker consists of three levels of tax relief: Deferral, Freeze and Exemption. Sherman currently participates in one additional option for Seniors. The Housing Commission recommends the Board of Selectman consider updating their tax relief to match the State standards and increase the credited amount an additional \$100.00, this will create a very minimal impact on the taxpayer, and possibly allow more senior residents to stay in their homes.

### **Monthly Financial Summary:**

First Selectman C. Cope discussed the monthly financial report, most lines are on track for the time of year. The Roads line are high but are anticipated to be offset by a LoCIP grant. Selectman B. Ostrosky stated the State Trooper and expenditure for equipment upgrade for a laser will be reimbursed. The BoS discussed the payment to an Attorney who was hired to handle a personnel matter. Further discussion regarding an hourly rate being paid to oversee the maintenance of the ESF, a title correction will be made. Discussion took place regarding the increased use of the webmaster, this was clarified due to a problem with the website which took a considerable amount of time to correct.

### **Disbursement Controls Policy Update:**

Selectman B. Ostrosky reported he continues to review the purchasing policy. He shared with the BoS a draft which includes new policy sections including "Sales disposal" as well as numerous updates and additions and requested feedback from the BoS.

### **Draft Ordinance septic tank visual inspection/ walk-over program discussion:**

First Selectman C. Cope reminded the BoS there will be a referendum vote May 2nd, 2015.

### **Department of Public Works improvement strategies:**

Selectman B. Ostrosky reported he has been working on the Asset Disposal Policy and updating financial controls. He plans to meet with Public Works Supervisor D. Borkowski to discuss the procedures.

### **Happy Acres Farm:**

First Selectman C. Cope read into record an email received by Full Circle Farming, A. Mantzaris regarding a list of outstanding repairs and requests. Requested items are: Tractor IH 856 repair approximately \$ 3,000.00. Basement water leak from line to barn repair cost unknown. Repairs to barn wall approximately \$ 5,000.00 to \$ 10,000.00 depending on which option of the proposal is implemented, according to a proposal submitted by Hudson Valley Preservation, M. Lord. Rehabilitation of the farm stand , Full Circle is requesting the Town incur half the costs to upgrade the electrical system and related trenching to the farm stand as this will be a permanent upgrade to the infrastructure. They have received several quotes from electricians as well as land excavators. First Selectman C. Cope consulted the Town Atty. J. Sienkiewicz in reference to the Town's responsibilities per the Lease Agreement. The BoS discussed the Atty.'s recommendations: the repair of the tractor, according to the lease any repair costing greater than 30% (\$ 2,340.00) of the value of the tractor (\$ 7,800.00), the Town can elect to pay the balance, or offer the tractor for purchase to the tenant, less the cost of repairs. The Atty, recommended the Town pay the overage, since the tractor is an important component to the farm. The leak in the basement should be paid out of the endowment, less \$1,000.00 paid by the tenant according to section 10 E of the lease. Preservation of the barn also falls under the same section of the lease, paid out of the endowment. The electrical upgrade Atty. Sienkiewicz refers to section 10 B, which would fall completely under the responsibility of the tenant. The Atty. further recommended the Town receive firm estimates for the costs of the above items. Treasurer E. Holub stated there were remaining funds from the last appropriation that may be enough to cover the repairs to the basement and tractor.

**Selectman A. O'Connor Moved to Approve** Tractor IH 856 repairs not to exceed \$4,500.00 pending confirmation of the fund balance from the past appropriation.

**Seconded by:** B. Ostrosky

**Vote: For: Unanimous**

**Selectman A. O'Connor Moved to Approve** the basement pipe repairs pending confirmation of the fund balance from the past appropriation.

**Seconded by:** B. Ostrosky

**Vote: For: Unanimous**

### **Farm Committee**

First Selectman C. Cope reported the tenants, and Committee members met with the BoS to discuss recommendations from Marcetti to repair the barn. This is the first actionable item. First Selectman Cope will draft duties and mission of the Ad Hoc Farm Committee by the next BoS meeting.

### **Happy Acres restricted fund management discussion**

First Selectman C. Cope read into record an email received by Town Atty. J. Sienkiewicz, who recommends the Town follow the CT adoption of the Uniform Prudent Management of Institutional Funds Act, Section 45a-535a, provided the Town took some action under Section 7-148 ©(B)(3) to permit such non-traditional investments. Atty. Sienkiewicz stated he was leaning more toward drafting an ordinance, but as per the request of First Selectman Cope's, submitted a working draft "Management, Investment and Spending Policy" for the BoS to review, however requires additional direction before proceeding. The BoS discussed and agreed, creating an ordinance would be appropriate. The ordinance will need to clearly define what constitutes as maintenance, as stipulated in the endowment. Treasurer, E. Holub requested implementation of parameters of , such as any investment must be diversified, expenditure to limit the principal not to go below a specific percentage, 4% was discussed. Additionally Mr. Holub stated he felt the Policy should be secondary, written to support the ordinance. The BoS agreed to review further and meet again for possible action.

### **Sherman School Boiler update**

Facilities Manager, F. Spaziani reported the BoE chose the bid proposal from BL, they are in the process of preparing final documents. The intent is to begin replacement of the boiler once the school year closes in mid-June. First Selectman Cope requested the an update on the cost of the work. Mr. Spaziani stated the original estimate was believed to be around \$ 175,000.00 but it looks more like it will be closer to \$ 230,000.00. Mr. Spaziani was asked to provide an update at the next regular meeting.

### **Sherman School K-Wing update**

BoE Member, C. Diotte reported the BoE's decision to keep the students out of the K-Wing for the remainder of the current school year. To provide confidence, the BoE has determined it is best to permanently re-locate the kindergarten classes. Funding to retrofit existing space into the classrooms will come from the current years' operating budget (FY 2014-15). The two classrooms will need new bathrooms installed. Facilities Manager, F. Spaziani reported the results of a core sample taken from the exterior wall of the K-Wing. He stated it contained numerous layers, some containing lead paint, and mold. There was no asbestos detected, and the microbial test results have not come in yet. The BoS discussed the fact that this work is will be coming out of two different Fiscal Years. It was determined that the Auditor should be consulted to figure the best way to pay for the construction costs and which FY budget the expense should come from.

### **Potential ordinance regarding religious/ secular displays on Town Owned property**

Selectman A. O'Connor stated she reviewed the proposed Walpole MA ordinance provided by G. Albert and does not feel it is appropriate. A brief discussion followed, no action was taken.

**Dock replacement bid results, Town Beach**

First Selectman C. Cope the Park & Recreation Commission to review the bid replies regarding the replacement of the docks. Park & Recreation stated they recommend the BoS accept the bid received from Harry T. Tucker in the amount of \$ 34,850.00.

Selectman A. O'Connor Moved to Approve the bid proposal from Harry T. Tucker in not to exceed the amount of \$ 34,850.00 for the replacement of five docks and catwalk approaches at the Sherman Town Park, 15 Saw Mill Road, Sherman, CT.

Seconded by: B. Ostrosky

Vote: For: Unanimous

**New Business**

**Tax Refunds**

Selectman A. O'Connor Moved to Approve the refund of property and motor vehicle taxes totaling the amount of \$ 3,525.25.

Seconded by: B. Ostrosky

Vote: For: Unanimous

**Tax Suspense List**

Selectman A. O'Connor Moved to Approve the transfer of uncollectable taxes in the amount of \$ 6,625.06 to the Suspense Tax Book, pursuant to section 12-165 of the General State Statutes.

Seconded by: B. Ostrosky

Vote: For: Unanimous

**Appointments Boards & Commissions**

Selectman A. O'Connor Moved to Approve appointment of Janet Wey to serve on the Commission on Aging.

Seconded by: B. Ostrosky

Vote: For: Unanimous

Selectman A. O'Connor Moved to Approve appointment of Arthur Jellen to serve on the Commission on Aging.

Seconded by: B. Ostrosky

Vote: For: Unanimous

**Tax Abatement Committee formation per State Statute discussion**

Selectman A. O'Connor Moved to Approve appointment of the Town of Sherman, Board of Selectman to serve as the Tax Abatement Committee.

Seconded by: B. Ostrosky

Vote: For: Unanimous

**General Discussion**

The BoS discussed the urgency of the proposed ordinance for Happy Acres financial controls, hoping to meet sooner than the next Regular Monthly Meeting.

The BoS agreed to keep the Cell Tower discussion on the Agenda for Monthly meetings to update the public on any progress.

**Public Comment**

**A. Blake-** spoke in reference to the unexplained high sodium levels in the ground water relating to the Town Center. Her property is one affected by the sodium and she is angry and upset that she cannot use the water in her home for consumption. She additionally stated she felt the Public was not properly notified in a timely manner and would like an explanation as to what the Town is doing to rectify the water problem.

**First Selectman C. Cope-** responded to Ms. Blake's request; the Health Director has been in discussion with the State Health Inspector, there will be a joint investigation this coming Friday and several sites will be tested starting at the Elementary school, Old Town Hall, Mallory Town Hall, the ESF building and several other sites to determine the properties affected as well as determine the kind of sodium involved. As soon as a determination has been made Mr. Cope will update all parties

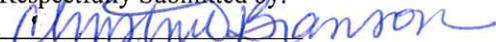
**V. Sheer-** spoke in reference to the Happy Acres Endowment fund, asking where the funding is currently held.

**Treasurer, E. Holub-** responded the Happy Acres Endowment funding is in a money market account waiting for the BoS to act upon.

**Adjournment**

Selectman B. Ostrosky Adjourned the Meeting at 8:37p.m.

Respectfully Submitted by:

  
Christine Branson, Clerk  
April 30, 2015

**\* APPROVED FINAL WITH APPLIED AMENDMENTS AT THE MAY 28,2015 REGULAR MONTHLY MEETING.**