



**Town of Sherman
Board of Selectman
Regular Monthly Meeting Minutes
May 26, 2016
7:00 p.m.
Mallory Town Hall**

FINAL

Members Present: First Selectman C. Cope, Selectman B. Ostrosky, and Selectman D. Lowe

Members Absent: None

Audience: G. Linkletter, G. Maletz, S. Maletz, J. Seigel, S. Randall, L. Berger, S. Greenbaum, A. Chiamonte, P. Schaer, and V. Scheer (Town Tribune)

CALL TO ORDER: First Selectman C. Cope Called the Meeting to Order at 7:05 pm

Public Comment:

- P. Schaer- requested the BoS take action and move forward in proposing a modified Septic walk-over plan to the Town.
- S. Randall- provided a handout with information in relation to cyanobacteria, requesting the BoS' consideration of a modified draft of an Ordinance Regarding Septic Management (also included with the handout).

CORRESPONDENCE:

- G. Gwyther- wrote in favor of the septic management program.
- Atty. J. Sienkiewicz of Allingham & Readyoff, LLC, - in reference to the matter of Sam J. Simons and Angela M. Simons v. Town of Sherman, et al.

ADMINISTRATIVE ITEMS:

Approval of April 28, 2016 Regular Monthly Meeting Minutes:

Selectman D. Lowe Moved to Approve the Minutes of Regular Monthly Meeting April 28, 2016 as written.

Seconded by: B. Ostrosky

Vote: For: Unanimous

Set the Mill Rate:

Selectman B. Ostrosky Moved to set the Mill Rate for Fiscal Year 2016/2017 at 20.34

Seconded by: D. Lowe

Vote: For: Unanimous

Approval of Tax Collector's Suspense List:

Selectman D. Lowe Moved to Approve the Tax Collector's recommendation to transfer uncollectible property taxes in the amount of \$ 9,589.90 to the suspense tax book.

Seconded by: B. Ostrosky

Vote: For: Unanimous

Tax Refunds:

No refunds were requested.

Monthly Financial Summary Review:

No discussion took place.

Financial Controls:

No discussion took place.

Purchasing Policy:

No discussion took place.

Approval of Warning for the Town Meeting to be held on June 11th, 2016

Selectman D. Lowe Moved to Approve the Warning of a Town Meeting to be held in the meeting room at Mallory Town Hall on Saturday, June 11th, 2016 at 10:00 AM to act on the following:

1. To authorize an expenditure not to exceed \$2,100 from the Capital Non-Recurring Fund for installation of wireless services at Mallory Town Hall
2. To authorize an expenditure not to exceed \$2,800 from the Capital Non-Recurring Fund for posting Assessors field cards on line
3. To authorize an expenditure not to exceed \$5,000 from the Capital Non-Recurring Fund for the refurbishment of the bathroom at Department of Public Works
4. To authorize an expenditure not to exceed \$175,000 from the Capital Non-Recurring Fund for the purchase of n International 4900 6-wheel dump truck for the Department of Public Works to replace a 2000 Model 4700 International 6 wheel dump truck
5. To authorize an expenditure not to exceed \$13,000 from the Capital Non-Recurring Fund for the purchase of 150 chairs for Charter Hall in the Emergency Services Facility
6. To authorize an expenditure not to exceed \$40,000 from the Capital Non-Recurring Fund for the purchase of a SBCA compressor for the Sherman Volunteer Fire Department at the Emergency Services Facility
7. To authorize an expenditure not to exceed \$135,000 from the Capital Non-Recurring Fund for the replacement of the Tennis Courts at Veterans Field, as requested by the Parks and Recreation Commission
8. To authorize an expenditure not to exceed \$6,000 from the Capital Non-Recurring Fund for repairs to the basketball courts at Veterans Field, as requested by the Parks and Recreation Commission
9. To authorize an expenditure not to exceed \$13,250 from the Capital Non-Recurring Fund for playground repairs at the Sherman School, as requested by the Board of Education
10. To authorize an expenditure not to exceed \$14,610 from the Capital Non-Recurring Fund for walkway lighting at the Sherman School, as requested by the Board of Education
11. To authorize the First Selectman to accept and administer LoCIP grant funds in the amount of \$51,380 for the refurbishment of the cupola, the replacement of carpeting, and related updates and maintenance at Mallory Town Hall
12. To authorize the appropriation of \$20,000, funded from accumulated cell tower revenue and farm rental income from Happy Acres Farm for farm related maintenance and expenses for the period July 1, 2016 - June 30, 2017

Seconded by: B. Ostrosky

Vote: For: Unanimous

INFORMATION & DISCUSSION ITEMS:

Progress report on Town Projects:

Public Works Wash Station:

First Selectman C. Cope reported the building has been ordered. The foundation excavation is in process. The detention pond will be expanded, trenching has been dug, and footings are expected to be poured this Tuesday.

Water issue regarding elevated sodium content:

First Selectman C. Cope reported a meeting with Marc Cohen from Atlantic States Rural Water & Wastewater Association, and is waiting to receive a draft report on Mr. Cohen's findings which will be submitted to the State.

Sherman School Boiler Project:

First Selectman C. Cope reported an email from Facilities Manager, F. Spaziani stating the final invoice has been received and submitted to the Business Manager. First Selectman C. Cope stated the final amount of \$ 225,873.00 was paid. This project is now closed and this item will be removed from future Agendas.

Sherman School K-wing update:

Selectman B. Ostrosky read email correspondence from BoE Chair R. Handley in reference to an update of the Joint Advisory Group. They are working with the Town Engineer to further investigate the extent of remediation required in the wing. Their goal is to identify the cause of the mold, and eliminate the moisture entering the wing and remediate existing mold. Also identified as a potential problem, was the existing HVAC system in the wing which was pulling air through wall cavities. A final report will be provided upon completion of the investigation.

Housing Commission Report:

Selectman Ostrosky reported the number of surveys received is close to 500. Each survey will be stamped with a number and the data will be input into the electronic survey program. The Comments will be carefully considered, and will be left to the Housing Commission for further discussions. All materials will be kept for discussion and auditing purposes. Mr. Ostrosky plans to present the results at their next meeting.

Happy Acres Farm Report:

First Selectman C. Cope reported an email from Full Circle Farming, LLC showing the official head count of the herd at 46 (2 were processed on April 28, 2016). The herd is in the pastures and there have been 11 calves born this spring. The farm stand is officially open for the season, Fridays, Saturdays and Sunday's beginning in June. May 26th will be the second annual Memorial Day picnic; the public will be charged a small fee for admittance.

Residents for Reliable Cell Service in Sherman:

From the audience, G. Maletz requested if the First Selectman has any new information to share since the last meeting. Mrs. Maletz stated no new reports have come from Homeland Towers. First Selectman Cope stated he was approached recently by a landowner at Wakeman Hill Rd. and he forwarded Mr. Vergatti's from Homeland Towers contact information. Mr. Cope stated he is currently working with T-Mobile to add a new carrier to the Happy Acres Cell Site. Mr. Cope additionally stated he will conduct follow up calls to the carriers he has reached out to. Mr. Cope stated he is sympathetic to the level of frustration regarding the length of time this is taking, but said this is going on all over the State. Selectman Ostrosky requested the First Selectman to speak to Homeland

Towers, to see if they have of considered other sites identified as viable in town. Mrs. Maletz provided SBA Communications' contact information to Mr. Cope and requested he contact them as well for consideration. Mr. Maletz asked if anyone has ever looked at the Great Hollow area to see if there were any viable locations. First Selectman Cope added he would reach out to NAROMI and Great Hollow to see if there was any interest. S. Greenbaum spoke from the audience on behalf of NAROMI and stated there were two (NAROMI) properties that were researched.

Communications and Website:

Selectman Ostrosky stated he would reach out to the companies he had originally approached now that the Budget has been approved.

Discussion on what constitutes appropriate correspondence to be brought to BoS meetings:

Selectman Ostrosky posed this question at the last Meeting. First Selectman C. Cope stated he includes everything in the meeting binder that is received when it is addressed to the Board and either reads correspondence into record or it is read under a specific topic. Selectman Lowe clarified that topics can be informally discussed between members as long as no decisions are made outside of a Meeting. All correspondence is retained for records.

Inter-Town Capital Equipment (ICE) Purchase Incentive Program Grant for CLA Patrol Boat:

The BoS discussed this State grant funding that was previously approved in the Governor's Budget for FY 2016 but is not sure if this Grant will be funded moving forward for the future. CLA's P. Schaer stated she has confirmed receipt of funding from Sherman and Brookfield. The towns of Danbury and New Milford have agreed to pay their portion but funding has not yet been received. , The town of New Fairfield has not stated they would fund their portion of the CLA patrol boat. CLA would like to begin the process of ordering the new boat as soon as possible, the whole process takes several months to complete. To receive the grant reimbursement from the State the boat must be ordered. Mrs. Schaer requested the Towns fund the full amount of the boat with the agreement that CLA will reimburse the towns any overage beyond the initial commitment of their portion when the grant funding is given to CLA. The State requires a 20% down payment to move forward but the (CLA) Board will not allow it, Mrs. Schaer stated. First Selectman Cope shared concerns that the Towns that already paid the agreed portion would not be guaranteed to be reimbursed overages without the other towns paying their share. Mr. Cope stated he will reach out to the towns that have not paid or agreed yet to see where this leaves things and will report findings at the next meeting.

Fox Run Detention Basin: nothing new to report

Septic Walkover Program Discussion:

The BoS discussed the possibility of revising the ordinance and agreed to place a revision on the June 23rd Agenda to vote to bring to a Town Meeting in the future. Selectman D. Lowe agreed to draft a revision based on Mr. Randall's proposal # 4 and have it ready to review at the next Meeting.

Video taping of the BoS meetings for Public Access TV channel 21:

Selectman D. Lowe had requested this item be added to the agenda for further discussion. Mr. Lowe reported Charter Communications has granted permission to air meetings, they do require volunteers from the community to be properly trained. The BoS discussed the direction they feel suitable for the Town to take. First Selectman Cope stated he feels there is appropriate coverage already with the Clerk's minutes, and the two local newspapers. Selectman Lowe stated it may

boost attendance if it is available on public access television. Selectman Ostrosky stated he had no objection to airing the meetings. First Selectman requested Mr. Lowe work on finding volunteers.

Parks and Recreation Issues:

Pets at Town Parks:

Selectman Lowe reported an incident recently at a soccer game where a coach claimed to have been bitten by a dog that was off leash. Mr. Lowe stated he feels there are plenty of alternative resources for pet owners to walk their dogs, but feels areas where there are children playing or sports are not appropriate for dogs. Mr. Lowe also stated possibly creating a dog park where it would be acceptable to allow dogs off leash. Discussion followed; there is not a leash ordinance, so it becomes difficult to create a rule that cannot be enforced. The BoS agreed to reach out to P&R to discuss the possibility of not allowing dogs at Town parks.

"Step Up America" discussion, led by Bob Shadur

Selectman Lowe reported a meeting with Mr. Shadur, who was present also. "Step Up America" is a town meeting style workshop that opens up civic minded discussions within communities. The BoS discussed the possibility of hosting Mr. Shadur's program. Selectman Lowe stated he would contact the various Chairs and Boards in the Community to see if they would like to hold such a meeting and will additionally work on a date and venue. The BoS will contact Mr. Shadur with further details.

New Milford Recycling program

First Selectman read into record communication from Town Recycling Coordinator, R. Byrne requesting guidance in reference to a recent increase of cost per participating resident for a New Milford dump permit. The annual cost for a dump sticker has been \$ 10.00 per residence for the past nine years. Now New Milford is requesting an increase bringing the cost to \$ 20.00 annually per residence. Discussion followed, the general consensus was that the BoS was not in favor of the increase.

PUBLIC COMMENT:

- P. Schaer- thanking the BoS for their consideration in regard to revisiting the Septic Ordinance.
- L. Berger- requesting action toward completion regarding the Fox Run Detention basin, stating this project has been on the BoS agenda since 2007.
- A. Chiramonte- stated originally she was not in support of the proposed septic ordinance, however now has a better understanding of the multifaceted impacts the health of the lake creates to the community.
- B. Shadur- spoke in reference to the previously mentioned "Step Up America" workshop. Inviting anyone interested to attend a meeting in Pawling NY on June 17th at the Mahopac Golf Club from 7 to 8:30 pm to get an idea of what this is about.
- J. Siegel- spoke in reference to the absence of a leash law in the State, advising the Town to proceed with caution if there are no laws to enforce. He stated he agrees with the concept of a dog park for urban areas.
- G. Maletz- spoke in support of videotaping the meetings in Town, stating it may allow those who would otherwise be unable to attend the ability to stay informed.

- S. Randall- also in favor of videotaping meetings may spur additional community involvement.
- G. Linkletter- stated he is opposed to revisiting the septic ordinance, he feels the Town has been given the opportunity to support it in the past. If it does ultimately get approved to go before the Town it would have to go to a Referendum vote.

ADJOURNMENT:

Selectman B. Ostrosky Moved to Adjourn the Meeting at 8:55pm

Respectfully submitted by:


Christine Branson, Board Clerk

June 3, 2016

APPROVED AS AMENDED AT THE 7/23/2016 RMM