



**Town of Sherman  
Board of Selectman  
Regular Monthly Meeting  
July 28, 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:** F. Fratini, P. Schaer, J. Adolf, A. Zeisler, J. Seigel, G. Linkletter, B. Beutler, and S. Randall

**CALL TO ORDER:** **First Selectman C. Cope Called the Meeting to Order** at 7:02 pm

**First Selectman C. Cope Moved** to add to the Agenda under Section III, Administrative Items, add item "G" - "HRRRA Member Appointment"  
**Seconded by:** B. Ostrosky **Vote: For: Unanimous**

**Public Comment:**

**B. Beutler -** spoke in reference to Candlewood Lake public safety concerns regarding ongoing loud and disruptive noise and unsafe boating activities late evenings and into the early mornings around Chicken Rock, requesting the Town take action to stop this group of individuals.

**J. Adolf-** spoke also in reference to the noise disturbance on Candlewood Lake requesting the Town take action to develop a Town Noise Ordinance. He stated he has come before this Board previously with the same complaint back in 2014 as well as reached out to the Candlewood Lake Authority. The Towns of Danbury and New Fairfield have recently enacted a Noise Ordinance, which he provided a copy to the BoS and requested the BoS consider adopting a Noise Ordinance.

**H. Hawkins-** spoke in reference to the Candlewood Lake noise problem, as former CLA Patrolman, he stated he (CLA) could only enforce State laws and Ordinances. There are groups of boats that "raft" together and play very loud music late into the night. Mr. Hawkins encourages the BoS consider the actions of the other Towns and create Noise Ordinances that will prohibit this type of behavior and allow CLA and the State Troopers the ability to take enforceable action.

**CORRESPONDENCE:**

**Sherman Fire Marshal, M. Crawford-** informing the BoS he will be retiring from his position as Fire Marshal to the Town of Sherman effective July 30, 2016.

**Sherman Planning & Zoning Commission-** Approval of the BoS' 8-24 Referral Request to improve the telecommunications facilities on Town owned property located at Happy Acres Farm, 2 Taber Road.

**CIRMA-** regarding a Members Equity refund in the amount of \$5,991.00 to the Town of Sherman.

**ADMINISTRATIVE ITEMS:**

**Approval of Regular Monthly Meeting Minutes of June 23, 2016:**

**First Selectman C. Cope Moved to Approve** the Board of Selectman Regular Monthly Meeting Minutes of June 23, 2016 as Amended.

**Seconded by:** D. Lowe **Vote: For: Unanimous**

**Tax Refunds:**

**First Selectman C. Cope Moved to Approve** the refund of property taxes in the amount of \$53.47.

**Seconded by:** D. Lowe

**Vote: For: Unanimous**

**Monthly Financial Summary Review:**

The BoS discussed invoices received from Twins of the Taurus Corp for Town Engineer Services performed by T. Iadorola from November 1, 2015 to June 30, 2016. Mr. Cope stated the Business Administrator will be closing out FY 2015-16 by the end of next week.

**Purchasing Policy:**

Selectman Ostrosky stated he is waiting on feedback from the Auditor and will have more to report at the next BoS Meeting.

**Discuss warning for possible upcoming Town Meeting (August 20, 2016)**

The BoS discussed the items to be brought to a Town Meeting, scheduled to take place on August 20th, 2016 at 10:00am at the ESF. Below are the items in **BOLD** and discussion in \* *ITALICS*.

1. **To authorize an expenditure not to exceed \$ 4,000.00 from the Capital Non-Recurring Fund for the purchase and installation of replacement parts for the playground equipment at Veteran's Field for the Parks & Recreation Department.**  
\* *First Selectman Cope requested information from P&R Director J. Wrenn, the invoice / proposal was read into record. The parts cost: \$ 2,834.00 and the installation will cost \$ 1,105.00 for a total of \$ 3,948.00*
2. **To authorize an expenditure not to exceed \$ 7,000.00 from the Capital Non-Recurring Fund for the installation of an existing generator and automatic transfer switch at the Town Garage for the Department of Public Works.**  
\* *First Selectman Cope reported he has received quotes from Hantsh Electric and Deek Electric, for the installation of the generator. The Town already owns the generator.*
3. **To authorize an expenditure not to exceed \$ 31,000.00 from the Capital Non-Recurring Fund to fund for the purchase and installation of an emergency propane generator and automatic transfer switch at Mallory Town Hall.**  
\* *First Selectman Cope reported he would like to install a stand-by emergency generator at Town Hall to ensure the building can remain in operation during outages.*
4. **To authorize an expenditure not to exceed \$ XXX from the Capital Non-Recurring Fund for the purchase of a Kubota tractor for the Department of Public Works.**  
\* *The BoS discussed tabling this item until the final anticipated figures come in. Will explore other options/ brands as well.*
5. **To authorize an expenditure not to exceed \$ 1,050.00 from the Capital Non-Recurring Fund to fund for the purchase of a Williams sound FM ADA KIT 37 hearing device for Mallory Town Hall.**  
\* *The BoS discussed the purpose of the purchase of the Williams sound FM ADA KIT 37 hearing device would be to bring Mallory Town Hall into ADA compliance for meetings and other events which the Public attends.*

**Selectman B. Ostrosky Moved** to accept items 1, 2, 3, and 5 and take to Town Meeting scheduled for Saturday, August 20, 2016 at the Charter Hall meeting room at the Emergency Services Facility at 10:00 am. Item 4 will be tabled for additional information.

1. To authorize an expenditure not to exceed \$ 4,000.00 from the Capital Non-Recurring Fund for the purchase and installation of replacement parts for the playground equipment at Veteran's Field for the Parks & Recreation Department.
2. To authorize an expenditure not to exceed \$ 7,000.00 from the Capital Non-Recurring Fund for the installation of an existing generator and automatic transfer switch at the Town Garage for the Department of Public Works.
3. To authorize an expenditure not to exceed \$ 31,000.00 from the Capital Non-Recurring Fund to fund for the purchase and installation of an emergency propane generator and automatic transfer switch at Mallory Town Hall.
5. To authorize an expenditure not to exceed \$ 1,050.00 from the Capital Non-Recurring Fund to fund for the purchase of a Williams sound FM ADA KIT 37 hearing device for Mallory Town Hall.

**Seconded by:** D. Lowe

**Vote: For: Unanimous**

#### **HRRRA Appointment of Sherman Member and Alternate**

**Selectman B. Ostrosky Moved** to Appoint First Selectman C. Cope as a Sherman representative of the HRRRA, and Ruth Byrne as an Alternate Member.

**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 construction of the wash station is on schedule. The electrical and plumbing will be installed and tied into the mechanical room. The propane tank is anticipated to be delivered within a few weeks. To date this project is on time and on budget.

##### **Water issue regarding elevated sodium content:**

First Selectman C. Cope reported discussion with Marc Cohen who has been working to locate the source of the sodium that is present in the ground water in the center of Sherman. Mr. Cohen will be meeting with Health Director, Tim Simpkins this week to gather further information as well as compile water test results to track levels, well locations, and locations of catch basins. Discussion followed regarding general confusion of understanding the water reports. The BoS agreed they would benefit from a discussion with the Health Director to be able to relay information to the Public.

##### **Housing Commission Report:**

First Selectman C. Cope reported discussion with the Housing Commission Chair, A. Von Plachecki. Mr. A. Von Plachecki states the Housing Commission is compiling information from the surveys and anticipates reporting the results of the survey at the next meeting of the BoS.

**Happy Acres Farm Report:**

First Selectman C. Cope reported an email from John Motsinger of Full Circle Farming, LLC. A new bull has arrived. Some animals have been moved off-site to allow the grass to return in the pastures during this drought. The Farm Stand will be offering fresh vegetables. A herd report was attached as well.

**Residents for Reliable Cell Service in Sherman:**

Mrs. Sozier read a letter into record on behalf of the Citizens for Reliable Cell Service in Sherman. She referenced an article recently published in the New Milford Spectrum and Danbury News Times where it stated the Northwest Hills Council of Governments in conjunction with a citizen advocacy group called "NCONNect" recently applied for and was granted \$200,000.00 to study poor cell reception in the rural towns in Northwestern CT. The letter stated that Sherman shares similar characteristics as the other 21 towns within the NHCOG. The Citizens for Reliable Cell Service are requesting action of and support by the BoS to contact NWCONNect and NHCOG to learn additional information regarding the grant funding.

**Communications and Website:**

Selectman B. Ostrosky reported a discussion with the Town webmaster, and has indicated the desire for Department heads and Clerks the ability to upload their own materials to their pages. Selectman Ostrosky then updated the BoS with information regarding NIXLE, which will facilitate communications by local agencies such as public safety, schools and municipal offices, there is an annual subscription cost as well as a set up fee the Town would need to approve. There will be no cost to the people who sign up to receive these alerts. There are levels of opting in and out for specific information. There is no limit to the number of users, messages, and this program integrates with other existing popular social media platforms. Photos can be uploaded, images, documents, and advance messages can be scheduled. Each department can have access and control of their messages. If approved the next step will be alerting the public about the program and requesting folks to sign up. Mr. Ostrosky requested this be added to the Agenda as a discussion item at the next BoS meeting.

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

First Selectman Cope reported all funds have been collected form area participating Towns. NOGA is waiting for a response from the State Office of Policy Management.

**Fox Run Detention Basin:**

First Selectman Cope reported the State Office of Policy Management is currently reviewing the bid package, and anticipates the request will be published shortly.

**Septic Walkover Program Discussion:**

**Selectman D. Lowe Moved** to consider the adoption of an ordinance entitled "Ordinance Regarding Septic System Management". The proposed ordinance will be on file in the Office of the Sherman Town Clerk.  
**Secoded by:** B. Ostrosky **Vote: For: 2 Against:1 (Cope)**

**Selectman D. Lowe Moved to take** to a Referendum vote the "Ordinance Regarding Septic System Management " proposed for Tuesday, November 8th, 2016 to take place at the Charter Hall meeting room at the Emergency Services Facility from 8:00 am to 8:00 pm.  
**Secoded by:** B. Ostrosky **Vote: For: 2 Against:1 (Cope)**

## **Parks and Recreation Report:**

### **Pets at Town Parks:**

The BoS agreed they clearly heard at the last meeting's Public Comments many compelling points for consideration to adopt a Town Leash Ordinance. First Selectman C. Cope invited F. Fratinni to come forward to speak on behalf of the Park & Recreation Commission. Mrs. Fratinni stated the P&R Commission at their July meeting has written and voted upon a draft ordinance, they propose it be effective for one year. The P&R Commission agreed to bring the ordinance to the BoS for further approval and possible consideration of a Town Vote. Further discussion took place regarding proposed fines imposed and specific details clarifying where this ordinance will be enforced. The BoS agreed they found the ordinance acceptable.

**First Selectman C. Cope Moved** to Accept the proposed Leash Ordinance as recommended by the Park & Recreation Commission at their July 2016 meeting to be sent to a Town vote on a date to be determined.

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

### **Compostable toilets at Veterans Field:**

The BoS discussed the current status of the facilities, and assured the public there were no plans to convert the building into storage sheds. First Selectman Cope stated he is currently receiving quotes to refurbish and renovate the facilities to have a better surface to clean. This item will remain on the Agenda.

## **Candlewood Lake updates:**

The BoS discussed the previously mentioned noise complaints occurring on the lake. First Selectman Cope stated the BoS has been working on creating a Noise ordinance for quite some time. Sherman has no Police Department and at the times the disturbances take place the State Trooper is usually stationed at Squantz Pond. There have been multiple complaints regarding the noise. Phyllis Schaer and Jay Adolf were invited to join the discussion. Mrs. Schaer stated from a Marine Patrol perspective, there are no current boating laws that specifically address noise other than engine noise, which limits the Marine Patrol's ability to issue tickets. Additionally specific equipment is necessary to detect and identify noises that exceed certain decibels. First Selectman Cope read email correspondence supplied by Mr. Adolf between himself and EnCon Police Sgt. Keith Williams which addresses criteria for Creating a Public Disturbance charge under Section 53a-181a of the CT State Statutes and what is required from a complaint to be able to take any action. First Selectman Cope stated he will reach out to Sgt. Williams tomorrow to discuss the necessary steps. Also First Selectman Cope stated he will work with the Candlewood Lake Authority Executive Director Larry Marsicano to create an appropriate Noise Ordinance. This item will be placed on the August agenda and will continue. Mrs. Schaer informed the BoS fifty new carp have been released into Candlewood Lake that are outfitted with tracking devices to monitor their daily patterns. One of these carp was dedicated for the Sherman school science program. Mrs. Schaer showed the BoS a map of travel patterns. The BoS discussed CLA's unexpended funding balance request in the amount of \$4,614.00. The BoS tabled the Motion to request guidance from the Town Auditor. This discussion will be added to the Agenda for the next meeting.

Selectman D. Lowe Moved to approve the Candlewood Lake Authority's request for appropriation in the amount of \$ 4,614.00 which is the remaining unexpended fund balance from FY 2015-16.

Seconded: B. Ostrosky

Vote: NONE

**PUBLIC COMMENT:**

**J. Seigel-** spoke in reference to the noise disturbance on Candlewood Lake. He stated he feels that alerting EnConn and State Troopers when there is excessive noise may result in unintended consequences without a Noise Ordinance in place.

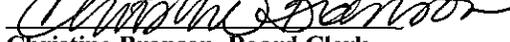
**S. Randall-** Thanked the BoS for bringing the Septic Ordinance to a Town Referendum.

**F. Fratinni-** informed the BoS the Town Beach was closed again today because of goose feces in the swim area.

**ADJOURNMENT:**

**Selectman D. Lowe Moved to Adjourn the Meeting at 8:55pm**

Respectfully submitted by



Christine Branson, Board Clerk

September 22, 2016

**APPROVED AS FINAL AT THE OCTOBER 27, 2016 RMM**