

Board of Warden and Burgesses
Minutes of Regular Monthly Meeting ~ April 21, 2012

The regular Monthly Meeting of the Borough of Stonington Warden and Burgesses was called to order in the Firehouse at 9:58 AM by Warden Paul Burgess. Present were Burgesses Michael Adair, Edward McCreary, Amy Nicholas, Howard Park, Robert Scala, and Clerk- Treasurer Brian Krafjack. Burgess Kathryn Burchenal was absent.

Public Comment:

1. None.

Approval of Minutes:

1. On a motion by Burgess Scala, seconded by Burgess McCreary, acceptance of the minutes from the Board Meeting held on March 12, 2012 was unanimously approved.
2. On a motion by Burgess Scala, seconded by Burgess Nicholas, acceptance of the minutes from the March 14, 2012 Regional Health District Public Hearing was unanimously approved.
3. On a motion by Burgess Park, seconded by Burgess Scala, acceptance of the minutes from the Budget Public Hearing held on April 2, 2012 was unanimously approved.

Administrative Assistant's Report (Perry):

1. Received tax collections for March: \$1,088.45.
2. Received telephone property tax from AT&T: \$1074.91.
3. Received funds for Robinson Burial Ground: \$1,000.00.
4. Received dumpster permit renewal: \$100.00.
5. Set up new website.
6. Prepared Budget, 2011 Annual Meeting Minutes, Notices, etc. for annual meeting.

Clerk-Treasurer's Report (Krafjack):

1. Participated with Building Committee on Borough Hall Accessibility project on 4/18/2012.

Review of Bills:

1. The 3/15/2012 through 4/19/2012 report was reviewed and is on file in the Borough Office.
2. Larger expenses were reviewed.
 - a. \$5,609: Condon and Sons Electric- Work on the Fire Department horn relocation.
 - i. Burgess Adair noted that he approved the bill, as the work received prior Board approval, but was not sure whether the expense should be attributed to the Borough Hall Renovation Project.
 - ii. Warden Burgess noted that the funds are allocated from the Contingency Fund.
 - b. \$2,000: Hastedt Brothers- Pavement Apron at Lees Court and Elm Street.
3. Burgess Nicholas noted that the \$1,100 expense posted to "medical" was actually training expenses. Administrative Assistant Perry will correct the G/L entries accordingly.

Review of Profit/Loss Statement:

1. The July 2011 through April 2012 Profit and Loss Budget vs. Actual report was reviewed and is on file in the Borough Office.
 - a. Income and expenses are tracking the Budget.
 - b. It is anticipated that the Borough may come in under budget for fiscal year 2011-2012.

Correspondence:

1. Informational:
 - a. Ledge Light Health District: Follow-up letter on public hearing.
 - b. Town of Stonington: diesel/unleaded prices for upcoming fiscal year.
 - c. CIRMA: Member's equity distribution for 2010/2011 policy period (Borough Share: \$1,561).
 - d. FEMA: Letter of approval of PW-00339 –Federal reimbursement will be \$465.75.
 - e. Stonington Police Department: Copy of request for ALS Walk.
 - f. Town of Stonington: Tax Suspense List.
2. Requests:
 - a. United Church: Sign request for 5/2 event.
 - b. Email: Request from Robert & Cynthia Winton to operate hot dog cart.
 - c. Stonington Historical Society: Request to use Point for 6/30/12 dinner dance.
 - d. Leslie Buck Family Fun Walk: Request to hold annual walk on 5/4/12.
 - e. Lady of Fatima Society: Request to hold annual processions on 6/2 & 6/3/12.
 - f. Stonington Ambulance Corps: Budget request for fiscal year 2012/2013.
3. Other:
 - a. Friends of Wadawanuck Square letter for April 2012.
4. Invitations/ Meetings:
 - a. CT Association of WPCA: 5/11/12 Spring Workshop and Annual Meeting.
 - b. Hospice of SE CT: Spring newsletter.

Warden's Report:

1. Street Department:
 - a. Street Sweeping is about 40% complete.
 - b. Wayland's Wharf maintenance included mulching landscaped areas and reseeding the lawn.
 - c. La Grua Park maintenance included seeding bare spots.
 - d. Re-graded public parking lots.
2. Monthly Report
 - a. Complete Bid Documents for Hyde and Maplewood Streets re-pavement project. Advertised for bid 4/21/2012. Bids are due on May 9, 2012.
 - b. Finalizing Fire District contracts for distribution.
 - c. Preparation for Annual Meeting.
 - d. Coordinating with Bailey Agency on new health insurance.
 - e. Contracted with Hastedt Brothers Paving to complete Lees Court pavement apron at Elm Street.

- f. Participated with Building Committee on Borough Hall Accessibility project on 4/18/2012.
- 3. Warden Burgess reported that the Public Access walkway at Stonington Commons has reopened on a temporary basis.
 - a. Burgess Adair noted that it is currently finished with a variety of materials. Warden Burgess noted that this is temporary and the walk is to be completed with uniform materials.
 - b. Burgess Adair noted that the walkway looks to be repositioned only a few inches upslope and suggested that Warden Burgess and Clerk- Treasurer Krafjack have a look at the new configuration with an eye towards the engineering since the intent was explained as raising the walk to minimize future storm damage.
- 4. Burgess Park noted that cars are being parked with their bumpers into the rose bushes on the north edge of the parking lot at Wayland's Wharf and suggested the surplus granite curbing, currently located in the water on the southwest side of the Public Access walkway at Stonington Commons, may be a good solution for wheel stops.
 - a. Burgess Park noted that because of CTDEEP regulations, we may not be allowed to retrieve this granite curbing from the water.

Fire and Emergency Management: (Burgess Nicholas):

- 1. During the month of March 2012 there were 4 incidences relating to the Borough Fire Department. Of note, there was a brush fire on the tracks at Lord's Point. The other incidences were 2 false alarms and one fluid spill on Bayview Avenue.
- 2. There were no activities relating to Emergency Management.
 - a. Burgess Nicholas noted that we are entering Red Flag fire watch season and asked that Borough residents be vigilant due to the recent dry weather.
- 3. Fire Marshal's Report for the period 3/13/2012 through 4/18/2012:
 - a. 03/20/12: Gas piping Inspection 168 Wampassuc Point Road.
 - b. 03/20/12: Gas piping for generator 41 Main Street.
 - c. 03/26/12: Gas Piping Inspection 200 Wampassuc Point Road, which failed.
 - d. 03/29/12: Returned to 200 Wampassuc for inspection, which passed.
 - e. 04/05/12: Stonington Commons Gas piping inspection for outside grill installation.
 - f. 04/08/12: Stonington Commons meeting with contractor regarding another outside grill installation.
 - g. 04/10/12: Sea Village Apartments inspection. Will have to return to do alarm system as technician was not able to make this appointment.
 - h. 04/13/12: Received a complaint regarding someone living in a commercial unit at 117 Water Street- investigating.
 - i. 04/16/12: Researched the requirements for welding inside a building for contractor information provided.
 - j. 04/18/12: Monitored welding at construction site Water Street.
 - k. Mr. Brennan would like to inform the board that he will be out of Town from May 20 through the 26 at training to maintain his certification as required by State Statute.

Parks, Trees and Rights of Way (Burgess Park):

- 1. Trees:
 - a. Work on the tree at the corner of Wall Street and Main Street is in progress.
 - b. The grass at La Grua Park is filling in nicely.
 - c. Wadawanuck Square looks good; the grass is growing higher in clumps, which is normal for this time of the year.

- d. Burgess Park received a request to remove a Norway Maple at the corner of Broad Street and Gold Street. Residents are willing to donate up to \$500 for replacement with a suitable tree, perhaps a Bradford Pear.
 - i. Burgess Park noted the tree is in bad shape, is not an indigenous species, and is generally a “messy” tree.
 - ii. Warden Burgess asked if it was necessary, in Burgess Park’s opinion, to get a report from an arborist. Burgess Park did not think it necessary.
 - iii. The Board members concurred that the tree is “messy” and should be replaced.
2. On a motion by Burgess McCreary, seconded by Burgess Nicholas, posting for the removal of a Norway Maple at the corner of Broad Street and Gold Street was unanimously approved.

Sanitation, Utilities and Street Lights (Burgess McCreary):

1. Sanitation:
 - a. Burgess McCreary noted that with the summer season approaching, notice-reminders to all householders or renters about local regulations and "best" practices regarding refuse and refuse containers would not be amiss for newsletter or other forums.
 - i. Warden Burgess suggested that Burgess Burchenal put a notice in the next newsletter.
 - ii. Burgess McCreary noted that printing pamphlets and putting them in every apartment door would be an inexpensive way to spread the word.
 - iii. Warden Burgess suggested that Burgess McCreary coordinate distribution with Burgess Burchenal and noted that he would be available to assist.
2. Utilities:
 - a. No activity.

Public Buildings (Burgess Adair):

1. Borough Hall
 - a. The plans and specifications are for the renovation and accessibility improvement project are coming together.
 - i. There is a pre-bid walkthrough scheduled for 4/27/12 at 2PM, bids are due on 5/15/12, construction is scheduled to commence on 6/15/12, and work is scheduled for completion in October of this year.
 - b. Burgess Scala asked if the building will have to be closed during construction.
 - i. Burgess Adair noted that parts of the building will be closed off during construction, and the entire building may likely be closed during the asbestos abatement.
2. Burgess Adair and Warden Burgess met at the Water Pollution Control Plant on 4/13/12 with Wendy Bury of the Merchants Association and Harold Storrs who was instrumental in building and running of the Plant to discuss the possibility of opening the two bathrooms, intended for public use, constructed with the facility in 1970..
 - a. **History:** The plant was built using approximately 80% funds from the State. Those plans included two public restrooms attached to but with separate access to the more secure plant itself. However, the water lines and electricity to the restrooms originated in the plant itself. The first year the facility opened, the adjacent small

boat facility was given access to the restroom as well as the general public. During that first year there were serious incidents of vandalism and concerns about who should take responsibility for upkeep and maintenance. The Water Pollution Control Authority did not want to take responsibility and, understandably, continues to object to the upkeep and maintenance responsibility. A decision was made to close the two public restrooms and they have been fenced off and closed to the public ever since.

- b. **Current Condition:** All pipes and plumbing fixtures have been disconnected and drained. The roof has leaked and while the structural aspects of the restrooms may be sound, there is much work to be done to redecorate, refurbish and restore the rooms to a proper condition. The roof needs either to be replaced or repaired. Handicapped access is now required by building code and the seven or eight steps from the parking lot to the restroom entrance will have to be rebuilt for wheelchair access. The steel doors will also have to be reworked or replaced to allow "closed fist" opening ability. Obvious adjustments will need to be made to the current fencing in of the site.
- c. **Feasibility/Alternatives:** It has proven next to impossible to get approval and public support for a new stand-alone public restroom facility for many reasons; "Not in my neighborhood" etc. Even with all the changes needed as noted above, the total cost of refurbishing this existing plant facility should be far less than starting from scratch. The group also looked at another possible site at the dock facilities and felt that both size and safety issues would rule out this alternative.
- d. **Conclusion/Recommendation/Next Steps:** The group's feeling was that the Borough continues to have a legitimate need for more satisfactory public restroom facilities and that this goal should continue to be an objective. The Borough Merchant's Association is particularly anxious to support this project. There are significant advantages recommending the Water Pollution Control facility such as reasonable existing structure, piping and plumbing, waste disposal lines in place, parking, a "friendly" location for such a facility, and probably cost saving. Burgess Adair recommended that further discussions be held with the Water Pollution Control Board, the Board of the Fisherman's Association, the Town and Borough, and that the Board of Warden and Burgesses begin to develop an engineering/construction plan and cost estimate to determine feasibility.

3. Discussion:

- a. Burgess McCreary questioned why the Borough residents should bear the expense of such a project.
- b. Burgess Park noted that most towns have public restroom facilities.
- c. Burgess Nicholas noted that restrooms in the Library and in the local restaurants are currently being used in this capacity.
 - i. Burgess McCreary noted that this was a good fit since the Library and restaurants depend on public traffic.
- d. Burgess Scala noted that daily maintenance is a concern and pointed out that many European towns have stewards dedicated to these types of facilities.
- e. Burgess Adair noted that the company operating the Water Pollution Control Plant has no interest in taking on the maintenance and security for public restrooms; an outside service would have to be contracted to handle this.
- f. Warden Burgess suggested that the Building Committee should investigate costs and report back to the Board.

Sidewalks (Burgess Scala):

1. A letter of thanks was sent to the residents at 91 Water Street.
2. Burgess Adair noted that he witnessed an incident in which a person walking tripped at the Mitchell sidewalk and fell head first.
 - a. Burgess Scala noted that has a meeting scheduled with a contractor to review necessary repairs at this location on Monday morning 4/23/12 and expects that repairs will be made within the next 15 to 20 days.

Police, Public Affairs and Communications (Burgess Burchenal):

1. Police Report:
 - a. During the month of March 2012, there were forty-eight (48) incidences in the police report for the Borough. Incidences were predominantly False Alarm, No action Required, Services Rendered, or Investigated. There were no arrests, and no discernible patterns of criminal activity.
2. Draft Bus Ordinance prepared by Burgess Burchenal for discussion:

DRAFT APRIL 2012

SBO-02 MOTOR VEHICLES

8. a) No person shall operate any bus over 25 feet in length on any roads south of Broad Street. Buses longer than 25 feet must drop off/pick up passengers at the southeast corner of High Street and Main Street, at Wadawanuck Square, then exit the Borough by turning left onto Main Street, left onto Water Street, and left back over the viaduct.

b) "Specialty Buses" such as trolley buses or mini-buses that are less than or equal to 25 feet in length may drop off/pick up passengers at the designated bus stop on the east side of Wadawanuck Square, at the public dock parking lot, at the parking lot at Stonington Point, or at other locations with permission from the Warden and Burgesses.

c) Specialty vehicles transporting residents with special needs may pick up/drop off where necessary.

d) School buses longer than 25 feet may not travel south of Broad Street without permission from the Warden and Burgesses; they will utilize the bus stop on the east side of Wadawanuck Square. A "school bus" is defined in Section 14-275 (a) of the Connecticut General Statutes.

f) The Board of Warden and Burgesses can temporarily suspend this ordinance to allow transportation services for community events.

- a. Burgess Nicholas noted that she thought that this draft looked great; however "Broad Street" in "Paragraph d" should be changed to High Street.
- b. The Board discussed alternate wording of "Paragraph f", possibly to read "The Board of Warden and Burgesses can grant a temporary variance to allow transportation services for community events."
- c. Warden Burgess suggested the Board not vote on this matter at this meeting, rather post notice of a Public Hearing, scheduled for the May Board Meeting, to solicit public comment.

3. Website:
 - a. The website program 1&1 has been a success. It is easy to use and looks professional. Administrative Assistant Perry is very comfortable with being the new web-master and is doing a great job, with adjustments and additions being made all the time.

4. Banners:
 - a. Burgess Burchenal met with Julia Roberts, new Chair of Planning and Zoning Commission, to discuss the Banner issue. They are in agreement that a banner is a sign, by the definition in the P&Z Regulations. Ms. Roberts will address wording, or a special section under signs, to deal with Banners. How they are regulated and if compliance will be enforced is a matter for discussion.
 - i. Burgess McCreary questioned whether the Board considers allowing banners to be good policy and noted that he felt strongly that this should come under the purview of the Board of Warden and Burgesses and not Planning and Zoning.
 - ii. Burgess Park indicated that he is against allowing any banners to be displayed in the Borough.
 - iii. Burgess Adair noted that he feels banners for local events and organizations are acceptable and agreed with Burgess McCreary that review of requests to display banners should be under the Board's jurisdiction, not Planning and Zoning's jurisdiction.
 - iv. Burgess Nicholas expressed her concern over the Board deciding which organizations would, and which organizations wouldn't, be granted permission to display banners. Burgess Adair suggested the criteria for approval or denial might depend on whether the organization requesting permission to display a banner has anything to do with the culture of the Borough.
 - v. Burgess Scala noted that he does not think allowing banners spanning the street is a good idea and suggested the wall of the Firehouse facing the Viaduct might be a good location for displaying banners and perhaps the Fire Department would consider use of this wall in exchange for donations. Burgess McCreary did not feel that having the Fire Department effectively selling services was proper.
 - vi. Warden Burgess suggested we table the banner discussion and put it on the Agenda for discussion during the May Board Meeting.

Old Business:

1. Rights of Way Management.
 - a. Burgess McCreary spoke with the Stonington Village Improvement Association (SVIA) about taking over this role and noted that the Borough is in danger of losing Rights of Ways if they are not maintained.
 - b. Burgess Park will follow up with the SVIA about taking over this responsibility.

2. Borough Hall Renovations Bid Notification.
 - a. On a motion by Warden Burgess, seconded by Burgess McCreary, approval of the release for public bidding of plans and specifications for the Borough Hall Renovations and Accessibility Improvements was unanimously approved.

New Business:

1. Leslie Buck Family Fun Walk Request.
 - a. On a motion by Burgess Scala, seconded by Burgess Nicholas, approval of the Leslie Buck Memorial Fund's Application for use of Borough Property Including Streets for May 4, 2012 from 5:30 PM to 8:00PM was unanimously approved.

2. Winton Proposal for Hot Dog Cart at the Point.
 - a. Cindy and Robert Winton of Preston, CT presented their request to operate a hot dog cart at the Point.
 - i. Proposed operations would be from May 1 to October 1 between the hours of 10AM and 5PM.
 - ii. Only one parking space is required for both their pickup truck and cart, which they had towed to the meeting so that Board members could see the size and configuration.
 - iii. The Wintons will bring their own trash can and would be responsible for disposal of the waste.
 - iv. The cart has a self-contained sink and a hot water holding tank; there is no possibility of water overflowing.
 - v. The Wintons noted that they have spoken with the Town of Stonington Sanitarian about their proposal.
 - b. Burgess McCreary, prior to the Board meeting, had explained to Board members that the Como had in the past been operating a hot dog cart at the Point.
 - i. Warden Burgess noted that he had spoken with Jim Truscio of the Como who explained the cart was operated by the Como as a non-profit youth leadership program and that the Como does not intend to operate the cart this year.
 - c. Warden Burgess noted that years ago, former residents of the house across from the Lighthouse had operated a hot dog cart in their driveway.
 - d. Burgess McCreary asked the Wintons where in the Point parking lot they were intending on setting up operations if their proposal was approved, noting that that the SVIA owns some land at the Point.
 - i. The east side of the parking lot was suggested for a location.
 - ii. Warden Burgess noted that a parking spot would not be reserved for the hot dog cart as parking is first-come first-served.
 - e. Burgess Park stated that he was not in favor of the proposal.
 - f. On a motion by Warden Burgess, seconded by Burgess Nicholas, approval of the request by Cindy and Robert Winton to operate a hot dog cart in the east side of the Point parking lot, from May 1 to October 1 between the hours of 10AM and 5PM, with conditions noted below, was approved by majority vote, Burgess Park dissenting.
 - i. Approval expires October 1, 2012 at 5PM;
 - ii. Approval is conditional on receipt of insurance certificates;
 - iii. Approval is conditional on issuance of Health Department permits;
 - iv. Vehicle and cart may occupy only one parking space;
 - v. The Board's reserves the right to rescind approval for due cause.

3. Consider Stonington Historical Society Request.
 - a. Warden Burgess noted that in communications with the Historical Society, he had explained that parking at the Point for this event should be on a limited basis and

that the Historical Society should discuss their plans with the Stonington Police Department.

- b. Burgess McCreary stated that any parking at the Point should not be for exclusive use by the Historical Society for this event.
 - c. Burgess Adair noted that the success of traffic circulation for this event in the past has been by the use of a shuttle from the Town Dock parking lot handling the majority of attendees.
 - d. Burgess Nicholas noted that this event has in the past created major vehicular circulation issues and suggested that perhaps access to the Point during the event should be restricted past Omega Street.
 - e. Burgess Park noted that this is an important fundraising opportunity for the Historical Society.
 - f. On a motion by Warden Burgess, seconded by Burgess Nicholas, approval of the Stonington Historical Society's Application for use of Borough Property Including Streets for June 30, 2012 from 6:00PM to 11:00PM was unanimously approved with the following conditions:
 - i. The Point parking lot is not reserved for exclusive use by the Historical Society during the Annual Gala event;
 - ii. The Historical Society is to coordinate all Annual Gala event activities with the Stonington Police Department.
4. Lady of Fatima Request.
- a. On a motion by Warden Burgess, seconded by Burgess Nicholas, approval of Our Lady of Fatima Society's Application for use of Borough Property Including Streets for June 2, 2012 from 8:30PM to 9:30PM and June 3, 2012 from 11:30AM to 12:30PM was unanimously approved with the following condition:
 - b. Approval is conditional on receipt of insurance certificates.
5. Stonington Walk for ALS Request.
- a. Warden Burgess suggested that this item be tabled until an application is submitted.
6. Stonington Ambulance Corps Payment for fiscal year 2011.
- a. Warden Burgess explained that money has been budgeted for this in past years however payments were not always made.
 - b. Burgess McCreary asked if the Board should request an audit of the Corps books as a prerequisite for payment.
 - i. Warden Burgess noted that the Borough has given money to other organizations without the stipulation of an audit.
 - c. On a motion by Burgess Scala, seconded by Burgess Adair, payment of \$1,500 for the Stonington Ambulance Corps, as allocated in the fiscal year 2011-2012 Budget, was unanimously approved.
7. Initial Discussion of Draft Bus Ordinance.
- a. Discussion documented under Police, Public Affairs and Communications report in these minutes.
8. Tax Suspense List.
- a. On a motion by Warden Burgess, seconded by Burgess Nicholas, transfer of uncollectable uncollected property taxes to the Tax Suspense Book, as outlined by

the Borough Tax Collector's list dated March 20, 2012 was unanimously approved.

Other Business:

1. Maggie Revill, representing Friends of Wadawanuck Square, presented their April Report.
 - a. Ms. Revill explained that they are waiting to hear from the Garden Club about a request for funding of \$600 for spring fertilizing and liming.
 - b. Friends of Wadawanuck Square are requesting that the Borough contribute \$1,000 for fall fertilizing and aeration.
 - c. Friends of Wadawanuck Square are requesting \$1,000 from the Borough to continue the tree pruning project begun in the fall of 2011. A similar request for funding has been made of the Garden Club.
 - i. Warden Burgess indicated the requests were so noted.
 - d. Ms. Revill reported that Friends of Wadawanuck Square have been weeding actively this spring and are sponsoring a "community dig" on 4/29/12. They will post signs in the Square a week prior to the event.

2. Owen Vail Memorial Bench.
 - a. Burgess Nicholas asked the Board permission to present communications to the Board on Linda Robson's behalf.
 - i. There were no objections from Board members.

Adjournment

1. On a motion by Warden Burgess, seconded by Burgess Scala, adjournment of the meeting at 11:16 AM was unanimously approved.

Respectfully submitted,

Brian S. Krafjack
Clerk- Treasurer