

**Board of Warden and Burgesses**  
**Minutes of Regular Monthly Meeting ~ September 16, 2013**

**CALL TO ORDER:**

- A. The regular Monthly Meeting of the Borough of Stonington Warden and Burgesses was called to order in Borough Hall at 7:30 PM by Warden Jeffrey Callahan. Present were Burgesses Michael Blair, Sibby Lynch, Amy Nicholas, Howard Park, Robert Scala, and Clerk- Treasurer Brian Krafjack. Burgess Michael Adair was absent.

**APPROVAL OF MINUTES:**

- A. On a motion by Burgess Scala, seconded by Burgess Nicholas, acceptance of the minutes from the Board Meeting held on August 19, 2013 was unanimously approved.
- B. On a motion by Burgess Scala, seconded by Burgess Nicholas, acceptance of the minutes from the Special Meeting held on September 4, 2013 was unanimously approved.

**ADMINISTRATIVE ASSISTANT'S REPORT (PERRY):**

- A. Received tax collections for August: \$69,098.
- B. Received payment from Lord's Point Association: \$24,345.
- C. Received payment from Wamphassuc Point Association: \$24,652.
- D. Received State Town Aid Road Grant: \$7,855.
- E. Received payment for CJ Bardy Dumpster Permit: \$1,500.
- F. Field work audit is to be rescheduled for a later date.

**CLERK-TREASURER'S REPORT (KRAFJACK):**

- A. No activity to report.

**REVIEW OF BILLS:**

- A. The 8/19/2013 through 9/12/2013 report was reviewed and is on file in the Borough Office.
  - 1. Bills for the period totaled \$44,955.

**REVIEW OF PROFIT/LOSS STATEMENT:**

- A. The July through September 2013 Profit and Loss Budget vs. Actual Report was reviewed and is on file in the Borough Office.
  - 1. Net income as of 9/12/2013 is \$600,794.

**CORRESPONDENCE:**

- A. Informational:
  - 1. Connecticut Department of Emergency Services: Notice of FEMA Blizzard 2013 application approval for funds totaling \$7,576.
  - 2. Farmer's Market Committee: Letter accompanying Velvet Mill Equities P&Z application regarding their request to hold the winter Farmer's Market inside the Velvet Mill.

- B. Requests:
  - 1. None.
- C. Invitations/ Meetings:
  - 1. None.
- D. Other:
  - 1. H G Park Restoration: Quote to repair wheel rim on eastern cannon in Cannon Square.
  - 2. Stonington COMO: Letter of Thanks for support of Village Fair.
  - 3. Portuguese Holy Ghost Society: Letter of Thanks for support of Annual Processions.
  - 4. Sheuli Akter: Fax requesting postponement of vendor permit until April 2014.
    - a. Discussion recorded under New Business in these minutes.
  - 5. David Smith: email regarding signage at Wayland's Wharf.
    - a. Discussion recorded under Public Comment in these minutes.

**PUBLIC COMMENT:**

- A. Harborside Condominium Association- Request for More Effective Signage:
  - 1. David Smith, representing Harborside Condominium Association, explained to the Board the difficulty the Association has keeping cars and pedestrians from entering the Association's driveway from the end of Church Street seeking access to the water.
    - a. Mr. Smith explained that the majority of trespassers have no knowledge of the Public Access to the harbor provided by Waylands Wharf.
    - b. Mr. Smith said that the Association has placed signs on their fence indicating the driveway and land beyond is private property. Recently the Association has placed more demonstrative signs, however has not been successful in curbing trespassing.
  - 2. Mr. Smith noted that the existing "Parking" and "Public Access" signs for Waylands Wharf are mounted high and very few people notice them.
    - a. Mr. Smith suggested lowering these signs as a way of making people aware of the Public Access at Waylands Wharf.
    - b. Burgess Blair suggested adding a blue "P" sign as a recognizable graphic suggesting parking; perhaps a large "P" sign on Water Street directing people to a smaller "P" sign on Church Street.
    - c. Burgess Park said that he is opposed to adding additional signage if it can be avoided, especially a large "P" sign on Water Street, noting that perhaps a small "P" sign on Church Street might be acceptable as a means of diverting people from driving into the Association's property.
    - d. Burgess Nicholas said she felt the issue is more about Public Access rather than parking, adding that she would like to see a brown "Public Access" sign directing people to Waylands Wharf.
  - 3. Association residents Tom Christie and Nancy Jankovich reiterated that the existing signage is mounted too high to be effective.
    - a. Burgess Park suggested lowering the existing signs and perhaps mounting them on the opposite side of the street on the corner where there appears to be some room.
    - b. Burgess Blair noted that the corner where Burgess Park is suggesting relocation is most likely private property.

4. Burgess Lynch asked Mr. Smith if the Association has considered an electric gate.
  - a. Mr. Smith said a gate would not work very well for the Association as tenants and deliveries frequently come and go.
5. Warden Callahan said the Board would contact the property owner on the corner to see if permission would be granted to relocate the existing signs, adding that the Board will look into adding "Public Access" signage.

**WARDEN'S REPORT:**

- A. Community Rating System (CRS) Audit:
  1. On October 1<sup>st</sup>, the Borough and the Town will undergo an audit of the flood plain management programs as part of the Federal Emergency Management Agency's (FEMA) CRS compliance program.
    - a. These audits are done every five years, and they can have an impact on federal flood insurance rates within the community.
    - b. Warden Callahan continues to assemble documents required for the audit.
- B. Wamphassuc Point Association (WPA) Fire Protection Agreement:
  1. Warden Callahan met with the president of the WPA to discuss fixes to the fire protection agreements that were negotiated last year.
    - a. Discussion recorded under New Business in these minutes.

**SANITATION, UTILITIES, AND STREET LIGHTS (WARDEN CALLAHAN):**

- A. Ash Street Seaweed:
  1. A permit was approved by Army Corp of Engineers on August 10<sup>th</sup> and by CTDEEP on August 21<sup>st</sup>.
    - a. Warden Callahan has received a quote from Hastedt Brothers, who will remove the seaweed from the Ash Street Beach and truck it away for \$5,000.
    - b. On August 3<sup>rd</sup> and again on August 28<sup>th</sup> Chief Hoadley took measurements of hydrogen sulfide levels at numerous points on the Ash Street Beach; no detectable levels were recorded anywhere.
    - c. Warden Callahan plans to ask Chief Hoadley to take additional measurements.
    - d. Warden Callahan has informed the neighbors that for now, the Borough is holding off on removing the seaweed.
- B. Wadawanuck Square Light:
  1. Repairs are scheduled for September 24<sup>th</sup>.
- C. Borough Clock:
  1. Warden Callahan reports that the bell is now striking correctly.

**STREETS (BURGESS PARK):**

- A. Streets and Roads:
  1. Lees Court took a beating after the heavy rain of September 3<sup>rd</sup> :
    - a. Burgess Park inspected the road because of complaints sent to him via email.
    - b. The road had definitely washed out and the big problem comes from the paved driveways, most notably #3.
    - c. There is also a washout on the curve at the bottom of the road.
    - d. The following day Burgess Park met with the Highway Crew who added three truckloads of gravel given to them by the Town before grading the entire road.

2. Waylands Wharf:
  - a. Waylands Wharf was also graded and the offending cement rubble was removed.
  - b. Burgess Park looked into providing a stone dust covering for Lees Court but noted that it would be in the \$2,200 range for labor plus material at \$27 per ton delivered (it would require 60 tons).
  - c. Based on personal experience Burgess Park does not think the stone dust will last and therefore will not be a cost effective solution.
3. Street Repair:
  - a. Hastedt Brothers has been slow in getting Burgess Park a start date for work on Temple, Broad, Wall, and Cliff Streets.
  - b. It's possible the work could start the week of 9/30, depending on the weather.
  - c. Burgess Park will contact the residents providing ample warning of upcoming work.
4. Street Signage:
  - a. The handicapped parking sign on Pearl Street has been repaired and a "two-hour only" parking sign was replaced on Water Street.
  - b. A "Look Both Ways" sign was installed at the Water Street entrance to Stonington Commons.
  - c. Burgess Park has had numerous requests for a stop sign on Main Street and Cannon Square but he has refused to grant it, noting that we all have problems at intersections due to cars parking too close to corners.
5. Brush Pickup:
  - a. Brush pick up is scheduled for the week of October 7<sup>th</sup>.
  - b. Unfortunately Sue will be away, and this will be a two-person job.
  - c. We can hire a person at \$12/ hour or postpone until October 21<sup>st</sup> when Sue returns.
  - d. Burgess Park's suggestion is not to postpone.
6. Flagpole:
  - a. There is a new halyard for the flagpole.
7. Drains:
  - a. Almost all drain covers have been cleaned.
8. Borough Hall Generator:
  - a. Burgess Park has been asked what is happening with the generator for the garage.

**FIRE AND EMERGENCY MANAGEMENT (BURGESS BLAIR):**

- A. Fire Department Reorganization:
  1. Burgess Blair reported that he and Warden Callahan have continued to meet with Chief Hoadley and Attorney Block on consolidation of the Companies within the Department.
    - a. Burgess Blair said that progress is being made and he hopes to have a schedule for consolidation in place for the October Board Meeting.
- B. Fire Department Alarms Report:
  1. There were 7 alarms in the month of August:
    - a. 8/03/2013- Motor vehicle accident and fluids spill on Route 1 at Flanders Road.
    - b. 8/04/2013- Wire down in front of 141 Water Street.
    - c. 8/09/2013- Transformer fire at Church and Main Streets.
    - d. 8/13/2013- Fire alarm activation at 48 Collins Road.
    - e. 8/18/2013- Boat Fire at Dodson Boatyard.

- f. 8/19/2013- Oil Spill in Harbor at Town Dock.
  - g. 8/23/2013- Wire down in front of 44 Trumbull Avenue.
2. Warden Callahan asked Burgess Blair if CTDEEP was notified of the 8/19 oil spill.
    - a. Burgess Blair said that CTDEEP was on site as they would be in the case of any oil or fuel spill in the harbor.
  3. Burgess Park asked Burgess Blair about the cause of the 8/19 oil spill.
    - a. Burgess Blair said that he would find out.
- C. Fire Marshal's Report:
1. For the period 7/23/2013 to 9/12/2013:
    - a. 7/27/2013- Inspected food area for the Blessing of the Fleet.
    - b. 7/30/2013- Inspected gas piping for kitchen at Portuguese Holy Ghost Society.
    - c. 8/03/2013- Inspection for Village Fair.
    - d. 8/12/2013- Inspected new exit doors at the Velvet Mill.
    - e. 8/13/2013- Gas inspection at 3 Hyde Street.
    - f. 8/19/2013- Gas inspection at 35 Boulder Avenue.
    - g. 8/20/2013- Inspected gas piping for new generator at Portuguese Holy Ghost Society.
    - h. 8/27/2013- Gas inspection at 14 Main Street.
    - i. 8/28/2013- Meeting at the Velvet Mill regarding the Winter Farmer's Market.
    - j. 8/29/2013- Inspection at Zack's Restaurant.
    - k. 8/29/2013- Gas inspection at 14 Temple Street.
    - l. 8/30/2103- Inspection of commercial building at Stonington Landing.
    - m. 8/30/2013- Gas inspection at 112 Wamphassuc Point Road.
    - n. 9/02/2013- Fire at 6 Elihu Street.
    - o. 9/03/2013- Plan review for new hood work at Zack's Restaurant.
    - p. 9/04/2013- Meeting at the Velvet Mill to discuss public access and general safety during construction activities- owner has agreed to come up with a plan for review.
    - q. 9/06/2103- Gas inspection at 11 Main Street.
    - r. 9/06/2013- Stopped at Zack's Restaurant to review hood work in progress.
    - s. 9/10/2013- Gas inspection at 69 Wamphassuc Point Road.
    - t. 9/12/2013- Final inspection ad testing of hood at Zack's Restaurant.

**PARKS, TREES, AND RIGHTS OF WAY (BURGESS LYNCH):**

- A. Parks:
  1. No activity to report.
- B. Trees:
  1. Pruning:
    - a. The two birch trees in the Firehouse driveway that were scraping against the fire trucks were pruned to remove their lower branches.
    - b. The broken branch at The Merrill House at the corner Water Street and Union Street has been sawed off.
    - c. Nick Reardon did this work for \$475.
- C. Rights of Way:
  1. Burgess Lynch is planning the Rights of Way walk.
    - a. Based on Betty Croteau's availability it seems that the afternoon of Sunday October 13<sup>th</sup>, from 3 to 4 in the afternoon, might be a good time.
    - b. Burgess Nicholas said that she will try to attend.

- c. Burgess Lynch may be able to put up a notice that would include an appeal for the use of paper leaf bags, and include the Rights of Way walk information.
2. Waylands Wharf- Adverse Possession:
- a. Burgess Lynch said that Waylands Wharf must be closed for one day per year as it is subject to a Connecticut legal concept known as “Adverse Possession.”
  - b. Burgess Scala noted that Waylands Wharf was closed for the day when it was recently re-graded as recorded in Burgess Park’s report.

**PUBLIC BUILDINGS (BURGESS ADAIR):**

- A. Borough Hall:
  - 1. Borough Hall Generator.
    - a. Warden Callahan said that he has asked the electrician who is repairing the light in Wadawanuck Square to prepare an assessment report.

**SIDEWALKS (BURGESS SCALA):**

- A. Burgess Scala sent a letter to 75 Main Street to repair sidewalk on Church Street.

**POLICE, PUBLIC AFFAIRS, AND COMMUNICATIONS (BURGESS NICHOLAS):**

- A. Police Incident Report:
  - 1. During the month of August 2013 there were 74 incidents in the police report for the Borough including:
    - a. Motor vehicle accident/ auto and parking complaints: 10
    - b. Phone larceny: 2
    - c. Nuisance complaints: 12
    - d. DWI: 1
    - e. Domestic Disturbance: 1
    - f. There were a significant amount of calls (8) relating to animal control issues, notably skunks.
- B. Website/ Communications:
  - 1. No activity to report.
- C. Events:
  - 1. No activity to report.

**OLD BUSINESS:**

- A. Cannons in Cannon Square:
  - 1. Burgess Scala asked about the progress on repairs.
    - a. Burgess Park said the rotten wood has been removed and sealed noting it is important, and a challenge, to keep the wood dry during repairs.
    - b. Burgess Park said he will have to use Oak for the repairs as the Ash he tried to bend into shape split.
    - c. Burgess Park said ash will be used to replace a spoke.
    - d. The Bank has been kind enough to allow Burgess Park to run an extension cord for power.
- B. Report of Inner Breakwater Committee:
  - 1. Burgess Blair provided an update on research as to ownership of the Breakwater.
    - a. CTDEEP provided Burgess Blair with a 19-page document from the 1940’s looking at repair and maintenance to various federal assets.

- b. It appears as if the Federal Government de-authorized the Inner Breakwater on 5/17/1950, meaning it's possible that the State would have been next in line for ownership.
  - c. Burgess Blair is speaking with Congressman Courtney's District Director and Senator Maynard to see if the State took ownership after de-authorization.
- 2. In the event that the State did not take ownership, Burgess Blair would like to develop a plan for the State to transfer ownership to the Borough, since the State would have been next in line for ownership after de-authorization.
- 3. Burgess Blair outlined the next steps in this process:
  - a. Confirm or establish Borough ownership.
  - b. Develop a plan for stabilization and repairs.
  - c. Seek Board permission to add the Harbor Management Commission and other stakeholders to the Inner Breakwater Committee.
- 4. In the meantime, Burgess Park will make contact with the Harbor Management Commission to keep them apprised of the Committee's activities.
- 5. Burgess Scala asked if there might be CTDEEP funding available.
  - a. Burgess Blair said that CTDEEP might be more interested in having the breakwater repaired in the interest of public safety.
  - b. Burgess Blair said he views the project as a possible Federal/ State/ Municipal endeavor.
- 6. Warden Callahan asked that Burgess Blair and the Inner Breakwater Committee create a file of findings and activities.

**NEW BUSINESS:**

- A. Food vending request of The Point:
  - 1. Sheuli Akter sent a fax to the Borough Office requesting postponement of vendor permit until April 2014.
    - a. Warden Callahan said the Board deliberately set a limited time frame for this fall so that members of the Board could become familiar with Ms. Akter's operation in order to determine whether re-approval for the 2014 season would be considered.
    - b. The Board reached consensus that postponement of the approval was not appropriate and Ms. Akter will have to re-apply for a new permit for the spring of 2014.
    - c. Warden Callahan will notify Ms. Akter.
- B. Proposed Revision to Wamphassuc Point Association (WPA) Fire Protection Agreement:
  - 1. Attorney Charles Danis, as an advisor to the WPA, explained that the current formula for annual adjustment of the fee paid by the WPA to the Borough produces an unanticipated result in years where the actual expenses for the Fire Department exceed the budgeted expenses.
    - a. To correct for this, Attorney Danis suggested that the formula be modified to be based on the increase or decrease of the Borough's actual expenses during the most recently completed fiscal year compared to the prior year without regard to budgeted amounts.
    - b. Fees would increase or decrease by the same percentage by which actual Borough expenses increased or decreased, with an annual cap set at 2.5 percent.
    - c. Attorney Danis said the WPA has to set their budget and tax rates in May before actual Borough expenses are known in July.

- d. The 2.5 percent cap will allow the WPA to budget within the cap each year and set its tax rates accordingly.
2. On a motion by Burgess Blair, seconded by Burgess Park, the concept of the proposed amendments to the WPA Fire Protection Agreement as presented was unanimously approved.

**OTHER BUSINESS:**

- A. Commemorative plaques on trees across from Wadawanuck Square:
  1. Burgess Blair said that back in the late 1980's trees were planted, with plaques affixed to them, to commemorate the service to the Borough of Wiggy Pervity, Mickey Maxon, and Hank Palmer.
    - a. Burgess Blair noted that the plaques are no longer visible as the ground surrounding the base of the trees has mounded up over the years.
    - b. Burgess Park said he will talk to the highway crew about digging out the plaques, and added that the trees themselves are beginning to create problems with adjacent curbs and sidewalks.

**ADJOURNMENT:**

- A. On a motion by Burgess Scala, seconded by Burgess Park, adjournment of the meeting at 8:20 PM was unanimously approved.

Respectfully submitted,  
Brian Krafjack

Clerk- Treasurer