

August 12, 2015

The Stonington Board of Selectmen held a regular meeting on this date at the Stonington Police Department at 7:00 p.m. Present were First Selectman George Crouse, Selectman Rob Simmons and Selectman Michael Spellman. Also present were members of the public and press.

**(1) Call to Order**

Mr. Crouse called the meeting to order at 7:03 p.m.

**(2) Commendations**

The Selectmen gave out Commendations to Megan Perrin, Erin Craig, Katie Sanford, Olivia Marsh, Alex Mitchell, Colette Dreher, Briana Beverly, Julia Garro, Miranda Arruda, Megan Albamonti, Amanda Mazikas, Trinity Lennon and Abigail Flakus for in recognition of their being on the Pawcatuck-Westerly Junior Little League Softball Team and playing in the Junior Little League Softball World Series. The Selectmen also thanked the team manager, Ray Arruda and coaches Tony Garro, David Mitchell, Gus Craig and Tom Lennon.

**(3) Comments from the Public**

- Ms. Celeste DiCesare stated things have been troubling her over what's been happening in this town for the last 8 months or so. She stated that she wanted to read something - public office is a public trust. Mrs. DiCesare stated that the trust of the public is essential for government to function effectively. Ms. DiCesare stated that came from the Town of Stonington's website from the Code of Ethics. She stated that ethics to her is much more than just a fiduciary responsibility. Ms. DiCesare stated that is about a moral compass of doing what's right and gaining the trust of the people that you lead. She stated that Mr. Crouse has been quoted as saying that he is the CEO of the Town of Stonington and as First Selectmen, yes you are, but that also comes with responsibility that ultimately everything falls under that umbrella as the leader of this town. She stated that there are different situations where people bring in complaints or concerns to you and some complaints do not get addressed and some do get addressed. Ms. DiCesare stated that complaints come in and the Selectmen are not communicating with each other. She stated that you have these complaints that come forward and the Selectmen are not communicating to each other and for this town and these people. Ms. DiCesare stated in particular when an individual who reports to you your handing stuff to a Director of Administrative Services yet at the same time saying you're not responsible for personnel. She stated that sends a confusing message and asked how that garners trust. Ms. DiCesare stated that what's really troubling her is that when a compliance office of this town gives to more than one private citizen and to a local newspaper unredacted personnel records, social security numbers, home addresses, dates of birth not just of a person that works for the town but of their family members and children that doesn't build respect and trust.

Mr. Bill Sternberg asked what the established process for handling an EEO complaint is.

- Mr. Crouse stated that if it comes to him he reads it and immediately pass it on to the person in charge of that.
- Mr. Sternberg asked what the potential liability would be for the town if Mr. Crouse interfered with that process.

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- Mr. Crouse stated it could in the upper thousands, \$300,000, \$400,000, \$500,000. He stated that it is not a political situation. He stated that you cannot ignore it if you are a CEO. Mr. Crouse stated that you have to act you can't politically sit on it. He stated that we have an officer who is charged with doing this particular investigation.
- Mr. Sternberg asked how long that process has been in effect.
- Mr. Crouse stated he didn't know but that it's been there for many years.

**(4) Approval of the Minutes**

- A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to approve the July 22, 2015 Board of Selectmen regular meeting minutes.
- A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to approve the August 3, 2015 Joint Board of Education/Board of Selectmen special meeting minutes.

A motion was made by Mr. Crouse, seconded by Mr. Spellman and voted unanimously to add Shine a Light on Heroin on the agenda as an action item.

A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to add the Boathouse discussion as a possible action item.

**(5) Correspondence**

- Mr. Crouse took in correspondence from A. Gardner Young, Jr. expressing his interest on being appointed to the Planning and Zoning Commission as a regular member.
- Mr. Crouse took in correspondence from Attorney Tom Londregan regarding his opinion on whether the town is required to provide homeowners with a reimbursement for the loss of their flood insurance discount.
- Mr. Crouse took in a License Agreement between the Town of Stonington and Riverwalk Condominium Association of Stonington. This agreement will be voted on at the next Selectmen's meeting.
- Mr. Crouse took in correspondence from David Rathbun expressing his interest in moving from an alternate to a regular member of the Planning and Zoning Commission.
- Mr. Crouse took in correspondence from Chief Darren Stewart regarding the donation of \$2,900.00 from the Greater Westerly Pawcatuck Chamber of Commerce to assist the Stonington Police Department with placing a camera in Donahue Park.
- Mr. Crouse took in correspondence from Michael Schefers expressing his interest in serving on the Plan of Conservation and Development Implementation Committee.
- Mr. Crouse took in correspondence from Dennis Unites expressing his interest in serving on the Inland Wetlands and Courses Commission.
- Mr. Crouse took in correspondence from Stuart Schwartzstein expressing his interest in remaining a member of the Plan of Conservation and Implementation Committee.
- Mr. Crouse took in correspondence from Tim Killam of Dockside Electric thanking Barbara McKrell, Director of Public Works, for her prompt attention to the recent storm drain issue at Broadway Extension and Stafford Street.

**(6) Resignation**

Mr. Crouse took in correspondence from Sheila Lyons stating that she was declining the offer to continue to serve on the Plan of Conservation and Development Implementation Committee.

**(7) New Business**

**Discussion Regarding Possible Boathouse for Stonington High School Crew Team**

- Mr. Mike O'Neil, Coach of the Stonington High School Crew Team, spoke about the background of the crew team and its need to have a secure place to store their equipment. He stated that if the crew team loses access to row at the Mystic Seaport, the program would largely terminate. Mr. O'Neil stated that they are asking that the town consider purchasing the property.
- Mr. Crouse asked Mr. O'Neil to describe the property.
- Mr. O'Neil stated that property is located between Latitudes Restaurant and what used to be Kitchen Little. He stated it is an acre and a half of property at 123 Greenmanville Avenue.
- Mr. Crouse stated that the only thing he would think of when he first saw this "wow" what a great entrance to Mystic.
- Mr. O'Neil stated that crew right now is a unique moment in time. He stated that it is fairly new to the public high schools. He stated that right now there is almost a 1 to 1 relationship between colleges that are looking for kids who can row crew and kids who are rowing crew in high. Mr. O'Neil stated that there is a 50% chance that a girl participating in a crew program who applies to a college will get a scholarship. He stated that the issues that Mr. Crouse was talking about is that it is waterfront property in the Town of Stonington. He stated that the second issue to the property is that because it was a support structure for the Rossi Mill there are some environmental issues. Mr. O'Neil stated that both he and Rob have met with the DEEP they are very interested in helping us with the project. He stated that he thinks there is some help that can come from them but that can only happen once the town is involved.
- Mr. Simmons stated that they did meet with the DEEP and got a very favorable response from them. He stated that they also met with the Trust for Public Land. Mr. Simmons asked Mr. O'Neil to discuss how they might help with the acquisition of this property.
- Mr. O'Neil stated it is a national organization that helps Townships and non-profits like them secure properties. He stated that they work as a national group but there is a Connecticut chapter that has worked with the Stonington in the past. Mr. O'Neil stated that they were instrumental in helping buy the Palmer House. He stated that they have a history of trying to put land aside for public access and for conservation.
- Mr. Simmons stated that if the Board of Selectmen takes an action that shows interest an organization like the Trust for Public Land could collaborate with the you and the owner to secure a contract on the property during the period of the contract due diligence could be paid to planning, zoning, environmental cleanup and any of the number of other issues and it would give the Town of Stonington a little period of time to work into the final acquisition of the property.
- Mr. Crouse stated that the first step is to support this process. He stated that the next step for Mr. Tamsky to talk to the Town Planner, Keith Brynes, to make sure Planning and Zoning Board is on board.

A motion was made by Mr. Simmons and seconded by Mr. Spellman to accept the Greenmanville Water Park proposal as presented in the brochure of August 12, 2015 and as a condition of that approval the appropriate commissions and agencies of the town be notified of our interest and respond back to us as appropriate. Discussion: Mr. Simmons thanked Mr. O'Neil. Mr. Simons stated that several things appealed to him about this. He stated that one is public access to the water which is something that we have lost over the years and we need to recover. Mr. Simmons stated that secondly is town access to property. He stated thirdly, if you read the brochure those young women and men who are involved in this program have a very good opportunity to receive scholarships. Mr. Simmons stated that if we move forward judiciously this could be a great project. The vote was 3-0 in favor of accepting the proposal.

#### **FEMA Update**

- Mr. Scot Deledda, Town Engineer, stated that we have above the amount of points that we need however one of the prerequisites required to maintain any kind of rating is that you have at least a 90% minimum accuracy rate for elevation certificates. He stated that no matter how many points we get in the future you always have to maintain at least a 90% minimum accuracy rate for elevation certificates. Mr. Deledda stated that's sort of a summary where we stood based on the last audit in the program that we were in. He stated that what you could take from that is that we were generally in good shape for getting reinstated for that in our point system. Mr. Deledda stated that we just have to clarify and correct some of the last elevation certificates and moving forward we should be in good shape. Mr. Deledda stated that the more effort we put into this the more benefit we get out of it for the citizens. He stated that if we can get to a level 7 or 6 we would get a better discount.
- Mr. Crouse stated that our intrinsic that is built into to all of this is the eight locations and asked Mr. Deledda to explain that.
- Mr. Deledda stated we're reviewing the 8 different properties that were listed by FEMA as requiring some additional information. Mr. Deledda stated that he has made contact with all 8 of the property owners and went out 6 properties and performed site visits. He stated that they are making good progress. He stated that they are meeting scheduled with FEMA CRS coordinator to review each file individually and see where to go from there.
- Mr. Simmons asked at the last meeting where we discussed this matter homeowners had expressed concern that their insurance cost has gone up. He stated that his assumption is that as long as we are out of compliance those increased rates will still pertain. Mr. Simmons stated that based on that assumption what do we anticipate to be the time necessary to complete the process to reestablish lower rates.
- Mr. Deledda stated that what he needs to do is find out if it is all 8 of the properties that kick us out of that 90% or if it is 1 or 2 properties. He stated they want to clean up easiest ones first to get us back to the 90%.
- Mr. Simmons stated that the 8 properties are contributing substantially to the problem. He stated that many other properties are receiving increased flood insurance fees because of these 8 properties.
- Mr. Deledda stated that the whole community as a level 9 and now it's a level 10. He stated that everyone who had flood insurance before is still eligible for flood insurance

but they just do not the 5% discount any longer. Mr. Deledda stated that this is a voluntary program that the community can opt to be part of. He stated the more work you put into it the more benefit you get out of it.

#### **Charter Revision Question(s) for the Ballot**

- Mr. Crouse stated that it was either going to be 1 question or 6 questions.
- Mr. Simmons asked if the town attorney provided an opinion and for purposes of simplicity the first item would be the most simple.
- Mr. Kepple stated that the Charter Revision Commission did not implicitly express separate questions.

A motion was made by Mr. Simmons, seconded by Mr. Crouse and voted unanimously that the language for the question for the ballot be "Shall the Town of Stonington Charter be amended and revised as proposed by the Charter Revision Commission and as approved by the Board of Selectmen on June 10, 2015?"

#### **Conservation Easement**

Attorney Nick Kepple stated that when Mr. Ozycz's subdivided the property 10 years ago one of the requirements of the subdivision is he had to conserve 5 acres at the rear of the property. He stated that the seller's residual obligation from 10 years ago. He stated Mr. Ozycz tried over the years to have Avalonia accept it and they wouldn't accept it. Attorney Kepple stated that the seller has no choice but to convey it to the Town.

A motion was made by Mr. Simmons, seconded by Mr. Spellman and voted unanimously to approve the Conservation Easement over property at 340 New London Turnpike subject to the approval of the town attorney, Conservation Commission and appropriate staff.

#### **(8) Comments from the Public**

- Mrs. Cynthia DiCesare stated that as 1 of the owners of the 8 properties that are currently under review it is her understanding that not only do they have an Elevation Certificate on file with the Town of Stonington but they also have a CO for their building. She asked Mr. Deledda if FEMA is requesting a new Elevation Certificate to show that the building is not under construction but it is now finalized.
- Mr. Deledda stated that they require a finished construction Elevation Certificate to confirm the conditions of the building after all construction is complete.
- Mrs. DiCesare stated that isn't that what the Certificate of Occupancy.
- Mr. Deledda stated that the Elevation Certificate has 3 or 4 different check boxes. He stated the first one is plans and specs, the next box is building under construction and the third one is finished construction. He stated that it is important at the very end of the process to get a finished construction document so the town will have the record and FEMA will know what was constructed and what the final conditions are.
- Mrs. DiCesare stated that it is frustrating and she wished FEMA would put 2 and 2 together.
- Ms. Ashley Gillece stated that it has been brought up about a lack of communication between the 3 of you outside of meetings. She stated there is actually Open Meeting act laws that do require when they speak it is to be done in the public. Ms. Gillece stated that we need to all remember that we need to do this transparency in front of all of us because we have one republican, one democrat, and one unaffiliated so they don't have the right to have those private conversations.

- Mr. Blunt White from the Economic Development Commission stated it was their recommendation to make the search for the Director of Planning a standing agenda item and it wasn't on the agenda. Mr. White asked if the item would be a standing agenda item until a Director of Planning was found.

**(9) Comments from the Selectmen**

- Mr. Crouse read the following from Mr. Vincent Pacileo, Director of Administrative Services: Our hiring process is far from "broken" as we continue successful recruitment for a variety of roles mostly recently evidenced by the filling of two positions with the Town in just the last week. This position (Director of Planning), given its history, has become a bit more challenging to fill. For those knowledgeable of recruiting practices, all hiring efforts are not "cookie cutter", specifically in this case, given the variables relating to the position requirements, salary level, availability of candidates, general labor markets, etc. It is important to note that the remaining 2 candidates were fully vetted by the process details above. They were qualified to be interviewed and suggestions to the contrary to make the recruiting process for this position (and potentially for future positions) more difficult as we re-enter the marketplace for individuals. We were disappointed by the latest withdrawals, but it is my recommendation, agreed to by you, to re-boot this process. This re-engagement will serve in the best interests of those remaining qualified candidates as well as the Town. We remain both confident in the process and hopeful that a qualified and knowledgeable individual will assume the Director of Planning role with the Town. Mr. Crouse stated that he received a phone call today that back in 2014 there were 7 interviewees for the Planning position and they even came forward that the Finance Board pulled the salary and pulled the position. He stated that he talked to someone who is interested and this person had some bad health issues and was going to apply but this person also said that our past record of doing some things like this is noted in the planning community. Mr. Crouse stated that there may be some reluctance for people apply. He stated that he was going to the different chairmen and ask them to write what they would envision as the perfect planner with their particular viewpoint.
- Mr. Simmons stated that Mr. Crouse used the term re-boot the process. He stated that he agrees with that. He stated that Mr. Crouse wants to actively involve a larger group of people. Mr. Simmons stated that in that process he would hope that larger group of people would include his colleagues on the Board of Selectmen. Mr. Simmons stated that is a positive step and a step in the right direction. He stated that what we have in Connecticut today is an unusual situation. Mr. Simmons stated that we have a shortage of highly qualified planners who would operate at a Director level so there is competition for these sources.

A motion was made by Mr. Simmons and seconded by Mr. Spellman to increase the salary range from \$90,000 to \$110,000. Discussion: Mr. Simmons stated that Stonington is special. He stated that it's complicated. Mr. Simmons stated that the Director of Planning needs to be nimble and multi-faceted. The vote was 3-0 in favor of increasing the salary range for the Director of Planning.

- Mr. Simmons stated that he wanted to share that the Economic Development Commission under Mr. White, himself, Roger Kizer and Vin Pacileo sat down several weeks ago to talk about an updated website for the EDC and Economic Development. He

stated that all parties agreed and he has an e-mail from Roger Kizer that they have completed the site with a few exceptions. Mr. Simmons stated that all the external links are in place, the EDC brochure has been deleted and other things have been done. He stated that he wanted to say kudos to Roger, Vin and Chairman White for moving along quietly but efficiently to improve our Economic Development site.

- Mr. Spellman stated that he wanted to congratulate the town on the initiative on Route 1. He stated that he wanted to call on this board and call on stakeholders and State legislators for alternative funding now to plan on continuing the sidewalks that exist in Pawcatuck from South Broad Street all the way to Stonington High School. He stated that the Board tasked me to look in into the Shine Light on Heroin. Mr. Spellman stated that it is a public safety and public health issue. Mr. Spellman stated that Leanne Theodore from Stonington Human Services has done an incredible job showing leadership and that they will put on an informational event at Stonington High School in mid-September. He also stated that parents of autistic children have reached out to him looking for programs that could be put on with them to assist them. Mr. Spellman stated that ALEC (Autistic Law Enforcement Education Coalition) which is a very broad based group will be putting on a symposium October 6<sup>th</sup> at the Stonington High School. Mr. Spellman stated that we would not have been able to get this program in place until July or August of 2016 if it was not for Leanne's efforts.

A motion was made by Mr. Crouse and seconded by Mr. Simmons to appoint Mr. Spellman as the town's representative to the Shine a Light on Heroin. Discussion: Mr. Spellman said he would proudly accept the appointment.

- Mr. Crouse read the following memo from Chief Darren Stewart:  
George,

Per your request-a quick update on this: 1.) Looks like September 14<sup>th</sup> a group of us will be headed to Gloucester to meet with the Chief up there and see firsthand about this program. 2.) I did have a conversation with our State's Attorney's Office and they are not on board with this program for a variety of reasons. 3.) The Board of Police Commissioners also has the information about this. 4.) We have also had a series of meetings with our Human Services Department and they have a good/sound plan about this as well. Hope this helps.

**(10)Adjourn**

There being no further business to come before this Board, the meeting was adjourned at 8:37 p.m.

Kristine Bell  
Recording Secretary