

TOWN OF STONINGTON
SPECIAL TOWN MEETING
February 26, 2024

A Special Town Meeting of the Town of Stonington was called to order at 7:03 p.m. on February 26, 2024 at the Stonington High School, by First Selectman Danielle Chesebrough. Also, in attendance were Selectwoman Deborah Downie and Selectman Ben Tamsky. Town Attorney Jeffrey Londregan was also present.

First Selectman Chesebrough asked all to stand for the Pledge of Allegiance. She then asked for nominations for Moderator. Selectwoman Downie nominated Eric Janney and being properly seconded by Selectman Tamsky, Mr. Janney was unanimously elected Moderator of the meeting. Town Clerk, Sally Duplice served as Clerk.

The Moderator described how the Town Meeting will proceed. Everyone must check in, show identification and be either an elector or a citizen qualified to vote in Town Meetings in order to receive a paper ballot. For the two (2) items on the agenda for which a vote is being taken, the voting will occur immediately following the discussion of the two (2) items being considered and will be tallied and the results announced.

Without objection, the Moderator dispensed with the reading of the Call of the Meeting recorded immediately preceding this page. The Moderator, without objection, dispensed with the reading of the full text of the **FIRST** item on the Call of the Meeting (see full text of Resolution 1, Deed to property, at end of minutes). The First item on the Agenda is a Resolution **To consider and vote on a resolution to authorize the purchase of certain real property located on Noyes Avenue, and commonly known as "the Circus Lot," from the Town of Westerly for Thirty-Five Thousand Dollars (\$35,000) as provided for in a certain deed recorded in Volume 236, Page 349 of the Town of Stonington Land Records; and to further authorize the First Selectman to sign any and all documents necessary and incidental to effectuate said purchase.**

For the purpose of discussion, the Moderator asked for a motion to approve the Resolution. Motion to approve was made by Selectwoman Downie and seconded by First Selectman Chesebrough. The motion passed unanimously.

Before opening the floor to discussion, the Moderator called on Chad Frost, Landscape Architect, to give an explanation of this resolution. Chad gave a slide presentation depicting the land and surrounding areas as well as possible uses for the lot. The Moderator then opened the floor to discussion. Hearing none, the Moderator reminded the audience that the vote will be taken after all resolutions are heard. Participants must be checked in and verified to receive a paper ballot.

Without objection, the Moderator dispensed with the reading of the full text of the **SECOND** item on the Call of the Meeting (see full text of Resolution 2 at end of minutes). The Second item on the Agenda is a Resolution **To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, establishing a Cemetery Commission.**

For the purpose of discussion, the Moderator asked for a motion to approve the Resolution. Motion to approve was made by Selectwoman Downie and seconded by Selectman Tamsky. The motion passed unanimously.

Before opening the floor to discussion, the Moderator called on Elizabeth Wood, Executive Director of Historic Stonington, formerly Stonington Historical

Society, regarding this resolution, which she briefly discussed. The Moderator then opened the floor to discussion. Kyle Berg came forth and stated that he is the President of the Board of Stonington Cemetery Association and he would like to propose amending this resolution. Under the fourth (4th) "WHEREAS", second (2nd) and third (3rd) lines, he would like the wording "as well as taking the lead in" and "including those owned" to be changed to "as well as collaborating in" and "excluding those owned". Attorney Londregan reviewed the wording of the Ordinance establishing a Cemetery Commission with these proposed language changes and determined that they would be acceptable. Upon motion to amend the resolution and properly seconded by James Davis, the Moderator asked for a vote on the resolution as amended by a show of hands for all who were in favor and all who were opposed. The "ayes" overwhelmingly outnumbered the "nays".

With no further discussion on the floor, the Moderator recessed the meeting at 7:30 p.m. to allow for a vote on the two (2) Resolutions moved and seconded by this Town Meeting. Electors and citizens qualified to vote in Town Meetings came forward to cast their vote by paper ballot for the two (2) items on the Call of the Meeting and then returned to their seats. When all the ballots were collected, Town Clerk Duplice and Executive Administrative Assistant, Stacey Haskell, tallied the votes.

At 7:50 p.m. the Moderator reconvened the meeting to announce the results of the voting for each resolution as follows:

First Resolution: Yes – 146 No – 10

Second Resolution: Yes – 144 No – 10

The Moderator declared the Resolutions as passed.

There being no further business on the Call, the Moderator asked for a motion to adjourn. Motion was made by Selectwoman Downie and seconded by Selectman Tamsky. The motion passed unanimously and the Moderator declared the meeting adjourned at 7:53 p.m.

/s/ Sally Duplice
Clerk of the meeting

Received for record this 27th day of February, 2024.



Sally Duplice
Town Clerk

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TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, THAT the Town of Stonington, a municipal corporation in the County of New London and State of Connecticut, herein after referred to as Grantor, for the consideration of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS, received to its full satisfaction of the Town of Westerly, a municipal corporation in the State of Rhode Island, hereinafter referred to as Grantee, does give, grant, bargain, sell and confirm unto to the said Town of Westerly,

A certain tract or parcel of land situated in the Village of Pawcatuck, Town of Stonington, County of New London State of Connecticut shown on a map entitled, "Plan of Property of The Dahl Oil Company, Inc., Pawcatuck, Connecticut To Be Conveyed to the Town of Stonington", Scale 1" = 40' March 1981, Hayward-Holbrook, Engineers and Surveyors.

BEGINNING at an iron pipe found set in the ground located on the southwesterly corner of Noyes Avenue, said point being the northeast corner of land now or formerly of Jose T. Carmellia Botelho; thence running N 22° 14' 28" W a distance of 34.03 feet to a point, said point being the southeast corner of land now or formerly of Rose, Nellie and Joseph Lombardo and the northeast corner of Noyes Avenue; thence running N 38° 04' 40" W a distance of 110.43 feet to land now or formerly of Leo J. Hogan and the northwest corner of the herein described parcel, the last two mentioned courses are bounded westerly in part by Noyes Avenue and in part by land now or formerly of Rose, Nellie and Joseph Lombardo; thence running N 52° 48' 37" E a distance of 27.22 feet to an angle point; thence running N 53° 45' 54" E a distance of 60.00 feet to an angle point; thence running N 54° 43' 11" E a distance of 60.02 feet to an angle point; thence running N 55° 11' 48" E a distance of 60.03 feet to an angle point; thence running N 55° 00' 33" E a distance of 43.89 feet to an angle point; thence running N 58° 13' 21" E a distance of 105 feet, more or less, along an existing fence line to the Pawcatuck River, said point being the northeast corner of the herein described parcel, the last six mentioned courses are bounded northerly in part by lands now or formerly of Leo J. Hogan, in part by lands now or formerly of Rita R. Brown, in part by lands now or formerly of George A. and Margaret M. Wildes, and in part by lands now or formerly of David A. and Brenda J. Reynolds; thence turning and running in a southerly direction by and with the Pawcatuck River a distance of 522.5 feet, more or less, to land now or formerly of the Penn Central Railroad, said point being the southeast corner of the herein described parcel, the last mentioned course is bounded easterly by the Pawcatuck River; thence turning and running in a southwest direction along the arc of a curve having a radius of 2951.93 feet a distance of 437.33 feet, more or less, to a point in said line, the last mentioned course is bounded southerly by the Penn Central Railroad; thence running S 75° 00' 14" W

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RUTH WALLER
TOWN CLERK OF STONINGTON

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a distance of 149.20 feet to the southeasterly corner of land now or formerly of Frank and Frances LoPresto and the southwesterly corner of the herein described parcel, the last mentioned course is bounded southerly by lands now or formerly of The Dahl Oil Company, Inc; thence running N 14° 44' 32" W a distance of 223.79 feet to an iron pin found set in the ground; thence running N. 14° 09' 57" W a distance of 79.00 feet to an iron pin found set in the ground; thence running N 11° 18' 47" W a distance of 80.01 feet to an iron post found set in the ground at the southwesterly corner of lands now or formerly of Gerlinde DeZeeuw, the last three mentioned courses are bounded westerly in part by lands now or formerly of Frank and Frances LoPresto, in part by lands now or formerly of the Pawcatuck Fire District, and in part by lands now or formerly of the Town of Stonington; thence running N 54° 03' 10" E a distance of 97.38 feet to an iron pin found set in the ground at the southeasterly corner of land now or formerly of Jose T. and Carmellia Botelho; thence running N 34° 51' 50" W a distance of 159.02 feet to the point and place of beginning, the last mentioned course is bounded westerly by lands now or formerly of Jose T. and Carmellia Botelho. Herein described parcel contains 5.7 acres, more or less.

There is excluded from the above-described premises the following parcel:

BEGINNING at an iron pipe found set in the ground at the north easterly corner of land now or formerly Jose T. & Carmellia Botelho and the southeasterly corner of Noyes Avenue and the southwesterly corner of herein described tract; thence running N 22° 14' 28" W a distance of 34.03 feet to the southeasterly corner of land now or formerly of Rose, Nellie, & Joseph Lombardo and the northeasterly corner of Noyes Avenue; said point being the point of curve on herein described cul-de-sac; the last described course is bounded westerly by Noyes Avenue; thence running in a clockwise direction along the arc of a curve a distance of 146.44 feet to the point of a reverse curve; the last described curve has a radius of 30.00 feet and a delta angle of 279° 41' 10"; the last described curve is bounded northerly, northeasterly, easterly, southeasterly, southerly & Southwesterly by land now or formerly of the Town of Stonington; thence running in a westerly direction along the arc of a curve a distance of 15.13 feet to the point and place of beginning, said curve having a radius of 19.99 feet and delta angle of 43° 21' 22"; the last described course is bounded southerly by land now or formerly of the Town of Stonington.

The grantor herein reserves the right for itself, its successors and assigns forever, an exclusive easement right, privilege and authority perpetually to construct, operate, repair, maintain, regulate, control, and supervise a public park and playground for the purposes of recreation upon, over,

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under, across and through, lands of the Grantee together with free public access to the Pawcatuck River, which easement is bounded and described as follows:

BEGINNING at the southeasterly corner of land now or formerly of David A. & Brenda J. Reynolds and the northeasterly corner of herein described tract, said point being located on the westerly highwater mark of the Pawcatuck River; thence running in a southerly direction along the highwater mark of the Pawcatuck River a distance of 522.5 feet more or less to a point located on the Northerly right of way line of the land now or formerly of the Penn Central Railroad and the westerly highwater mark of the Pawcatuck River, said point being the southeasterly corner of herein described tract, the described course is bounded easterly by Pawcatuck River; thence running in a southwesterly direction along the northerly right of way line of the Penn Central Railroad a distance of 53.00 feet more or less to the south westerly corner of herein described tract, the last described course is bounded southerly by the Penn Central Railroad; thence running in a northwesterly direction in a line parrallel with the highwater mark of the Pawcatuck River a distance of 570.00 feet more or less, to the northwesterly corner of herein described tract and to land now or formerly of David A. & Brenda J. Reynolds, the last described course is located 50 feet westerly from the highwater mark of the Pawcatuck River and is bounded westerly by land now or formerly of the Town of Stonington; thence running N 58° 13' 21" E a distance of 52 feet more or less to the point and place of beginning.

The Grantor also reserves the right of access to the above-described parcel for recreational purposes across the hereinafter described drainage easement.

The Grantor herein reserves the right to drain upon, over, under, across and through lands of the grantee, which easement is bounded and described as follows:

COMMENCING at a point located on the westerly side of the Pawcatuck River, said point being the southeasterly corner of property now or formerly of David A. & Brenda J. Reynolds; thence running in a southerly direction along the westerly highwater mark of the Pawcatuck River a distance of 155 feet more or less to the northeasterly corner of herein described tract; thence running in a southerly direction along the westerly highwater mark a distance of 25 feet more or less to the southeasterly corner of herein described tract, the last described course is bounded easterly by the Pawcatuck

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River; thence running in a westerly direction a distance of 230 feet more or less to the southwesterly corner of herein described tract, said point being located on the easterly road line of Noyes Avenue; the last described course is bounded southerly by land now or formerly of the Town of Stonington; thence running in a North, Northwesterly direction along the arc of a curve a distance of 30 feet more or less to the northwesterly corner of herein described tract, said curve has a radius of 30 feet; the last described course is bounded westerly and southwesterly by Noyes Avenue; thence running in an easterly direction a distance of 236 feet more or less to the point and place of beginning; the last described course is bounded northerly by the land now or formerly of the Town of Stonington.

The Grantor herein reserves the right for itself, its successors and assigns forever, an exclusive easement right, privilege and authority to construct, operate, repair and maintain a sanitary sewer line or vain in upon, over, under, across and through lands of the Grantee located in Pawcatuck, Town of Stonington, County of New London and State of Connecticut, which easement is bounded and described as follows:

A certain tract or parcel of land situated in the Village of Pawcatuck, Town of Stonington, County of New London and State of Connecticut is bounded and described as follows:

Commencing at the southeasterly corner of land now or formerly of George A. & Margaret M. Wildes and the southwesterly corner of land now or formerly of David A. & Brenda J. Reynolds; thence running N 55° 00' 33" E a distance of 43.89 feet to the northwesterly corner of herein described tract and point of beginning; the last described course is bounded northerly by land now or formerly of David A. & Brenda J. Reynolds; thence running N 58° 13' 21" E a distance of 62.18 feet to an iron pin set in the ground in the northeasterly corner of herein described tract, the last described course is bounded northerly by land now or formerly of David A. & Brenda J. Reynolds; thence running S 4° 41' 42" W a distance of 456.18 feet to an iron pin set in the ground at an angle point in said line, the last described course is bounded easterly by the land now or formerly of the Town of Stonington; thence running S 54° 03' 10" W a distance of 88.28 feet to an iron pin set in the ground at an angle in said line, the last described course is bounded southerly by land now or formerly of the Town of Stonington; thence running S 14° 09' 11" E a distance of 347.44 feet to an iron pin set in the ground at the southeasterly corner of herein described tract, the last described course is bounded easterly by land now or formerly of the Town of Stonington; thence running S 75° 00' 14" W a distance of 50.00 feet to an iron pin set in the ground at the southwesterly corner of herein

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described tract and the southeasterly corner of land now or formerly of Frank and Frances LoPresto, the last described course is bounded southerly by land now or formerly of Dahl Oil Company; thence running N 14° 44' 32" W a distance of 223.79 feet to an iron pin found set in the ground at the northeasterly corner of land now or formerly of Frank and Frances LoPresto and the southeasterly corner of land now or formerly of the Pawcatuck Fire District, the last described course is bounded westerly by land now or formerly of Frank and Frances LoPresto; thence running N 14° 09' 57" W a distance of 79.00 feet to an iron pin found set in the ground at an angle point in said line; thence running N 11° 18' 47" W a distance of 80.01 feet to an iron pin found set in the ground at the northeasterly corner of land now or formerly of the Pawcatuck Fire District, the last two described courses are bounded westerly by the land now or formerly of the Pawcatuck Fire District; thence running N 54° 03' 10" E a distance of 97.38 feet to an iron pin found set in the ground at the southeasterly corner of land now or formerly of Jose T. & Carmelia Botelho, the last described course is bounded northerly in part by land now or formerly of Gerliñde B. DeZeeuw, in part by Jose T. & Carmelia Botelho; thence running N 4° 41' 42" E a distance of 396.25 feet to the point and place of beginning. Herein described tract contains 44,697.089 square feet.

Said land herein conveyed to be used exclusively for water production purposes by the Westerly Water Department and to include distribution to the Town of Stonington, and, whenever said land ceases to be used exclusively for such purposes, the same shall revert in fee ownership to the Grantor, Town of Stonington, and its successors and assigns. Said Town of Stonington shall pay the sum of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS upon closing and the Town of Westerly shall furnish good title.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto it the said Grantee, its heirs, successors and assigns forever, to it and their own proper use and behoof.

AND ALSO, the said Grantor does for itself, its heirs, executors and administrators, covenant with the said Grantee its successors, heirs and assigns, that at and until the en-sealing of these presents, it is well seized of the premises

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as a good indefeasible estate in FEE SIMPLE: and has good right to bargain and sell the same in manner and form as is above written; and that the same is free from all incumbrances whatsoever, except as hereinbefore mentioned.

AND FURTHERMORE; the said Grantor does by these presents bind itself and its heirs, executors and administrators forever to WARRANT AND DEFEND the above granted and bargained premises to the said Grantee, its successors, heirs and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 13th day of September in the year of our Lord nineteen hundred and eighty-two.

Signed, Sealed and Delivered in the presence of:

TOWN OF STONINGTON

Theodore M. Ladwig
THEODORE M. LADWIG

James M. Spellman
JAMES M. SPELLMAN
FIRST SELECTMAN

Mary T. McCrea
MARY T. MCCREA

STATE OF CONNECTICUT

SS

STONINGTON

COUNTY OF NEW LONDON

On this the 13th day of September, 1982, before me, Theodore M. Ladwig, the undersigned officer, personally appeared JAMES M. SPELLMAN, who acknowledged himself to be the First Selectman of the Town of Stonington, a municipal corporation, and that he as such First Selectman, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation by himself as First Selectman.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Theodore M. Ladwig
THEODORE M. LADWIG

Commissioner of the Superior Court

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STONINGTON, CT

1982 SEP 13, R 3:08

RUTH WALKER
TOWN CLERK

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Stonington Cemetery Commission Ordinance

WHEREAS, the Town of Stonington wishes to establish a procedure to oversee the protection, preservation and maintenance of cemeteries in the Town of Stonington; and

WHEREAS the Town of Stonington recognizes the need for a coordinated, collaborative approach to address the issue of maintaining Stonington's historic, public cemeteries; and

WHEREAS the Town of Stonington wishes to establish a Cemetery Commission to serve as an advisory body to the First Selectman, and as a center of communication, with the objective of ensuring Stonington cemeteries are respectfully cared for, maintained and documented; and

WHEREAS, the Town of Stonington desires to establish a Cemetery Commission that will be done in accordance with the Connecticut General Statutes, Chapter 368j, as well as taking the lead in recording data for all cemeteries, including those owned by cemetery associations or Ecclesiastical Societies, in accordance with Connecticut General Statutes Chapter 93, Sec. 7-71.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:

Section 1. That the Code of Ordinances of the Town of Stonington be amended by adding a new ordinance to read as follows:

A. Establishment. The Town hereby establishes a Cemetery Commission.

B. Purpose. The Cemetery Commission will serve as an advisory body to the First Selectman, and as a center of communication, with the objective of ensuring Stonington cemeteries are respectfully cared for, maintained and documented.

C. Terms of Office. The Commission shall be composed of five (5) regular members and two (2) alternate members who will serve staggered three-year terms. Regular and alternate members shall be appointed by the Board of Selectman. The initial appointments by the Board of Selectmen shall be for one-, two- and three-year terms, and thereafter all terms shall be for three years.

D. Membership. All Commission members and alternate members shall be electors of the Town of Stonington. The Commission should have diverse representation. When possible, preference should be given to ensure membership includes: a historian, a Veteran or Veteran's representative, a member of the Conservation Commission or a landowner with a cemetery that lies within the landowner's boundaries. Seats should be given to those who will help ensure the balanced and diverse views needed to address cemetery needs within the Town of Stonington.

E. Powers and duties. The Commission shall, among other things:

- I. Work in a collaborative manner to evaluate, define and monitor the needs of cemeteries within the Town of Stonington.
- II. Work with the Department of Public Works and the First Selectman to prepare a maintenance plan for all cemeteries owned by the Town of Stonington.
- III. Make recommendations for updating records as necessary.
- IV. Work with other town Departments and Commission as appropriate on matters related to cemeteries, for example, working to ensure that the Town's approximate 120 acres of cemetery land is identified and catalogued.
- V. Monitor State of Connecticut legislation and regulations relevant to cemetery ownership, care and maintenance. When applicable, work with the Board of Selectmen on outreach and advocacy related to relevant public policy.
- VI. Monitor the availability of grants, programs, partnerships and other resources to support the perpetual care of the Town's cemeteries.
- VII. Working with Historic Stonington, develop and maintain a program of public engagement, communication and education on the topic of cemetery maintenance, including gravestone maintenance and care.
- VIII. Other responsibilities relevant to cemetery maintenance as determined by the Department of Public Works and First Selectman.

Section 2.

- A. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.
- B. This ordinance shall become effective fifteen (15) days after the date of publication or notice of its passage, per Connecticut General Statute 7-157 (a).

Adopted:

Effective: