

January 10, 2018

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 Rob Simmons, Selectwoman Kate Rotella and Selectman John Prue. Also present were members of the public and press.

(1) Call to Order

Mr. Simmons called the meeting to order at 7:01 p.m.

(2) Pledge of Allegiance

(3) Comments from the Public

None

(4) Approval of the Minutes

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the December 13, 2017 Board of Selectmen regular meeting minutes.

In discussion, Mr. Simmons stated that he would provide an additional memo as an attachment to the minutes. With no further discussion, the motion carried.

(5) Correspondence

- Mr. Simmons took in correspondence from Mr. Robert Hannon in the form of an application for the Planning and Zoning Commission.
- Mr. Simmons took in correspondence from Mr. Robert Backhaus in the form of an application for the Planning and Zoning Commission.
- Mr. Simmons took in correspondence from Mr. Thomas Kollar in the form of an application for the Planning and Zoning Commission.

(6) Interview – Planning and Zoning Commission

The Board of Selectmen interviewed Mr. Frederick Deichmann and Mr. Robert Hannon for the two open alternate seats on the Planning and Zoning Commission. Mr. Robert Backhaus and Mr. Thomas Kollar were absent.

(7) Appointment/Reappointment/Resignation

Appointment – Architectural Design Review Board

A motion was made by Mr. Prue, seconded by Mrs. Rotella and voted unanimously to appoint Ms. Leslie Driscoll to the Architectural Design Review Board as an alternate member.

(8) Old Business

Discussion – Zoning Permit Fee Refund

Mr. Simmons stated that he received a letter from Jim and Deanna Goodman requesting a refund of \$1,046.50 for a recent zoning permit fee which they have since withdrawn as they decided not to build on the lot. At a previous meeting this item was tabled to allow Mr. Prue the opportunity to do some further research on the regulations for refunding fees.

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to refund the Zoning Permit Fee of \$1,046.50 to Jim and Deanna Goodman.

In discussion, Mr. Prue stated that he followed up with staff and found that this is past policy. With no further discussion, the motion carried.

(9) New Business

Discussion – SHHP Grant Awards South Pier/Breakwater

Mr. Simmons stated that the Connecticut Port Authority awarded two Small Harbor Improvement Projects program grants to the Town of Stonington with \$255,000 for the South Pier and \$135,000 for Breakwater. He

added that in reviewing the agreement there was an amendment made by the Town Attorney regarding the indemnification clause. Mr. Simmons continued that Mr. Scott Bates of the CT Port Authority stated that the indemnification clause is important to the success of the application.

Attorney Brian Estep stated that after reviewing the agreement the blanket indemnification clause had been removed from both grants so as to offer protection to the Town. He added that it ultimately becomes a business decision as to whether you can live with what is there then to not have the grant.

Mr. Simmons stated that he understands Mr. Estep's opinion and recognizes that if the Board agrees to the recommendation of the attorney they may not receive the grant.

Mr. Bates stated that the agreement is standard and that four other municipalities have already signed their agreements.

Mr. Simmons added that the funds are for engineering studies not a construction project which offers a lower risk.

Mrs. Rotella stated that this is a lot of money for the Town and added that the state will not fund the projects using the original indemnification clause language.

A motion was made by Mrs. Rotella seconded by Mr. Prue and voted unanimously to authorize the First Selectman to sign both agreements.

In discussion, Mr. Simmons stated that the Breakwater project will be overseen by the Stonington Harbor Management Commission and the South Pier project will be overseen by the Waterfront Commission. Both would be collaborated with town hall staff to ensure securing engineers qualified to perform the tasks.

With no further discussion, the motion carried.

Discussion – Sewer Easements at 175 Whitehall Avenue

A motion was made by Mr. Prue seconded by Mrs. Rotella and voted unanimously to approve the sewer easements at 175 Whitehall Avenue.

In discussion, Mr. Prue stated this is an ongoing project that has taken five years to complete. With no further discussion, the motion carried.

Request – Use of Donahue Park for 20th Annual Duck Race

A motion was made by Mr. Prue, seconded by Mrs. Rotella and voted unanimously to approve the use of Donahue Park by the Ocean Community Chamber of Commerce for the 20th Annual Duck Race on April 28, 2018.

Discussion – Agreement to Replace Underground Storage Tanks

Mr. Simmons stated that the Town and School district have six underground storage tanks approaching the end of their design life that are in need of replacement. The cost of which will be shared between the Department of Education, Fisherman's Association and Town of Stonington depending on the location of the tank.

Mr. Jim Sullivan, Director of Finance, stated the contract from Tighe & Bond is to provide all engineering and associated environmental services for the removal and replacement of fuel storage systems.

Mr. Prue asked if we have used Tighe & Bond previously. Ms. Barbara McKrell, Director of Public Works, stated that we have not, but based on the information they provided, the approach is very good as they have a high level of experience with design and management of construction.

Mr. Simmons stated that if we do not complete the replacement we will be out of compliance with the state. Ms. McKrell stated that they will be past their life this year and that there has been three years of funding for the project. Ms. McKrell added this project has been approved by the Board of Finance two budget cycles ago and funded slowly over the past few budget cycles with the last allotment of funding this year.

Ms. June Strunk, Chair of the Board of Finance stated that this project has been approved with an A rating as it is a necessary project.

A motion was made by Mrs. Rotella seconded by Mr. Prue and voted unanimously to approve the First Selectman signing the contract with Tighe & Bond for the replacement of the underground storage tanks.

(10) Executive Session

The Board of Selectman will meet in executive session pursuant to C.G.S. Section 1-200(6)(B) with Attorney Meredith Diette, Attorney Gary Kaisen, Attorney Jack Dolan and Attorney Michael Satti to discuss the status of pending and/or threatened litigation involving the Town of Stonington, namely, Louis DiCesare v. Town of Stonington, et. al. – Civil Action No. 3:15-CV-01703-VAB and Town of Stonington v. Stonington Public Administrators Association – AAA Case No. 01-15-0004-0639.

A motion was made by Mr. Prue, seconded by Mrs. Rotella and voted unanimously to go into Executive Session at 7:31 p.m.

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to come out of Executive Session at 8:35 p.m. and reconvene the regular meeting at 8:35 p.m.

(11) Comments from the Public

None

(12) Comments from the Selectmen

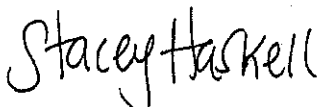
Mr. Prue stated that he would like further information on the K-12 Building projects.

Mrs. Rotella had no comments.

Mr. Simmons stated that he received several positive emails regarding the highway department and their efforts during the recent snowstorm. He added that it is a credit to the Town and Department of Public Works and they rose to the occasion under adverse condition. Mr. Simmons stated it makes him proud to live in Stonington.

(13) Adjourn

There being no further business to come before this Board, the meeting was adjourned at 8:41 p.m.



Stacey Haskell
Recording Secretary