

May 23, 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 and Selectwoman Kate Rotella. Selectman John Prue was available by phone. Also present were members of the public and press.

**(1) Call to Order**

Mr. Simmons called the meeting to order at 7:00 p.m.

**(2) Pledge of Allegiance**

**(3) Comments from the Public**

None

**(4) Public Hearing – 2018 Community Development Block Grant**

Mr. Simmons called the Public Hearing to order at 7:02 p.m. Mr. Simmons asked if anyone wished to speak regarding the 2018 Community Development Block Grant. Ms. Leanne Theodore and Ms. Julie Savin gave a brief overview of the grant stating that if approved the funding would come from public service dollars and would support local diversion programs and youth homelessness. With no further discussion, Mr. Simmons adjourned the public hearing at 7:12 p.m.

**(5) Discussion – Items Related to 2018 Community Development Block Grant**

- A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the Certificate of Applicant.
- A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the Certificate of Compliance.
- A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve Exhibit 2.1.
- A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the Armstrong/Walker "Excessive Force" Certification.
- A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the Local Assurances document.
- A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the Financing Plan and Budget.
- A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the Program Income Plan.
- A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the Fair Housing Action Plan.

**(6) Commendation**

The Selectmen issued a commendation to Ms. Madison Geiger in recognition of her dedication as an intern in the Office of the First Selectman and completion of the requirements of Stonington High School's Internship Program.

The Board recessed at 7:14 p.m. The Board reconvened at 7:17 p.m.

**(7) Approval of the Minutes**

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the May 9, 2018 regular meeting minutes.

**(8) Correspondence**

- Mr. Simmons took in correspondence from Mr. James Lathrop regarding a Blight Lien at 2-4 Mechanic Street.

- Mr. Simmons took in correspondence from Ms. Sally Cogan in the form of an application for the Stormwater Task Force.

**(9) Appointment/Reappointment/Resignation**

**Appointment - Stormwater Task Force**

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to appoint Mr. Stephen Plant to the Stormwater Task Force.

**Resignation – Tree Warden**

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to accept the resignation of Mr. Daniel Oliverio as the Tree Warden.

**Resignation – Commission on Aging**

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to accept the resignation of Ms. Maryann Bessette from the Commission on Aging.

**(10) Old Business**

None

**(11) New Business**

**Request – Waiver of Application Fee**

Mr. Simmons stated that he received a memo from Ms. Lynn Callahan of the Stonington Cemetery Association requesting a waiver of \$260.00 for a wetland permit fee to prepare two small sections of cemetery grounds for burial use.

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to authorize the waiver of the application fee in the amount of \$260.00.

**Request – Release of Lien on 21 Robin Street**

Mr. Simmons stated that the request to release the lien on 21 Robin Street was made by Diane Leslie Wood through the Human Services Department so that she can sell her property. Many years ago, citizens who applied for aid from the state had to put a lien on the property as a commitment to repay the state. The program was established in 1975 and discontinued several years ago with no further information regarding the amount of money owed.

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the release of the lien on 21 Robin Street, Pawcatuck, CT owned by Diane Leslie Wood without the requirement of reimbursement.

**Discussion – Destruction of Property**

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the Stonington Police Departments destruction of property which has been reviewed and approved by the Board of Police Commissioners.

**Discussion – Public Health Ordinance**

Mr. Simmons stated that questions were raised at the last Board meeting regarding the inconsistencies of local food ordinances with the new Ledge Light Health District food regulations. After research and discussion with the Town Attorney it was noted that when the resolution was adopted last year to join Ledge Light at a Town Meeting the contract stated that all existing public health related Town of Stonington policies, ordinances and regulations are replaced with Ledge Light's policies, procedures and ordinances.

Mr. Simmons stated that since the resolutions regarding utilizing Ledge Light had passed at a Town Meeting the prior policies, ordinances and regulations were repealed.

**Request – Assign Map 160, Block 4, Lot 8, Street Number 16 Harry Austin Drive, Mystic, CT 06355**

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the request.

**Request – Assign Map 176, Block 8, Lot 1F, Street Number 33 Old North Road, Mystic, CT 06355**

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve the request.

**Discussion – 2-4 Mechanic Street Blight Lien**

Mr. Simmons stated that this property has been receiving a daily fine of \$100 per day and that the fines exceeded \$55,000. He stated that the new owner, Mr. Jim Lathrop, has been working on remediating the issues that have put the property into a blight status. He stated that the fines are encumbered with the sale of the property.

He recommended discontinuing the accumulation of daily fines retroactive to April 17, 2018 when Mr. Lathrop bought the property. He also would like to move the item to the next agenda to allow time to discuss with the Town Attorney, Economic Development Commission, Zoning Blight Official to come up with a flexible plan to deal with this and future issues surrounding blight when a property is sold but the fees continue to grow.

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously to approve discontinuing the accumulation of daily blight fines retroactive to April 17, 2018 in regards to 2-4 Mechanic Street in Pawcatuck.

**(12) Comments from the Public**

Ms. Cynthia DiCesare stated that she saw a truck spraying last week and as a beekeeper wants to know when, where, why and what products were being sprayed. She stated she wants the town to move away from using pesticide and herbicides.

Ms. Michelle DiCesare stated that she is also a beekeeper and would like to know what products were used. She also asked if the Board would have answers to questions that were asked at the past few meetings.

**(13) Comments from the Selectmen**

Mr. Prue thanked the Board for allowing him to call in to the meeting while on the road for work. He wished everyone a safe Memorial weekend.

Mrs. Rotella thanked Ms. Leanne Theodore and her staff for putting together an informative program for high school students and their families. She wished everyone a happy Memorial weekend.

Mr. Simmons stated that the town is required by DEEP to spray the dikes annually and have been utilizing the same contractor since 2008. He added that the roadside spraying was done this month to control vegetation within the town right of ways by a contractor from TruGreen with 37 years of experience. Mr. Simmons stated that he had a list of streets that were sprayed with the herbicide which is supposed to be non-toxic to avian species, honeybees and earthworms.

Mr. Simmons stated that members of the community had posed questions over the past few meetings. He added that he cannot speak about ongoing legal or personnel matters until investigations have been completed. He discussed the following:

The investigation regarding Mr. Daniel Oliverio has been closed and the Town informed him on May 16, 2018 that no disciplinary action would be taken.

The Town established an Ethics Commission and Code of Ethics Ordinance in 1999. Under provisions of the Code of Ethics, if there is an ethics complaint the Town Attorney would review to see if it meets the standards and then request an appointment of the Ethics Commission by the Board of Selectmen. The Ethics Commission is used on an ad hoc basis and not a standing commission.

The Board also adopted a policy regarding an ombudsman in 2015 which is also ad hoc for complaints that do not reach to the level of an ethics complaint but can be addressed by appointing the ombudsman.

The Town has an employee handbook which is signed by each employee. The handbook includes policy and guidelines on harassment as well as procedures which can be pursued if an individual feels they are being harassed. Those who are members of unions can access remediation through contractual process. Employees are required to read and sign the handbook as a provision of employment.

The open position of Tree Warden will be advertised to find a replacement.

The evaluation of department heads was something that was looked at under the previous administration but did not proceed forward. The Consultant hired by the Town recommended an evaluation process be established and set the priority of one year to eighteen months to completed. The Town has completed that paperwork and is within the established guidelines of the consultant. That task is underway. The process may face complications with contractual relationships with Town employees next year.

When the Tree Warden was appointed a memorandum of agreement was signed by all parties which contained language regarding the timeline for completing Tree Warden duties. The memorandum of agreement did not contain language permitting Tree Warden duties being conducted during the regular workday.

The Town utilizes attorneys for certain legal processes. While we would welcome the opportunity to not do so it is necessary at times to avoid more expensive legal challenges. For example, when a complaint is not submitted through the grievance process from a unionized employee it is given to the Town Attorney for review.

Mr. Simmons stated that Memorial Day is a time to reflect on those who have served as well as those we have lost it is not necessarily a celebration but a day of remembrance. He hoped everyone would take a moment to be thankful for those we love that are no longer with us.

**(14) Adjourn**

There being no further business to come before this Board, the meeting adjourned at 8:00 p.m.



Stacey Haskell

Recording Secretary