

**Board of Warden and Burgesses**  
**Minutes of Regular Monthly Meeting ~ May 21, 2012**

The regular Monthly Meeting of the Borough of Stonington Warden and Burgesses was called to order in Borough Hall at 7:00 PM by Warden Paul Burgess. Present were Burgesses Kathryn Burchenal, Edward McCreary, Howard Park, Robert Scala, and Clerk-Treasurer Brian Krafjack. Burgesses Michael Adair and Amy Nicholas were absent.

**Public Comment:**

1. Residents Stephen Taylor and Meg Lyons, living in the vicinity of the Ash Street Beach, reported a strong odor from decomposing seaweed; similar to the occurrence of last May and June.
  - a. Mr. Stephen Taylor reported that strong odors from decomposing seaweed began to appear during the first warm week in March.
  - b. Ms. Lyons reported that she and her family are sick daily with symptoms consistent with hydrogen sulfide exposure; migraine like pain in the middle of the night or mornings, irritated eyes, and dry mouth.
  - c. Mr. Stephen Taylor asked whether any assistance for remedial action could be provided through local, State or Federal Government.
  - d. Ms. Lyons indicated she views this situation as a public health problem, a condition having the potential to impact Borough property values, and urged that the Board of Warden and Burgesses address the issue as soon as possible.
  - e. Warden Burgess noted that the seaweed buildup is not limited to the Ash Street Beach, it is occurring on Salt Acres, and is a widespread issue. A complete remedy may be beyond the financial means of the Borough.
  - f. Warden Burgess has been in contact with The Stonington Health Department, and will be contacting the CTDEEP and CUSH.
  - g. A resident suggested contacting oceanographers at Avery Point, staff at Williams-Mystic Marine Studies Program, and officials from towns in New Jersey who have dealt with these issues in an effort to determine what may be causing the problem and for guidance on a long term solution.
  
2. Wendy Bury, representing the Stonington Borough Merchant's Association, noted that there will be events throughout the Borough on August 10, 2012 associated with the Film "Hope Springs".

**Approval of Minutes:**

1. On a motion by Burgess Scala, seconded by Burgess McCreary, acceptance of the minutes from the Board Meeting held on April 21, 2012 was unanimously approved.

**Administrative Assistant's Report (Perry):**

1. Received tax collections for April: \$989.13.
  
2. Received 4<sup>th</sup> Quarter payment from Stonington Fire District: \$14,386.00.

3. Received FEMA Grant: \$465.75.
4. Received funds for Street Bid Packages: \$100.00.

**Clerk-Treasurer's Report (Krafjack):**

1. Participated with Building Committee on Borough Hall Accessibility project on 5/2/2012.
2. Considering update to Accounting Manual to address larger Commission expenditures.

**Review of Bills:**

1. The April 15, 2012 through May 18, 2012 report was reviewed and is on file in the Borough Office.

**Review of Profit/Loss Statement:**

1. The July 1, 2011 through May 18, 2012 Profit and Loss Budget vs. Actual report was reviewed and is on file in the Borough Office.
  - a. Warden Burgess noted that the Borough has received more income than budgeted; the collection rate was better than the anticipated 98.5% resulting in approximately \$27,000 more income.
  - b. Warden Burgess noted that the expense line items are tracking on budget and any surplus would be moved to the Reserve Fund.

**Correspondence:**

1. Informational:
  - a. Aquarion Water Company: 2011 water quality report.
  - b. Email: Peter Vermilya supporting reappointment of Sherman Crites to Harbor Management Commission.
  - c. Email: Sherman Crites requesting reappointment to Harbor Management Commission.
2. Requests:
  - a. United Church of Stonington: Request to post signs at 3 events: 5/19, 7/14, and 10/27/12.
  - b. Stephen Bessette: Battle of Stonington 5K & Fun Runs application & insurance.
  - c. Email: Tom Sanford for request for banner for Calvary Church Fish Bake on 9/15/12.
3. Other:
  - a. O'Connor Davies: Quote for auditing services for fiscal year 2012/2013 and Appointment of Auditor Notification Form to be submitted to the State Office of Policy and Management.
4. Invitations/ Meetings:
  - a. CCM: 10/15/12 Business Meeting.

**Warden's Report:**

1. Street Department:
  - a. Lawn Cutting and Brush Pickup.
  - b. Street Sweeping is complete.
  - c. Installed new no parking signs at Fire House to curb Illegal Church Parking.
  
2. Monthly Report
  - a. Bids received for Hyde and Maplewood Streets re-pavement project. Contract award discussed and documented under New Business in these minutes.
  - b. Fire District contracts distributed to Lords Point, Stonington Fire District and Wamphassuc for review.
  - c. Coordinated/attended meeting with staff and Bailey Agency on new health insurance.
  - d. Participated with Building Committee on Borough Hall Accessibility project.
  - e. Received CTDEEP permit for Orchard and Summit tidal restoration project. Conducted follow-up permit compliance and coordination. Work scheduled for June 2012 at no cost to the Borough.

**Fire and Emergency Management: (Burgess Nicholas- absent, report received via email):**

1. During the month of April 2012 there was 1 incident relating to the Borough Fire Department, a CO<sup>2</sup> alarm at the Stonington Free Library.
  
2. There were no activities relating to Emergency Management.
  
3. Chief Hoadley reported plans to streamline the four Companies within the Fire Department forming one Company with a unity of command.
  - a. Chief Hoadley noted that the Companies were formed beginning in 1840. Each company has its own set of officers, and with fewer volunteers in the Fire Department, it has become more difficult to fill the positions.
  - b. Chief Hoadley expressed his, and the Company member's interest, in finding a way to preserve the rich history of each of the Companies.
    - i. Burgess McCreary suggested Warden Burgess may help Chief Hoadley devise a way to accomplish this.
  - c. Warden Burgess is working with legal counsel on the feasibility of consolidating the four Companies into one.
  
4. Fire Marshal's Report for the period to 5/20/2012:
  - a. 04/24/2012: Skippers Dock Inspection- Emergency light in need of repair.
  - b. 04/30/2012: Stonington Commons- Meeting regarding setting capacity of Club.
  - c. 04/32/2012: Velvet Mill- Meeting regarding upcoming Fusion event.
  - d. 05/04/2012: 5 Oak Drive- Inspect repairs that were started for code compliance.
  - e. 05/07/2012: Skippers Dock- Check on corrections.

- f. 05/07/2012: Velvet Mill- Generator inspection for Fusion Event and to discuss placement of cars in building.
- g. 05/09/2012: Velvet Mill- Continue to check lighting.
- h. 05/11/2012: Velvet Mill- Final inspection for Fusion event.
- i. 05/16/2012: 70 Quana Duck Road- Gas inspection.
- j. 05/17/2012: Watch Hill Avenue- Inspection of Ballato Residence.
- k. 05/17/2012: Stonington Free Library- First inspection of new propane tank.
- l. 05/18/2012: Stonington Free Library- Final inspection of new propane tank.

**Parks, Trees and Rights of Way (Burgess Park):**

1. Parks:

- a. Burgess Park notes that the parks look wonderful.
  - i. The grass in Wadawanuck Square and Cannon Square is well cut and full.
  - ii. The new grass planted in La Grua park has come up and growing in spite of a little flooding this past week. Burgess Park feels the filling and grading has helped to improve the condition of the grass.
  - iii. The Grass planted at Wayland’s Wharf is not doing so well and maybe a different type of grass, perhaps one more hardy in a salty environment, should be found.
    - 1. Warden Burgess noted that the seed selected was salt tolerant and feels the problem may be related to the soil not being able to hold moisture due to evaporation induced by prevailing winds.
- b. The Cannons in Cannon Square need attention; painting of the carriage and metal hardware is necessary. Burgess Park noted that he spoke with Bob Abramson, the Borough Gunner, about paint; the color Ecru.
- c. The location for the Owen Vail Memorial bench slated for placement at Wayland’s Wharf must be carefully selected so that it is protected from, high water and high winds. Burgess Park believes the Highway department would be best suited to choose a place based on their experience of repairs to the grounds due to storm damage. See further discussion recorded under New Business in these minutes.

2. Trees:

- a. Burgess Park notes that there are some trees that still need pruning but Nick Reardon has removed the dead branches of the Pin Oak on the Main Street side of Wadawanuck Square.
- b. Burgess Park has posted a Norway maple on Broad Street which has caused some feedback from concerned neighbors.
  - i. Resident Bill Morris submitted a letter to Burgess Park stating that he does “not agree with the minutes that say the tree is in ‘bad’ shape and is ‘messy’.” Mr. Morris’ letter also stated that the tree as noted in April’s Board Meeting minutes as “not being ‘indigenous’ is not a reason for removal.”
- c. Burgess Park noted that he was misquoted in the April Board Meeting minutes with respect to reasons for the tree’s posting and that it is his opinion that the tree should be removed because it is not healthy and could be compromised in a wind

event. Burgess Park submitted the following photographs as evidence of the poor condition of this tree:



- d. Burgess Park stated that the tree's removal was voted on by the Board during the April Board Meeting as per the new bylaws, and was approved. Now there are citizens wish to revoke the vote, which is fine, but the ball is in their court. Burgess Park believes it is up to the neighbors to bring in an expert to refute the Board's decision to have the tree removed.

3. Rights of Way:

- a. Burgess Park has looked at and walked down several rights of way. There are several rights of way that have been lost to the Borough and Burgess Park does not believe they can be recovered.

**Sanitation, Utilities and Street Lights (Burgess McCreary):**

1. Sanitation:

- a. No Activity.

2. Utilities:

- a. Burgess McCreary reported that thanks to a citizens' alert-notice from John Ackley of Omega Street, CL&P officials have inspected and will replace a telephone pole at Omega and Hancock Streets; the pole has rotted at its base.
- b. Burgess McCreary noted CL&P officials are also scheduling cleaning out of #2118 pole remnants or segments left from prior work at Wall Street.
- c. We and they still await phone and cable companies final rehangng of wires at 18 Grand Street before CL&P can remove a flawed pole at that location.

**Public Buildings (Burgess Adair- report received via email):**

1. Borough Hall
  - a. The plans and specifications are for the renovation and accessibility improvement project have been distributed to the bidders.
    - i. The Bid Opening is at 1PM on Thursday May 31, 2012 at 1:00 PM in Borough Hall.
2. Burgess Adair's will gather more information on security and maintenance costs for public bathrooms at the Water Treatment Plant.

**Sidewalks (Burgess Scala):**

1. Sent letters to 53 Church Street, 50 Union Street, and 23 Elm Street regarding necessary repairs.
  - a. Warden Burgess reported that the Borough repaired damage to a sidewalk on the north side of the Footbridge caused by an uprooted tree.

**Police, Public Affairs and Communications (Burgess Burchenal):**

1. Police Report:
  - a. During the month of April 2012, there were thirty-five (35) incidences in the police report for the Borough. Action Taken was predominantly False Alarm, No action Required, Services Rendered, or Investigated. There was one (1) arrest made.
    - i. Burgess Burchenal noted that the 35 incidents include every 911 call as well as non-emergency related calls to the Police for things such as keys locked in cars; the number is not alarming.

2. Draft Bus Ordinance prepared by Burgess Burchenal for discussion:

**DRAFT APRIL 2012**

**SBO-02 Buses**

8. a) No person shall operate any bus over 25 feet in length on any roads south of Broad Street. Buses longer than 25 feet must drop off/pick up passengers at the southeast corner of High Street and Main Street, at Wadawanuck Square, then exit the Borough by turning left onto Main Street, left onto Water Street, and left back over the viaduct.
- b) "Specialty Buses" such as trolley buses or mini-buses that are less than or equal to 25 feet in length may drop off/pick up passengers at the designated bus stop on the east side of Wadawanuck Square, at the public dock parking lot, at the parking lot at Stonington Point, or at other locations with permission from the Warden and Burgesses.
- c) Specialty vehicles less than or equal to 25 feet in length, transporting residents with special needs, may pick up/drop off where necessary.
- d) School buses longer than 25 feet may not travel south of High Street without permission from the Warden and Burgesses; they will utilize the bus stop on the east side of Wadawanuck Square. A "school bus" is defined in Section 14-275 (a) of the Connecticut General Statutes.

e) The Board of Warden and Burgesses, the Warden, the Borough Police Commissioner, or the Town Police can temporarily suspend this ordinance to allow transportation services for community events or emergencies.

- a. Burgess Burchenal pointed out the following reasons why a Borough Bus Ordinance is necessary:
  - i. Over the past few years an increased interest in the Borough has brought more traffic.
  - ii. Parking is getting tighter with this increase in traffic, and buses are getting larger; tour buses are driving through the Borough and are getting stuck on our streets presenting nuisance as well as public safety issues.
- b. Resident Maggie Revill noted that large buses have parked on the east side of Main Street, leaving their motors running, resulting in very loud noise levels. Ms. Revill asked if smaller buses would be allowed to park on the streets with their engines running.
  - i. Burgess Burchenal replied that a provision prohibiting engine idling could be added to the draft ordinance.
- c. Resident Rita McCreary suggested that delivery vehicles which are the lifeblood of the Borough should be allowed to travel within the Borough, but buses should not be allowed over the Viaduct.
- d. Wendy Bury, representing the Stonington Borough Merchant's Association, noted that Borough businesses are in favor of restricting tour buses from travelling down Water Street. Ms. Bury noted that the Merchant's Association has never solicited tour bus companies.
- e. Ms. Bury added that the Merchant's Association feels strongly about bringing people to the Lighthouse and requested that a streamlined process for granting exceptions be put in place.
- f. Spike Lobdell, representing the New England Science and Sailing Foundation (NESS), provided the Board with a written outline of NESS' feedback on the proposed ordinance. Mr. Lobdell explained that school buses are very important to NESS' operations, transporting school children and youth sailing teams to the NESS facility at 70 Water Street.
  - i. Mr. Lobdell noted that large school buses (70 student capacity) are rarely used, and that school buses with a capacity of 20-30 students are more the norm for NESS.
- g. Burgess Burchenal noted that school buses serving Borough school children have not been allowed past Wadawanuck Square; all the families and children living in the Borough have adapted to this. If we make an exception for school buses to drive down Water Street to NESS, we are setting a precedent allowing all school buses to travel through the Borough.
  - i. Mr. Lobdell expressed his opinion that it may be safer for children who are not familiar with the Borough (non-residents) to be transported through the streets by bus rather than having them walk from the Square to NESS.

- h. Warden Burgess noted that he has spoken with a supervisor from First School, the bus company serving the Borough. The supervisor indicated that their bus drivers do not like to transit the Borough with their buses due to difficulties navigating the narrow streets.
- i. Warden Burgess noted that large school buses currently do transport school children to the Lighthouse for field trips.
  - i. David Purvis, President of the Stonington Historical Society, noted that the Society has been developing better relationships with the school systems. Mr. Purvis indicated that if an ordinance required buses to drop students off at Wadawanuck Square, the school systems would most likely no longer schedule field trips to the Lighthouse.
  - ii. Mr. Purvis added that he is concerned about restricting access to the Lighthouse for senior citizens who may be transported to the Lighthouse by tour buses.
  - iii. Mr. Purvis requested that exceptions for buses transporting school children to the Lighthouse be granted during the school year, and that exceptions be considered for the elderly.
- j. Spike Lobdell suggested that before an ordinance is implemented, perhaps data on the number and sizes of busses servicing the various Borough organizations be gathered. Once that data can be analyzed, bus size and frequency could be managed appropriately.
- k. Mr. Lobdell noted that managing tour buses in the Borough may want to be the primary goal of the ordinance, and allowing school buses to transport students through the Borough for educational purposes is important.
  - i. Burgess Burchenal noted that schools also use tour buses for field trips.
- l. Warden Burgess suggested that the discussion be tabled until a time when a public workshop can be held, perhaps in a couple of weeks, with written comments solicited from residents and other interested parties.
- m. On a motion by Warden Burgess, seconded by Burgess McCreary, tabling of discussion and action on the Borough Bus Ordinance was unanimously approved.

3. Banners:

- a. The Warden and Burgesses and the Planning and Zoning (P&Z) Commission have been discussing the regulation of banners displayed in the Borough and are sensitive to the importance of the role that banners play in advertising events sponsored by non-profit organizations. Feedback has been sought from nonprofit organizations by Julia Roberts, Chair of P&Z. A public meeting to discuss banners will be held on May 22, 2012 at 5:30 PM at Borough Hall with representatives from local organizations, churches, and the Fire Department invited to attend.
- b. Burgess McCreary questioned why P&Z is being involved. Burgess Burchenal explained that according to the P&Z regulations, a banner is a sign and therefore should be regulated by that commission. Burgess Burchenal noted that banners, which do not meet the criteria established by those regulations should either not be permitted and enforced by P&Z, or the P&Z regulations should be revised to allow banners if determined to be desirable.

- c. Burgess Park stated it is his position that banners should not be allowed, and noted that they are not in compliance with the P&Z regulations and the regulations should be enforced.
  - d. Warden Burgess urged all interested parties to attend the Public Meeting.
4. Chief Stewart's Award:
- a. Chief Darren Stewart will be honored, as a Distinguished Chief, on 30 May 2012 by the Police Commissioners Association of Connecticut (PCAC). A \$50 ad, on behalf of Borough residents, was placed in the Program booklet with our congratulations and thanks for his service. All ad revenue supports a scholarship for deserving students pursuing a degree in the field of Criminal Justice.
5. Neighborhood Watch Signs:
- a. Due to suspicious activity around South Street, neighbors requested the posting of Neighborhood Watch signs. Chief Stewart will coordinate this with our Highway Department. The signs will likely be placed on the back of existing Stop signs.
6. Radar Sign:
- a. Burgess Scala inquired as to the whereabouts of the radar sign that had been installed on the Viaduct. Burgess Burchenal indicated that the sign, and the post to which it was bolted, had been thrown in the Harbor by vandals.
    - i. This sign was on loan to the Borough from the Town.
7. New Website:
- a. The new website is deemed a success by Burgess Burchenal and Barbara Perry; therefore they have decided to stay with this company, 1&1, beyond the trial/introductory period. The cost is \$9.99 per month, as opposed to \$24.95 per month for the old server.

**Old Business:**

- 1. Consider Borough Bus Ordinance:
  - a. Discussion recorded under Police, Public Affairs and Communications Report in these minutes.

**New Business:**

- 1. Harbor Management Commission Reappointments:
  - a. On a motion by Burgess Scala, seconded by Burgess Park, reappointment of Sherman Crites to the Harbor Management Commission, with a term expiring 6/30/15 was unanimously approved.
- 2. Stonington Walk for ALS Request (Application Incomplete):
  - a. On a motion by Burgess Burchenal, seconded by Burgess Park, tabling of the Stonington Walk for ALS Application for Use of Stonington Borough Property Including Streets was unanimously approved.

3. Village Weekly Fun Run Series and Battle of Stonington 5K:
  - a. Burgess McCreary noted that, while he is in favor of this series of activities, we have to be careful that we don't allow an increase in event activity to crush our lives in the Borough.
  - b. On a motion by Burgess Scala, seconded by Burgess Park, approval of Stephen Bessette's Application for Use of Stonington Borough Property Including Streets, with the Organization's coordination with the Stonington Police Department, was unanimously approved.
  
4. Appointment of Auditor:
  - a. Warden Burgess noted that the O'Connor Davies proposal for auditing services is consistent with last year's fees.
  - b. On a motion by Warden Burgess, seconded by Burgess Scala, appointment of O'Connor Davies, LLP as the Auditor for the Borough of Stonington for the period of July 01, 2011 to June 30, 2012 was unanimously approved.
  
5. Hyde & Maplewood Re-pavement Bid Award:
  - a. The successful low bid for this Work came from Hastedt Brother's Paving of just under \$100,000.
  - b. On a motion by Burgess Scala, seconded by Burgess McCreary, authorization for Warden Burgess to award the Contract for the Hyde and Maplewood Repavement Project to Hastedt Brother's Paving, the successful low bidder, was unanimously approved.
  - c. Work is scheduled to begin in several weeks.
  
6. Calvary Church Fish Bake Banner:
  - a. Warden Burgess noted that the fish bake is scheduled for September, and we should consider this and any other banner request only after the public meeting on banners is held on May 22, 2012.
  - b. On a motion by Warden Burgess, seconded by Burgess Park, tabling consideration of the Calvary Church Fish Bake Banner request was unanimously approved.
  
7. Owen Vail Memorial Bench:
  - a. Burgess Nicholas, via email correspondence, recommended installing the bench directly to the right of the gazebo so that it will face the harbor.
  - b. Burgess Burchenal noted that in the winter the bench should be moved from that location because that spot takes a beating from the waves and water splashing over the seawall; every spring big sinkholes form there.
  - c. On a motion by Burgess Burchenal, seconded by Burgess Park, approval for placement of the Owen Vail Memorial Bench on the grounds at Wayland's Wharf, with guidance on selecting the exact location provided by the Highway Department, was unanimously approved.

**Other Business:**

1. Friends of Wadawanuck Square:
  - a. Maggie Revill reported that Friends of Wadawanuck Square has received the \$600 request for funding from the Garden Club discussed at the April Board Meeting, for spring fertilizing and liming.
  - b. Friends of Wadawanuck Square are requesting that the Borough contribute \$1,000 for fall fertilizing and aeration.
    - i. Burgess Park indicated that the Parks and Trees budget has been cut.
    - ii. Burgess Park noted that he was not under the impression that aeration was required yearly. Ms. Revill stated that due to the volume of traffic on the lawn, yearly aeration is necessary.
  - c. Burgess Park reported that he is not happy with the work the first arborist did on the Pin Oak on the north side of the Library in the center of the park; the appearance of the tree's crown indicates the tree may not be healthy.
    - i. Instructions to the arborist were not to prune trees that were not healthy.
  - d. Burgess Park added that Nick Reardon had performed work earlier in the day on another Pin Oak in the Square that was supposed to have been addressed by the first arborist.
    - i. Ms. Revill asked whether they should be looking for another arborist. Burgess Park will discuss with Ms. Revill and look at the trees in question with Ms. Revill in daylight.

**Adjournment**

1. On a motion by Burgess Scala, seconded by Warden Burgess, adjournment of the meeting at 9:12 PM was unanimously approved.

Respectfully submitted,

Brian S. Krafjack  
Clerk- Treasurer