

**Board of Warden and Burgesses**  
**Minutes of Regular Monthly Meeting ~ November 19, 2012**

The regular Monthly Meeting of the Borough of Stonington Warden and Burgesses was called to order in Borough Hall at 7:32 PM by Warden Paul Burgess. Present were Burgesses Michael Adair, Kathryn Burchenal, Amy Nicholas, Howard Park, Edward McCreary, Robert Scala, and Clerk- Treasurer Brian Krafjack.

**Public Comment:**

1. Borough School Condominium seawall damage:
  - a. Resident Bill Roderick noted that Storm Sandy had damaged the seawall under the deck at the Borough School and towards East Grand Street.
  - b. Resident Evelyn Lyons noted that according to a site map which conveyed with the property, the stone seawalls don't define the property lines and the wall along East Grand Street is part of the public road.
  - c. Warden Burgess noted that he has spoken with property manager Richard Stern, and suggested that, for the repairs on the Borough School Condominium property, perhaps the work could be done by the same contractor repairing the adjacent seawalls on Borough property.
    - i. If the Borough School Condominium chooses to use the same contractor, the work would have to be done as a separate contract from the Borough property work.
  - d. Mr. Roderick noted that there was a small pillar where all three walls intersected. Warden Burgess indicated that it is possible this pillar may not be rebuilt.
  - e. Ms. Lyons noted that there is a drain and pipe in the vicinity of the damaged seawalls and is not sure whether they were compromised during the storm.
    - i. Warden Burgess indicated that he would review the condition.

**Modifications to Agenda:**

1. On a motion by Warden Burgess, seconded by Burgess Park, the addition of a discussion item concerning Administrative Assistant Perry's work schedule to the agenda under 'New Business' was unanimously approved.
2. On a motion by Warden Burgess, seconded by Burgess Park, reordering the agenda to move the discussion concerning appointment of Susan Tohbe to the Planning and Zoning Commission to the current topic of discussion was unanimously approved.

**Appointment of Susan Tohbe to Planning and Zoning Commission:**

1. On a motion by Burgess Scala, seconded by Burgess Park, appointment of Susan Tohbe as an alternate member to the Planning and Zoning Commission was unanimously approved.

**Approval of Minutes:**

1. On a motion by Burgess Scala, seconded by Burgess Adair, acceptance of the minutes from the Board Meeting held on October 15, 2012 was unanimously approved.

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

1. Received tax collections for October: \$1,234.
2. Received 2nd quarter payment from Stonington Fire District: \$14, 533.

3. Sent 3<sup>rd</sup> and 4<sup>th</sup> Quarter invoices to Stonington Fire District: \$29,066.
4. Received 3<sup>rd</sup> and 4<sup>th</sup> quarter payments from Stonington Fire District: \$29,066.
5. Administrative Assistant Perry, in her report, noted that she is adjusting her work hours schedule as follows:
  - a. Wednesdays & Thursdays from 8 am – 3 pm, and Fridays from 8 am to 2 pm.
  - b. The Office voicemail message, message boards and website will reflect the changes.
  - c. Earlier hours will aid in variety of issues: banking, etc.
  - d. Weekly checks will be processed on Wednesdays.
6. Administrative Assistant Perry will be away on vacation the week of November 26th.

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

1. The General Liability Fund CD will reach maturity in December.
  - a. Clerk- Treasurer Krafjack and Warden Burgess recommended extending the term for 90 days, until we get a better handle on Sandy expenses and Borough Hall expenses.
2. In accordance with Section 5 of the Stonington Borough Charter, Borough Ordinance 'SBO-05 Ordinance Establishing Parking Restrictions' will expire at the end of December if the Board does not vote to repass or modify it.
  - a. Clerk Treasurer Krafjack indicated he would email the text of SBO-05 to the Board for review, and requested its pending expiration be added as an agenda item for the December Board Meeting.

**Review of Bills:**

1. The 10/16/2012 through 11/16/2012 report was reviewed and is on file in the Borough Office. Larger expenses were reviewed:
  - a. \$71,840: Hastedt Brothers- Street repaving.
  - b. Various expenses associated with Storm Sandy cleanup.

**Review of Profit/Loss Statement:**

1. The 7/1/12 through 11/16/2012 Profit and Loss Budget vs. Actual report was reviewed and is on file in the Borough Office.
  - a. Storm Sandy expenses will be applied to the Contingency Account; approximately \$25,000 has been spent against the budget for this account of \$20,000.
    - i. Warden Burgess will be meeting with FEMA to discuss reimbursement which may be on the order of 75% of expenditures.
  - b. Burgess Nicholas noted that expenses for budget line item 304 'Maintenance Trucks and Equipment' are over the budgeted amount, but a reallocation of funds from line item 305 'Tools and Equipment' will be used to balance the accounts.

**Correspondence:**

1. Informational:
  - a. None.
2. Requests:

- a. SVIA: application for use of Wadawanuck Square and related activities for Christmas Stroll, Tree Lighting, etc. on 12/7/12.
3. Invitations/ Meetings:
- a. None
4. Other:
- a. Friends of Wadawanuck Square report.
  - b. Susan Tohbe letter of interest in serving on Planning and Zoning Commission.
  - c. Jeff & Lynn Callahan: note and donation to Stonington Borough Fire Department for efforts following Hurricane Sandy (donation given to SBFDD).
  - d. Stonington Historical Society: note of thanks for support of 'Behind Stonington's Doors' house tour.

**Warden's Report:**

- 1. Street Department Activities:
  - a. Lawn cutting and leaf removal.
  - b. Conducted emergency activities during Storm Sandy.
  - c. Conducted tree and storm debris removal post Sandy.
  - d. Cleaned storm drains post Sandy.
- 2. Monthly Report:
  - a. Coordinated and supervised completion of Church and Grand Streets pavement project.
    - i. Burgess Adair asked what activities were taking place on Church Street earlier in the day. Warden Burges noted that a driveway apron transition issue, which was objectionable to a property owner, was being addressed.
  - b. Participated in Borough Hall renovation progress meetings.
  - c. Participated in Stonington Emergency Operations Planning pre and during Storm Sandy.
  - d. Participated in emergency activities during Storm Sandy.
  - e. Coordinated and implemented damage assessment and cleanup activities post Sandy:
    - i. Tree debris removal (Nick Reardon)
    - ii. Diving Street debris removal (Hastedt Bros.)
    - iii. Restoration of The Point parking area and seawall (Custom Masonry & Keena Construction)
    - iv. The Point drainage pipe repair (Evergreen Landscape).
  - f. Pending post Sandy work includes seawall repairs, Omega Street ROW repairs, and Waylands Wharf erosion repairs.
  - g. Solicited bids from three qualified contractors for Wall Street and East Grand Street seawall repairs (Warden and Burgess action item).

**Fire and Emergency Management: (Burgess Nicholas):**

- 1. During the month of October 2012 (2<sup>nd</sup> through 26<sup>th</sup>) there were five (5) incidences of a routine nature.
  - a. Beginning on Oct 29<sup>th</sup> the fire department responded to many calls for trees and wires down due to the hurricane.
  - b. During the height of the storm there was also a propane gas leak in the Orchard Street area.

- c. From the 29<sup>th</sup> to the 31<sup>st</sup> the fire department pumped out 30 basements due to heavy flooding.
- 2. Emergency Management operations consisted of meetings regarding preparation, assessment and progress of recovery from the storm's impact.
  - a. The following is excerpted from the Stonington Borough Fire Department Report:

*At approximately 3:00 PM on October 29<sup>th</sup>, at the height of Hurricane Sandy, Chief Hoadley pulled all firefighters and apparatus off the roads and ordered them back to the Firehouse due to extremely hazardous conditions. Once winds subsided, we continued responding to calls well into the night and all the next day.*

*The Firehouse was manned around the clock by our volunteers until Saturday, November 3<sup>rd</sup>. I am extremely proud of our volunteers here in the Borough, many who spent the entire week at the Firehouse welcoming residents who wanted to charge their electronic devices (many), offering them something to eat, a hot shower, and even a place to sleep if their houses were too cold to sleep in (some did sleep over), all while pumping basements and responding to calls for assistance. It was a great team effort on SFBD's part! I would like to thank Paul (Warden Burgess) for being right out there with us keeping us informed about where trees were down, updates about CL&P, getting roads cleared quickly, and showing a genuine interest in what we were up against! It was definitely a team effort between Borough Government, the Highway Department, and the Fire Department! Again, many thanks to those who pitched in.*

- 3. Fire Marshal's Report for the period from 10/16/2012 to 11/19/2012:
  - a. 10/16/12: Gas Inspection 257 Wamphassuc Point Road.
  - b. 10/20/12: 22 Water Street open burning for party- check site.
  - c. 10/23/12: Mr. Griffin Stonington Inn- regarding installing propane tanks underground at site.
  - d. 11/02/12: Propane Tank repair Skippers Dock Restaurant.
  - e. 11/05/12: Checked propane tank repairs or removal in flooding areas in Lords Point and in the Borough.
  - f. 11/08/12: 34 Coveside Lane gas inspection
  - g. 11/12/12: Stonington Harbor Yacht Club inspection.
  - h. 11/13/12: Meeting with Building Inspector regarding reinstalling propane tanks at condominium unit East Grand Street.
  - i. 11/15/12: Meeting with Spicer Gas Company regarding tanks at East Grand Street condominiums.
  - j. 11/16/12: Gas inspection 292 Elm Street temp tank and piping.
- 4. Burgess Nicholas noted that Chief Hoadley has a proposal for merging three Companies within the Fire Department into an existing Company in an effort to make the chain of command more efficient. The Fire Companies will vote on the plan, and if passed it will be forwarded to the Board of Warden and Burgesses for action.
  - a. Burgess Park asked if there were concerns within the Fire Department about losing longstanding traditions.
    - i. Burgess Nicholas noted the Companies were formed when the Department had many members, which is no longer the case.
    - ii. Warden Burgess noted that the main reason for consolidating the Companies is for streamlining the chain of command and the overriding concern for public safety.

5. Burgess Adair noted that he received an email regarding cleanliness issues within the Firehouse, but because the entire text of the message was not transmitted, he was not sure of the scope of the issue.
  - a. Warden Burgess noted that the situation was being addressed and no action by Burgess Adair was required at this time.

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

1. Parks:
  - a. Burgess Park attempted to monitor the condition of the trees during Storm Sandy, but no sooner would he turn his back and he would receive notification from Warden Burgess that another tree had come down.
    - i. Damage to trees was sustained on Gold Street, Wadawanuck Square, Main Street, and Meadow Lane. Numerous branches came down, most notably in La Grua Park.
  - b. In spite of Storm Sandy, and the following nor'easter, the Parks seem to be in relatively good condition, needing only to finish picking up. Most of the work was done by the Highway Department and Nick Reardon.
  - c. Two trees on the north side of Wadawanuck Square came down; one a Sycamore Maple, and the other a Norway Maple. These trees were planted after the 1938 hurricane, and their roots had been compromised by the granite curbing of the Square and the sidewalk.
    - i. Burgess Park recommends for replacement of these two trees, a single Sugar Maple which would provide nice shade on the sidewalk and beautiful color in the Fall. This tree should be planted a bit further from the curbing, into the Square.
  - d. The Conifer planted by the Young's in the Square has broken off 6 to 8 feet above the ground; Burgess Park recommends it be removed entirely and asked the Board whether approval was required.
    - i. Burgess Scala noted that since the tree sustained storm related damage, Board approval should not be necessary. The Board concurred.
    - ii. Maggie Revill, representing Friends of Wadawanuck Square, agreed the Conifer should be removed.
  - e. Burgess Park noted that the other Conifer, which has grown past its prime, somehow survived. Burgess Park added, real or imagined, the tree seems to be leaning in the opposite direction that it used to lean. Something will have to be done about this tree in the near future.
2. Waylands Wharf, in spite of the high water, escaped relatively unscathed as did Wimpfheimer Park.
3. Borough resident Reagan Morse noted that the Borough now has a wonderful opportunity to evaluate locations where trees taken down by the storm should not be replaced; the Borough should not rush to replant.
  - a. Burgess Park concurred with Ms. Morse's statement as an approach, and feels there should be trees of a variety of ages.
  - b. Burgess McCreary agreed, noting that Wadawanuck Square should be a park with some open space, not a forest.
  - c. Ms. Revill noted that she would like to see both open space and areas of informal planting, suggesting that perhaps a committee be established to look at this.
    - i. Burgess Park indicated that he did not believe a committee was necessary.

- d. Ms. Morse added a word of thanks for Burgess Park's work in taking care of the trees in the Parks and throughout the Borough.
4. Ms. Revill noted that she believed the damage sustained during Storm Sandy would have been greater had the tree pruning and preventative maintenance work not had taken place earlier in the year.
    - a. Burgess Park indicated this may be speculation as some of the trees that came down during the storm were those that were pruned earlier in the year.
  5. Ms. Revill asked Burgess Park's permission to contact John Turrentine to repair the bench in the northwest corner of the Square damaged by Storm Sandy.
    - a. Burgess Park noted that this would be acceptable.
  6. Trees:
    - a. Ms. Revill reiterated the importance of removing the wire mesh baskets from tree root balls prior to planting in order to promote long term root/tree health.
      - i. Burgess Park agrees that this is important and will see to it that when trees are planted, the baskets are removed by whoever is responsible for planting the trees.
    - b. Ms. Revill noted that she came across a reference which specifically says that Elm trees are by nature bushy when young but self-prune over time and develop their lovely 'vase' shape naturally as they mature. This information was contrary to a recommendation she remembered, given by Burgess Park, for pruning the young Elms to insure they will develop the 'vase' shape over time.
      - i. Burgess Park stated that he did not recall making that recommendation for the young Elm trees, but rather was discussing pruning the Pin Oak in the southwest corner of the Square.
      - ii. Ms. Revill commented that the Pin Oak looks great.
    - c. Additional discussion recorded under 'Parks' above.
  7. Rights of Way:
    - a. Burgesses Park and Nicholas will schedule a time to walk the ROW's.

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

1. Sanitation:
  - a. No activity to report.
2. Utilities:
  - a. Burgess McCreary notes that all is quiet on the utilities front, thanks to the hard work of Warden Burgess and others.

**Public Buildings (Burgess Adair):**

1. Borough Hall Renovation Project:
  - a. Work is progressing as scheduled.
2. Borough Hall Gutter Cleaning:
  - a. No activity to report.
3. Borough Hall Flagpole:

- a. Burgess Adair reported that the project was more work than the contractor had anticipated, and that a clear coat for additional weather protection had been applied.
4. Public Restrooms:
- a. No activity to report.

**Sidewalks (Burgess Scala):**

1. Work on 21 Diving Street is to start on 11/19/12.
2. Burgess Adair noted a section of bluestone sidewalk on Water Street is being pushed up by tree roots and could become a tripping hazard.
  - a. Burgess McCreary noted that anything over ¾” is considered a hazard and requires repair.
  - b. Warden Burgess noted that, when he was Sidewalk Commissioner, he had sent a notification to the property owner indicating that repairs were necessary.
  - c. Burgess Scala noted he would send the property owner another letter.

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

1. Police Report:
  - a. During the month of October 2012, there were forty-two (42) incidences in the police report for the Borough. There are no discernable patterns of criminal activity and the Police Department has not communicated any issues or concerns in the Borough.
2. Traffic- Parking Issues on Water Street:
  - a. Burgess Burchenal noted that there continues to be concern over chronic parking misuse of time-limited parking spots on Water Street. A recently received communication with a business owner indicates it tends to be the same residents and business owners who are the offenders, despite warnings and tickets by the police. The police have been attentive to the issue and, in the past, Burgess Burchenal has communicated the problem to the Small Business Association, as it is on occasion, Business owners or staff members who are the offenders.
    - i. Warden Burgess asked whether putting flyers on the cars would help; Burgess Burchenal noted that she was not sure if that would be legal.
    - ii. Burgess Nicholas suggested putting a notification at Tom’s News indicating that the parking regulations will be enforced.
3. Banners:
  - a. No activity to report.
4. Borough Clock:
  - a. Burgesses Burchenal and Park will correct the clock to reflect the change from Daylight Savings time.
  - b. David Graf will perform routine maintenance on the clock in the spring.
5. Hurricane Preparation:
  - a. The Stonington Town Police included Burgess Burchenal, as Borough Police Commissioner, in the meetings dealing with Hurricane Sandy preparedness. Burgess Burchenal indicated she was appreciative of the respect extended to her in her capacity as Commissioner.

**Old Business:**

1. None.

**New Business:**

1. Consider appointment of Susan Tohbe to Planning and Zoning Commission:
  - a. Discussion and Vote recorded on Page One of these Minutes.
  
2. Consider action items and expenditures related to Hurricane Sandy:
  - a. Warden Burgess reviewed emergency expenditures necessary in the wake of Storm Sandy, specifically work performed by Landscape Unlimited (Nick Reardon) in the amount of approximately \$6,900 .
    - i. Burgess Burchenal noted that almost half of the total expenses to date were as a result of work performed by Landscape Unlimited, and questioned whether the charges were reasonable.
    - ii. Warden Burgess noted that Mr. Reardon worked continuously for about a week and a half.
    - iii. Burgess Park noted that the billing, at \$100 per hour for labor and equipment costs, were reasonable and in line with proposals from other contractors for storm related work.
  - b. On a motion by Burgess Park, seconded by Burgess McCreary, authorization of Warden Burgess to contract with Landscape Unlimited for approximately \$6,900 for emergency tree and brush removal associated with Storm Sandy was unanimously approved.
  
3. East Grand Street and Wall Street seawall repairs:
  - a. Warden Burgess solicited proposals from three qualified companies for repair work, which under CTDEEP Emergency Authorization No. EA-Sandy-10-2012-3, will have to be completed by April 30, 2013.
    - i. Since the damaged seawalls at East Grand Street and Wall Street leave properties exposed and vulnerable to winter storms, Warden Burgess recommends repairs be made as soon as possible. Warden Burgess noted the repairs do not include work on the Avalonia property.
  - b. Burgess Burchenal asked from where the funds will be appropriated.
    - i. Warden Burgess recommended the funds be drawn from the Infrastructure account, noting that FEMA reimbursements will be pursued.
  - c. On a motion by Burgess McCreary, seconded by Burgess Park, waiving the requirements for solicitation of bids in accordance with Borough Ordinance SBO-11 'Bids' for repair of the East Grand Street and Wall Street seawalls damaged during Storm Sandy was unanimously approved.
  - d. On a motion by Warden Burgess, seconded by Burgess Burchenal, authorization for Warden Burgess to execute the following contracts for repair of the East Grand Street and Wall Street seawalls damaged during Storm Sandy was unanimously approved.

Robert E. Murphy Custom Masonry, LLC  
East Grand Street seawall repair/rebuild- \$3,200

Hefel Masonry, LLC  
Wall Street seawall repair/rebuild- \$31,050

4. Storm Sandy efforts:

- a. Burgess Park noted that Warden Burgess did an outstanding job during the storm and wished that Warden Burgess be recognized for his efforts.
  - b. Burgess McCreary agreed with Burgess Park and suggested that the salaries of all the Burgesses be cut as a means to increase the salary of the Warden and Street Commissioner, noting that the job is much different than it was five years ago, the job takes a lot of time, and the position should be properly compensated.
    - i. Burgess Scala agreed.
    - ii. Burgess Nicholas agreed that the salary of the Warden should be increased, but noted that the Street Commissioner should be compensated in the same amount as the other Burgesses/Commissioners.
    - iii. Warden Burgess noted that any adjustments to salaries have to be considered as part of the budget process and would have to be discussed at the Annual Borough Meeting.
5. Southeastern Connecticut Council of Governments (SCCOG) Regional Hazard Mitigation Plan:
- a. Burgess Nicholas noted the plan developed by the CCCOG, of which the Borough is a member, recommends several hazard mitigation actions/projects. The plan has received conditional approval from FEMA, and must be reviewed annually.
    - i. Burgess Nicholas indicated she will develop a list of action items for review at the January Board meeting.
    - ii. Burgess Burchenal will work on Borough egress issues with Burgess Nicholas.
  - b. On a motion by Burgess Nicholas, seconded by Burgess Scala, adoption of the Southeastern Connecticut Council of Governments (SCCOG) Hazard Mitigation Plan updates for the Borough of Stonington was unanimously approved.
6. Consider SVIA request for 12/7/12 event.
- a. On a motion by Burgess Nicholas, seconded by Burgess Burchenal, approval of the Stonington Village Improvement Association (SVIA) Application for Use of Stonington Borough Property Including Streets for December 7, 2012 for the Christmas Stroll was unanimously approved.
7. Administrative Assistant Perry's Office Hours:
- a. Administrative Assistant Perry, in her report, noted that she is adjusting her work hours to Wednesdays & Thursdays from 8 am – 3 pm, and Fridays from 8 am to 2 pm.
    - i. Burgess Burchenal suggested the Board, due to unpleasant working conditions as a result of renovations taking place in Borough Hall, accommodate Ms. Perry's proposed adjustments to her working hours.
    - ii. Burgess Park asked if any adjustments to pay would be necessary as a result of the new hours. Burgess Burchenal noted the total number of hours worked in a week would not change.
    - iii. Burgess Park suggested that as long as the number of hours worked are the same, and as long as this doesn't establish a precedent for Borough employees to set their own hours, we should consider the request.
    - iv. Warden Burgess objected that the changes did not come as a request, but rather as a statement from Ms. Perry that she was changing her hours, something that can only be done by Board approval.
    - v. Burgess Burchenal noted that Ms. Perry made a request at the October Board Meeting, and no action by the Board was taken.

- vi. Warden Burgess noted that after Ms. Perry's October request, he had discussed the working conditions with the contractor, who was sensitive to the situation, and scheduled major demolition activities to correspond to days Ms. Perry would not be in the office.
- b. On a motion by Burgess Nicholas, seconded by Burgess Burchenal, acceptance of revisions to Administrative Assistant Perry's work schedule outlined below, effective until Borough Hall conditions are deemed satisfactory to the Warden and Burgesses, was approved by majority vote. Warden Burgess abstained from the vote.

Wednesdays and Thursdays from 8AM to 3PM, and Fridays from 8AM to 2PM.  
Weekly checks will be processed on Wednesdays.

**Other Business:**

1. None.

**Adjournment**

1. On a motion by Burgess Scala, seconded by Burgess Adair, adjournment of the meeting at 8:44 PM was unanimously approved.

Respectfully submitted,

Brian S. Krafjack  
Clerk- Treasurer