

Board of Warden and Burgesses
Minutes of Regular Monthly Meeting ~ March 18, 2013

The regular Monthly Meeting of the Borough of Stonington Warden and Burgesses was called to order in Borough Hall at 7:30 PM by Warden Paul Burgess. Present were Burgesses Kathryn Burchenal, Amy Nicholas, Howard Park, Robert Scala, and Clerk- Treasurer Brian Krafjack. Burgess Michael Adair was absent.

Public Comment:

1. None.

Approval of Minutes:

1. On a motion by Burgess Scala seconded by Burgess Park, acceptance of the minutes from the Board Meeting held on February 19, 2013 was unanimously approved.

Administrative Assistant's Report (Perry):

1. Received tax collections for February: \$4,828.
2. Received FEMA reimbursement for Storm Sandy - \$48,685. This represents payment in full for all 3 submitted PWs at 75 percent reimbursement.
3. Still awaiting payment for previously billed sidewalk (Patrick): \$800 – sent reminder, no response.
4. Gathered information for Blizzard of 2013 expenses for FEMA preliminary stages.
5. New copier arrived this week; working very nicely.

Clerk-Treasurer's Report (Krafjack):

1. Attended Borough Hall Renovation meeting with architect, contractor, and fire marshal about fire alarm system requirements.
2. Attended Audit Meeting to review Draft Audit Report.
3. Coordinated election filing requirements with the Town of Stonington Registrar of Voters and the Office of the Secretary of State.

Review of Bills:

1. The 2/19/13 through 3/15/13 report was reviewed and is on file in the Borough Office.

Review of Profit/Loss Statement:

1. The 7/1/12 through 3/15/13 Profit and Loss Budget vs. Actual report was reviewed and is on file in the Borough Office.
 - a. Line 2 State of Connecticut reflects FEMA reimbursement of approximately \$48,000.
 - b. Contingency expenses are approximately \$28,000 over budget, but will be offset by the FEMA reimbursement.
 - c. There is 1 payment remaining for the Wall Street seawall repair project in the approximate amount of \$16,000 as a result of damage caused during Storm Sandy.
 - d. Overall, the budget is tracking well.

Correspondence:

1. Informational:

- a. Center for Hospice Care Southeast CT: letter for support of fundraising walk.
- b. Jesse Diggs: Stonington Harbor Management Commission (SHMC) proposal for Wayland's Wharf.
 - i. Mr. Diggs, representing the SHMC outlined two projects to be partially funded by the U.S. Fish and Wildlife Service Boating Infrastructure Grant program (BIG). Mr. Diggs requested the Borough contribute matching funds for the projects, as the grant is structured such that it will only cover 75 percent of the project development costs.
 - ii. Mr. Diggs explained that the first project involves extending the Harbor Master's fixed dock with a ramp to a 25 foot floating dock to be used for larger dinghies and smaller Boston Whaler-type boats. This project could also explore the renovation of the existing but defunct public restrooms at the Wastewater Treatment Facility.
 - iii. Mr. Diggs explained that the second project involves the addition of a 25 foot floating dock to the west wall of Waylands Wharf, noting that this project would be most appealing to the Stonington Borough Merchants Association since the dock would be placed here for the use of transient mariners visiting the Borough.
 - iv. Burgess Park noted, with respect to the second project, that the Waylands Wharf Deed specifically states that the premises are "not intended for commercial purposes but as a place for pleasure and enjoyment by the people of the Borough." Burgess Park added that use of Waylands Wharf by transient mariners for the purposes of supporting Borough businesses seems to be in conflict with the terms of the Deed.
 - v. Burgess Burchenal asked Mr. Diggs if the SHMC had explored other areas for this use. Burgess Park suggested that the dock proposed for expansion in the first project outlined by Mr. Diggs would be an ideal location due to the proximity to the existing public restrooms at the Wastewater Treatment Facility.
 - vi. Warden Burgess explained to Mr. Diggs that a Building Committee comprised of Burgess Adair, Clerk- treasurer Krafjack, and himself met with Zoning Enforcement Officer David Atkinson at the Facility in August of 2012 to explore potential costs of bringing the restrooms to a functional and code compliant condition. Mr. Atkinson and Mr. Krafjack, both architects, estimated the renovation costs at \$60,000 (Reference Board Meeting minutes dated 8/21/12). Mr. Krafjack added that this estimate could in fact be higher, and were not developed using any drawings or input from consulting engineers and should not be relied upon as firm budget figures.
 - vii. Burgess Scala said that the first step for the proposed project at Waylands Wharf should be consultation of legal counsel to determine if the stated use is in conflict with the terms of the deed.
 - viii. Warden Burgess, noting that he appreciates the SHMC's initiative and cooperation with the Borough, said that there is no Board consensus at this time to proceed further with SHMC project two, at Waylands Wharf.

2. Requests:

- a. None.

3. Invitations/ Meetings:
 - a. SCWA: notice of special meeting on 3/11/13.
4. Other:
 - a. Maggie Revill: letter regarding the use of the fertilizer Sustane.
 - i. Ms. Revill explained that based on her research, she can recommend the use of Sustane as a truly organic fertilizer.
 - ii. Burgess Park said he would review the information and discuss in more detail with Ms. Revill at a later date.

Audit for Fiscal Year ended June 30, 2012

1. O'Connor Davies, LLP Exit Conference with the Board :
 - a. Marcia Marien, CPA provided copies of the March 10, 2013 O'Connor Davies Audit Report of the Borough of Stonington's financial statements to the Board members.
 - i. Ms. Marien stated that the General Fund unreserved balance of \$163,767 was very good, noting that it represents a bit more than 16 percent of revenues, or the equivalent of two month's cash flow. The rule of thumb established by Moody's Corporation for municipalities is 10 percent. The Federal Government recommends for municipalities two month's cash flow.
 - ii. Ms. Marien explained that the Borough budget forecasted the General Fund would decrease by \$47,500, noting that it actually increased by \$31,114, showing a positive variance of \$78,614.
 - iii. Ms. Marien said that at 99.5 percent collected, the Borough couldn't expect a better rate for tax collections.
 - iv. Reviewing the Borough's long-term debt summary, Ms. Marien pointed out that in FY 2013-14, the last \$35,000 payment on the Firehouse bond will be made, leaving the Borough debt-free.
 - v. Ms. Marien said the Borough's long term income statement shows net assets of \$4.3 million, noting the net assets have been steadily increasing over time.
 - vi. In summary, Ms. Marien stated that Borough Management's judgments and estimates appear appropriate, there were no unresolved matters or disagreements, no significant changes to accounting practices, and no significant adjustments required in the audit process indicating the Borough has sound bookkeeping practices.
 - vii. Ms. Marien said that O'Connor Davies independence throughout the audit process was not impaired.
 - viii. Borough resident Jeffrey Callahan asked if the Borough is in compliance with Generally Accepted Accounting Principles (GAAP). Ms. Marien responded in the affirmative, adding that the Borough is doing exactly what it should be doing with respect to accounting principles.
 - ix. On a motion by Burgess Nicholas, seconded by Burgess Park, acceptance of the Audit Report of the Borough of Stonington's Financial Statements for the Fiscal Year ending June 30, 2012, as presented by Marcia L. Marien, CPA, of O'Connor Davies, was unanimously approved.

Warden's Report:

2. Street Department Activities:
 - a. Snow removal.
 - b. Performed miscellaneous maintenance activities.
 - c. Pothole repair.
 - d. Initiated re-grading at The Point.

3. Monthly Report:
 - a. Participated in Borough Hall renovation progress meetings.
 - b. Oversaw snow removal operations.
 - c. Prepared revised Draft Budget.
 - d. Attended Audit Meeting to review Draft Audit Report.

Fire and Emergency Management: (Burgess Nicholas):

1. There were 22 alarms in the month of February including a broken water pipe, downed wires, transformer fires, and various false alarms.

2. Chief Hoadley asked about the possibility that some of the funds reimbursed to the Borough through FEMA could be returned to the Fire Department to be used for their community outreach programs.
 - a. Warden Burgess said he would have to check on whether this was an acceptable accounting procedure.
 - b. Burgess Burchenal said that if acceptable, she feels it would be a good thing to do.

3. Fire Marshal's Report for the period from 2/20/2013 to 3/18/2013:
 - a. 2/28/13- 6 Charles Street – Gas inspection.
 - b. 3/4/13- 99 Main Street – Gas inspection.
 - c. 3/6/13- 46 Broad Street – Gas inspection.
 - d. 3/8/13- Borough Hall – Review plans for fire alarm system.
 - e. 3/13/13- Velvet Mill – Walk through with Dr. Sotto to review work in progress and review an area for additional expansion.
 - f. 3/13/13- New England Science and Sailing (NESS) – CO inspection for 70 Water Street. Walk through and review other buildings on site, 68 Water Street and 70B Water Street; reviewed necessary changes to make the buildings compliant to the educational code.

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

1. Parks:
 - a. Burgess Park has numerous projects planned for the parks this spring including pruning, fertilizing, and planting.

2. Trees:
 - a. Several more branches have been cleared away from trees in Wadawanuck Square.
 - b. There are several sections of the trunk still have to be removed from a downed tree in La Grua Park.
 - c. Burgess Park met with Mike Christy about removing the two large ash trees from the top of the wall on Temple Street. Mr. Christy will need highway cones placed in the area of work to be done, and he will let Burgess Park know when to have them placed so that cars cannot park in that area. Burgess Park expects to work to be done soon.

- d. Burgess Park received an estimate from Brad Painter of MacDonnell & Painter, addressed to the Stonington Village Improvement Association (SVIA), for planting a Fraser fir in Wadawanuck square to replace the white spruce removed due to storm damage this year. The estimate of \$2,900 included \$260 for grinding the stump of the white spruce, which has already been done by Nick Reardon; the \$260 can be subtracted from the \$2,900. The SVIA would like the Borough to share the cost of planting the new conifer.
- i. Burgess Park stated that he is not in favor of placing a conifer in Wadawanuck Square as he believes it would block too much of the view and would be visually unbalanced as there are no other conifers in the park.
 - ii. Burgess Park read a letter received from Stonington resident Frederick Souza raising concerns over the Borough paying for and maintaining a conifer in Wadawanuck Square to be used as a Christmas tree.
 - iii. Burgess Park stated he had received other correspondence from residents against planting a conifer in the Square, noting also that he has had conversations with some residents who are in favor of planting a conifer in the Square, just no correspondence from those in favor.
 - iv. Tony Pelligrini, representing the SVIA said that he would have had a written response prepared in favor of placing a conifer in the Square if he knew ahead of time that the discussion would be based on correspondence against planting a conifer in the Square.
 - v. Burgess Burchenal asked if perhaps there was a species of conifer that might be appropriate for the square, noting the conifers in Westerly's Wilcox Park are attractive. Burgess Park replied that the Fraser fir was selected for its appropriateness, noting Wilcox Park has a balanced aesthetic because the conifers are planted in groups.
 - vi. Borough resident Sibby Lynch pointed out that because of the rolling topography in Wilcox Park, vistas through the Park are pleasant. Ms. Lynch added that because Wadawanuck Square is essentially flat, a conifer in the Square would be disruptive to the current unified appearance of the Square.
 - vii. Ms. Lynch stated that when she was on the SVIA, for the Holiday season, she used to place a pre-cut tree in a hole in the ground serving as the Borough's Christmas tree.
 - viii. Mr. Pelligrini stated that the Borough Holiday Stroll is the keystone of the holiday season, noting that many borough residents and visitors look forward to the lighting of the tree, adding that a small pre-cut tree would not have nearly the same impact.
 - ix. Mr. Pelligrini commented that while Mr. Souza's letter implies that the Holiday Stroll and the Christmas tree are commercial in nature, the Holiday Stroll and Christmas tree are really for the enjoyment of the Borough residents, and its merit should be judged on that basis, not on commercial value.
 - x. Burgess Scala concurred that many residents are enthusiastic about the Stroll and the tree.
 - xi. Borough Resident Maggie Revill said that she agrees with Burgess Park about a single conifer in the Square looking out of place. Ms. Revill noted that Fraser firs can grow as high as 30 to 50 feet, and in rare cases as high as 80 feet; a tree in the 30 foot range would again

become a maintenance issue similar to the white spruce that was removed.

- xii. Mr. Pelligrini noted that the SVIA proposal was for the tree to be maintained in the 20 foot high range.
- xiii. Burgess Park said that a Fraser fir is well suited for trimming and shaping, noting that for this reason Mr. Painter is enthusiastic about the appropriateness of this species for this application.
- xiv. Borough resident Jeffrey Callahan stated that in his opinion, the tree would have to be in the 20 foot range to be effective as the Borough Christmas tree, noting that he doesn't feel that having a single conifer in the Square is an issue.
- xv. Warden Burgess suggested that Mr. Pelligrini discuss the possibility of a "temporary" tree for the holiday season with the members of the SVIA and report back to the Board.
- xvi. On a motion by Warden Burgess, seconded by Burgess Scala, tabling the discussion on whether to replace the conifer in Wadawanuck Square was unanimously approved.

- 3. Rights of Way:
 - a. No activity to report.

Sanitation, Utilities and Street Lights:

- 1. Sanitation:
 - a. No activity to report.
- 2. Utilities:
 - a. No activity to report.

Public Buildings (Burgess Adair):

- 1. Borough Hall Renovation Project:
 - a. Warden Burgess reports the elevator is scheduled for delivery on 3/19/13.

Sidewalks (Burgess Scala):

- 1. Sent letter to 23 Elm Street.
 - a. Burgess Scala is meeting with the new property owner on 3/19/13 to discuss.
- 2. Called CL&P about sidewalk on Bayview Avenue.

Police, Public Affairs and Communications (Burgess Burchenal):

- 1. Police Report:
 - a. During the month of February 2013 there were thirty-eight (38) incidences in the police report including seven medical assists, nine 911/fire/false alarm calls, three animal control calls, and seven auto/parking complaints.
 - b. No issues of interest or concern about police matters in the Borough have been conveyed to Burgess Burchenal over the last month.
- 2. Borough Clock:
 - a. On 11 February Burgess Burchenal moved the clock hands one hour ahead to coincide with the time change.
- 3. Website:

- a. No activity to report.
4. Waldron Fund:
- a. No activity to report.

Old Business:

- 1. Budget discussion:
 - a. Warden Burgess reviewed the second draft of the 2013-2014 budget noting the following:
 - i. Revenue lines 21 through 23- Fire Protection Fees: the exact amount will not be known until the end of the fiscal year, \$107,128 is an estimated amount.
 - ii. Revenue line 81- Property Taxes: property evaluations have dropped approximately 20%, so the proposed mill rate shows an increase to .00253 in order to approximate the grand levy; taxes would not be increased.
 - 1. Borough resident Jeffrey Callahan noted that a five-digit mill rate was awkward and suggested either rounding up to .0026 or rounding down to .0025.
 - iii. Expenditure line 108- Health Insurance: premiums have increased approximately 13 percent.
 - iv. Expenditure line 109- Health Insurance Savings Contributions: \$4,500 carried to fund employee's Health Savings Accounts.
 - v. Expenditure line 162- Burgesses' Salaries: reestablished to \$600 per Burgess, the level they were at four years ago before they were reduced by half.
 - vi. Expenditure line 165- Warden's Salary: increased to \$10,000.
 - vii. Expenditure line 191- Stonington Free Library: contribution increased to \$22,000 as requested by the Stonington Free Library.
 - viii. Expenditure line 205- Planning and Zoning Legal: increased to \$4,000 at Zoning Enforcement Officer (ZEO) Atkinson's suggestion.
 - 1. Borough resident Jesse Diggs asked how the salary of the ZEO was determined, noting that it seemed high for what Mr. Diggs thought represented about 4 hours of work per week.
 - 2. Warden Burgess explained that the salary has been at this level for approximately 10 years, explaining that the ZEO puts in many more than 4 hours per week.
 - 3. Borough resident Jeffrey Callahan concurred with Warden Burgess, reinforcing the fact that the position involves much more than just keeping office hours. Mr. Callahan, as a current member of the Planning and Zoning Commission, stated that ZEO Atkinson has done a lot of hard work updating the Plan of Conservation and Development.
 - 4. Burgess Nicholas added that the salary also compensates ZEO Atkinson for his expertise.
 - ix. Expenditure lines 301 through 345- Fire Department: Burgess Nicholas will review with Chief Hoadley.
 - x. Expenditure line 509- Public Buildings Repairs and Maintenance: increased to \$8,000 to account for the service agreement required for the new elevator being installed in Borough Hall.
 - xi. Expenditure line 610- Snow Removal: increased to \$10,000 to account for the expensive molasses/salt mixture used for de-icing roads.

1. Warden Burgess noted this expense line is for materials only and does not represent any labor.
2. Borough resident Jesse Diggs expressed his thanks to the Highway Department for doing such a good job clearing the Borough street, especially School Street where he resides.
- xii. Expenditure line 667- Street Commissioner's Salary: increased to \$5,000.
- b. Borough Resident Jesse Diggs asked if it would be possible to budget \$5,000 as matching funds for the SHMC Boating Infrastructure Grant program projects.
 - i. Burgess Park asked if the proposed project at the Harbor Master's dock would include renovations of the public restrooms at the Wastewater Treatment Plant.
 - ii. Mr. Diggs said, "possibly."
- c. Compensation of Borough employees:
 - i. Burgess Scala said that the request for reconsidering the salary freeze, received by letter from the Highway Department Foreman and Laborer, was a reasonable request; Burgess Burchenal agreed.
 - ii. Burgess Scala noted that he was in favor of distributing bonuses rather than increasing salaries; Burgess Park concurred.
 - iii. Burgess Burchenal said that salary increases, as opposed to bonuses would be fair in light of the fact that the Warden and Street Commissioner's salaries are being increased; Burgess Nicholas concurred.
 - iv. Warden Burgess suggested that the issue be tabled until Burgess Adair is able to participate in the discussion.

New Business:

1. None.

Other Business:

1. Burgess Nicholas said that Borough resident Sibby Lynch was interested in filling the open Burgess position in the May election, noting that there are only 5 candidates for the 6 Burgess positions.
 - a. Clerk- Treasurer Krafjack explained that he learned through discussions with Ted Bromley, an elections attorney in the Office of the Secretary of the State, that since the caucuses were held in January, the period for nominating candidates has closed and therefore Ms. Lynch cannot be placed on the ballot. Mr. Krafjack noted that he had asked Mr. Bromley if Ms. Lynch could file with the Secretary of the State as a write-in candidate, however, since the position is not a contested position, the process for a write-in candidate cannot be used. Mr. Krafjack said that Mr. Bromley suggested the best procedure would be for the Board to appoint Ms. Lynch as a Burgess, a procedure established by Borough Charter, after the May elections.
2. Burgess Nicholas said that she was approached by a Borough resident expressing concerns that joggers do not pay attention to people operating motor vehicles in the Borough.
3. Borough resident Jesse Diggs said that parking has become increasingly difficult in the area of School Street and suggested the Borough paint hash marks on the curbing to delineate parking spaces.
 - a. Mr. Diggs suggested the Point be opened for resident parking between the hours of 10PM and 6AM, and that the Borough issue resident parking stickers.
 - b. Mr. Diggs also suggested the Borough should consider making cross-streets between Water Street and Main Street one-way streets, alternating directions every other block.

- c. Burgess Park recommended that Mr. Diggs submit his suggestion to the Board in writing.
4. Warden Burgess noted that the next public meeting on the draft budget will be held at 7:30PM in Borough Hall on April 8th.
 - a. Clerk- Treasurer Krafjack noted that he will be unable to attend.
5. Warden Burgess noted that the Annual Meeting will be held at 9AM in Borough Hall on April 27th, followed by the April Board Meeting.

Adjournment

1. On a motion by Burgess Scala, seconded by Burgess Park, adjournment of the meeting at 9:16 PM was unanimously approved.

Respectfully submitted,

Brian Krafjack
Clerk- Treasurer