

Board of Warden and Burgesses
Minutes of Regular Monthly Meeting ~ June 17, 2013

CALL TO ORDER:

- A. 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 Jeffrey Callahan. Present were Burgesses Michael Adair, Michael Blair, Sibby Lynch, Amy Nicholas, Howard Park, Robert Scala, and Clerk-Treasurer Brian Krafjack.

APPROVAL OF MINUTES:

- A. On a motion by Burgess Scala, seconded by Burgess Park, acceptance of the minutes from the Board Meeting held on 5/20/2013 was unanimously approved.

ADMINISTRATIVE ASSISTANT'S REPORT (PERRY):

- A. Received tax collections for May: \$2,738.
- B. Worked with FEMA and Warden Callahan to completed FEMA 2013 Blizzard application.
- C. Audit fieldwork is scheduled for the week of 8/26/2013.

CLERK-TREASURER'S REPORT (KRAFJACK):

- A. Pursuant to Public Act 07-194, mandatory post-election hand count audits are to be conducted by Registrars of Voters in 10 percent of the voting districts randomly selected by the Office of the Secretary of State; Stonington Borough was selected this year.
 - 1. Clerk- Treasurer Krafjack held a public ceremony on 6/13/2013 at 7:30 PM in Borough Hall to randomly draw offices for audit; Clerk-Treasurer, Assessor, and Tax Collector were selected.
- B. Solicited terms for renewal of General Liability Fund CD which had matured.
 - 1. Clerk- Treasurer Krafjack renewed the CD with Dime Bank for 12 months at 0.25 percent since this rate was competitive with offerings from other banks.

REVIEW OF BILLS:

- A. The 5/20/2013 through 6/14/2013 report was reviewed and is on file in the Borough Office.
 - 1. Bills for the period totaled \$25,248.

REVIEW OF PROFIT/LOSS STATEMENT:

- A. The 7/1/2012 through 6/14/2013 Profit and Loss Budget vs. Actual Report was reviewed and is on file in the Borough Office.
 - 1. The fiscal year will close with a surplus between \$50,000 and \$60,000, which will be moved to the General Fund.

CORRESPONDENCE:

- A. Informational:
 - 1. Town of Stonington: notice of Public Hearing on 7/6/2013 for regulation amendment.
 - 2. Stonington Harbor Yacht Club: copy of boating infrastructure grant application package filed with CT DEEP.
- B. Requests:

1. Blessing of the Fleet: special events paperwork.
2. Stonington Historical Society: special events paperwork for 4th of July parade.
3. Stonington Historical Society and Salt Marsh Opera: special events paperwork for 7/7/2013 annual "Music at the Lighthouse" concert.
4. Stonington Historical Society 6/29/2013 event: special events paperwork.

C. Invitations/ Meetings:

1. None.

D. Other:

1. O'Connor Davies, LLP: appointment of auditor notification.
2. Avena & Kepple: letter of interest of being retained as Borough Attorney.
3. Avena & Kepple: final determination of Assessor position.
4. Email from Bruce MacKinnon: regarding installation of Gold Street stop sign.

PUBLIC COMMENT:

- A. None.

WARDEN'S REPORT:

A. Public Restrooms:

1. Warden Callahan met with Spike Lobdell of New England Science and Sailing's (NESS) and Connecticut's Department of Energy and Environmental Protection (CTDEEP) staff on 6/3/2013 to discuss the possibility of redirecting the NESS Boating Infrastructure Grant (BIG) from docks to construction of restrooms in the Town Dock area.
 - a. CTDEEP is supportive, with the stipulation that the new facilities include showers for boaters as well as toilets, and the facility must be open 24/7.
 - b. Warden Callahan said that due to space constraints, renovating the existing facilities at the Water Pollution Control Facility (WPCF) is probably not feasible.
 - c. Warden Callahan said that the addition of showers and the fact that the facility would have to be open 24/7 introduces a potential focal point for local opposition to the proposal.
 - d. Burgess Park said that most cruising destinations have showers available to transient boaters, which helps to keep the harbors clean, noting that perhaps boaters could receive a key or a lock combination from the Harbormaster.
2. Burgess Nicholas asked if the terms of the grant required the Borough to fund 25 percent of the cost of the project.
 - a. Warden Callahan said that the grant stipulates that 25 percent of the funds are required to be matching funds, which don't necessarily have to come from the Borough.
 - b. Warden Callahan speculated that a new facility with showers could be in the \$150,000 range, noting that 25 percent of that capital cost would be \$37,500.
3. Warden Callahan said that sharing capital costs and maintenance costs between the Town and the Borough have to be discussed with the Town, adding that he prefers the Borough cover the capital costs and not be responsible for the ongoing maintenance costs.

- a. Burgess Blair said that, assuming the facility is only open for 6 months of the year, paying someone \$50 a day to maintain the facility is not a huge expense.
 - b. Warden Callahan said that the expense is not the concern, but rather the concern is about dealing with breakdowns and repairs.
 - c. Warden Callahan noted that the Town of Stonington is currently maintaining two other similar facilities and is better suited to deal with breakdowns and repairs.
 - d. Burgess Adair agreed that the Borough should not be in the position of having to maintain the facility.
4. Warden Callahan said there is a meeting with Ed Haberek on Thursday 6/20/2013 at Town Hall to discuss whether to proceed with a joint proposal.
- a. The Board reached a consensus that Warden Callahan should attend this meeting; other interested Board members were invited to attend.
 - b. A new proposal would have to be submitted to CTDEEP by mid-July.
- B. FEMA Application- February 2013 Blizzard:
- 1. Warden Callahan completed and submitted the application to FEMA for compensation for expenses incurred during the February blizzard.
 - a. Total eligible costs came to about \$10,100, which means the Borough could receive up to \$7,525 in compensation.
- C. Vacancy in Position of Borough Assessor:
- 1. Warden Callahan had a number of discussions with Attorney Nicholas Kepple and Attorney Kim McKee regarding filling the vacant assessor's position.
 - a. Avena & Kepple, LLC provided a written opinion on the matter.
 - b. Discussion recorded under "Old Business" in these minutes.
- D. Borough Attorney:
- 1. Warden Callahan solicited Letters of Interest from two local attorneys, inquiring as to their interest and qualifications to be Borough Attorney.
 - a. Discussion recorded under "Old Business" in these minutes.

SANITATION, UTILITIES, AND STREET LIGHTS (WARDEN CALLAHAN):

- A. Ash Street Seaweed:
- 1. On May 24, Warden Callahan met with Peg Van Patten of UCONN's Connecticut Sea Grant at the Ash Street beach.
 - a. Ms. Van Patten is a seaweed expert who was called in last year and is struck by the fact that the amount and composition of the accumulated material is very different this year compared to last.
 - b. There is less material and it's almost entirely eel grass (which is not actually seaweed) with very little of the invasive species she found last year.
 - c. Ms. Van Patten couldn't offer any suggestions as to how to prevent the material from accumulating on the beach, so Warden Callahan has begun the process of applying for a CTDEEP permit to remove it, hoping to get a Certificate of Permission (COP) that is valid for five years.
 - 2. Warden Callahan said that the application is complicated, and he would like to approach Docko Inc. about providing assistance in completing the application.

3. On a motion by Burgess Blair, seconded by Burgess Nicholas, Warden Callahan's request to begin a discussion with Docko, Inc. about assisting with the completion of a CTDEEP Certificate of Permission Application for seaweed removal was unanimously approved.

B. Deer on the Jetty:

1. On Memorial Day weekend, Warden Callahan was informed by a Borough resident that there was a dead deer on the jetty behind Stonington Commons.
 - a. After confirming that was indeed the case, Warden Callahan called the Stonington Police Department to find out if animal control would remove the carcass; they would not, nor would CTDEEP.
 - b. On the following Tuesday morning, Roger and Sue of the Highway Department and Warden Callahan disposed of it. Roger used his own boat to tow the deer to the small boat association boat ramp, and then Sue picked it up with the front loader, put it in the dump truck, and hauled it to the land fill.

C. Viaduct Lights:

1. Several of the Viaduct lights are out or malfunctioning.
 - a. Warden Callahan has talked to Town Public Works Director Joe Bragaw, and he will have them repaired.

STREETS (BURGESS PARK):

A. Streets and Roads:

1. The highway crew has been busy with regular maintenance and is unhappy with the way "Friends of Wadawanuck Square" has been trimming around the trees.
 - a. Burgess Park agrees that it looks shabby and suggests the highway crew do the trimming from now on.
 - b. Burgess Lynch asked Burgess Park if the trimming of grass around the trees in the Square was not her bailiwick.
 - c. Burgess Park said that if Friends of Wadawanuck Square want to continue with the trimming of grass around the trees they must commit to trimming immediately after the highway crew mows the grass.
 - d. Burgess Blair noted that improper trimming can damage the tree trunks.
 - e. Burgess Lynch suggested metal strips and mulch be placed around the tree trunks to prevent damage to the trees.
 - f. Burgess Park said that suggestion had been made in the past, and Friends of Wadawanuck Square were not receptive to the idea.
2. Burgess Lynch asked if mowing the area north of the Viaduct adjacent to Dodson Boatyard property could be limited to twice a year as it is meadow and does not require regular maintenance.
 - a. Burgess Park said he would look into this.
3. The light in Wadawanuck Square that is not working seems to have a bad wire underground.
 - a. Taylor Electric will use an instrument that will detect a stray current in the underground line before any digging.
 - b. Warden Callahan suggested getting another electrician involved if Taylor does not respond soon.
4. Drain covers have been cleaned off and the outflow cleaned out on Northwest Street, all of which was completed before the heavy rains.

5. Summer worker Kyle Mola has been spraying herbicide in the cracks on the streets and in the gutters. He also spends rainy days scraping paint in the kitchen in Borough Hall (see additional discussion recorded under "Other Business" in these minutes).
 - a. Burgess Lynch said that she received a phone call from an angry Borough resident who thought the weed killer "Roundup" was being used, voicing concerns about the environmental impact.
 - b. Burgess Park assured Burgess Lynch that "Roundup" was not being used, noting that the herbicide being sprayed is environmentally friendly.
 - c. Burgess Park will provide Burgess Lynch with information on the herbicide.
6. Burgess Blair suggested that a ban of all chemical spraying of lawns be put in place.
 - a. Burgess Lynch agreed and suggested a subcommittee of the Board be formed; Burgess Lynch and Park will follow-up.
7. Street Sweeping is progressing with only Trumbull to Water Street, Elm and Orchard, and a small part of Bayview Avenue left to complete.
 - a. Burgess Lynch asked if the stop lines at the base of the Viaduct could be repainted.
 - b. Burgess Park said that he was asked by a Borough resident if the lines on Main Street and Church Street could be repainted.
 - c. Burgess Blair noted that a short yellow line denoting travel lanes might be helpful on Main Street approaching the intersection of Broad Street.
 - d. Burgess Park said he would look into all of these suggestions.
8. The parking lines have been painted on School Street as discussed during the May Board Meeting.
 - a. Billy Teixeira is going to check out the amount of room required on the corner for the fire truck to see if one more parking space could be added.
 - b. A handicap parking space on Omega Street was relocated for better access.
9. The sinkhole on Diving Street was filled in by the Water Company.
 - a. Burgess Park spoke with the Water Company about paving over the repair.
 - b. The Water Company wants to make sure additional filling is not required before paving.
10. Burgess Park has been asked to place a stop sign at the intersection of Gold Street and Pearl Street; he thinks it's a good idea.
 - a. Discussion recorded under "New Business" in these minutes.
11. Burgess Park said that Mrs. Gorby asked that some bushes, which partially obstructs the view of the cross walk on Wall Street and Main Street, be removed.
 - a. Burgess Park noted that the owner of the property does not object and said that Mrs. Gorby would be willing to share in the expense for removal of the bushes.
 - b. The Board reached a consensus that the bushes should be removed.
 - c. Burgess Lynch will look at the bushes to see if perhaps they could be replanted elsewhere.
 - d. Burgess Nicholas said that the fence at this location is too high and it obstructs the view of the intersection creating a dangerous condition.
 - e. Burgess Park agreed that removal of the fence would improve sightlines at the intersection, but said that it was a Planning and Zoning issue.
12. The highway crew will be replacing the grate for the drain on the corner of Bayview Avenue and Meadow Lane.
13. A steel plate has been bought to replace the worn out bed on the older truck.

- a. The highway crew has to clean the old truck bed before work can commence.
 - b. Harold Stedman will do the work and Burgess Park is sure he will do as good a job as was done on the cutting bar for the front-end loader.
14. An idea for the long term plan for roads would be to take care of the roads which are in good to fair condition such as Orchard Street or Trumbull Street, spending time and funds on them hoping to defray expensive replacement and let the poor condition roads go until they are really ready.
- a. An example of a road in very poor condition is the east end of Wall Street.
 - b. Burgess Park has placed a call into Joe Bragaw to connect with his contractor so he may do crack sealing of Borough streets at the same time as the Town, perhaps realizing a savings due to the quantity and timing of the work.
 - c. The contractor charges by the gallon; Burgess Park does not have the cost yet.
 - d. Burgess Park said that sealing the cracks is a good way to keep our marginal streets in fair condition for a longer period of time.
15. A dumpster permit was requested by a Denison Avenue resident.
- a. Warden Callahan was not sure if the resident had paid the fee for the dumpster that was previously at this location.
 - b. Burgess Park will follow-up.

B. Highway Crew Service:

- 1. Last Saturday was Sue's 32nd year and Roger will have been with the Borough crew for 11 years on July 1st.

FIRE AND EMERGENCY MANAGEMENT (BURGESS BLAIR):

A. Consolidation of Companies within Fire Department:

- 1. Burgess Blair distributed a chain of command chart showing the present organization within the Fire Department and a proposed, new streamlined organization.
 - a. The proposed chain of command would replace an antiquated set of command protocols.
 - b. Burgess Blair said Chief Hoadley is in favor of reorganization, consolidating the separate Companies within the Department into one entity.
 - c. Burgess Blair noted that there is consensus within the Fire Department for this type of reorganization.
- 2. Burgess Blair met with Warden Callahan, Chief Hoadley, and the attorney who advises the Fire Department on behalf of the Borough on obligations due to consolidation of the Companies.
 - a. Burgess Blair said, if there are no objections from the Board, the Fire Department will begin creating new by-laws, noting that the Borough would still have financial control and the Department would still be responsible to the Borough.
 - b. Burgess Scala said he thought that the Companies were already close to voting on consolidation and wondered why the vote had not taken place.
 - c. Burgess Blair said that they were close to a vote, but the process required Borough involvement and could take an additional 6 to 7 months to resolve.
 - d. Burgess Adair asked why it would take so long.
 - e. Burgess Blair said that a by-law committee has to be formed and needs to meet to construct new by-laws. Members will need time to review, comment, and vote.
 - f. Warden Callahan said that it is quite a complicated process and will take time, noting that dissolution of the existing Companies is not a straight-forward process.
 - g. Burgess Blair asked the Board if he could report to the Chief that he has the support of the Board for the proposed reorganization.

- h. Burgess Scala said he wished to thank Burgess Blair for his interest and hard work on this important issue.
3. On a motion by Warden Callahan, seconded by Burgess Nicholas, Board support for the concept of reorganizing the Borough Fire Department's present multi-company structure into a new, streamlined organizational structure was unanimously approved.
- B. Fire Marshal's Report for the period from 5/1/2013 to 5/31/2013:
1. 5/2/2013 Fire alarm activation: 107 Main Street.
 2. 5/4/2013 Wires down: Hancox Street and Diving Street
 3. 5/9/2013 Fire alarm activation: 145 Water Street
 4. 5/11/2013 Fire alarm activation: 27 Water Street
 5. 5/13/2013 Propane odor: Route1 and Flanders Road
 6. 5/18/2013 Brush Fire: 279 Flanders Road
 7. 5/19/2013 Fire alarm activation: 145 Water Street
 8. 5/20/2013 Fire alarm activation: 145 Water Street
 9. 5/21/2013 Fire alarm activation: 4 Stonington Commons
 10. 5/22/2013 Fire alarm activation: 107 Water Street
 11. 5/26/2013 Fire alarm activation: 145 Wamphassuc Road
 12. 5/26/2013 CO detector activation: 2 Richmond Lane
- C. Scaffolding at Water Street Cafe:
1. Burgess Blair said he had asked the Fire Marshall to review the scaffolding installation at Water Street Café after power was shut off for two hours as a result of the installation. The power outage was an inconvenience to residents and businesses affected.
 - a. The Fire Marshall reviewed the installation and voiced no concern.
 - b. Warden Callahan will check to see if scaffolding can be erected without a permit.
 - c. Burgess Scala noted that as long as the scaffolding is erected safely it is a better option than ladders since the sidewalks can remain passable.

PARKS, TREES, AND RIGHTS OF WAY (BURGESS LYNCH):

- A. Parks:
1. Friends of Wadawanuck Square hired Art Claspell to improve three places in Wadawanuck Square where trees had been cut down; two evergreens and the tree behind the library.
 - a. Mr. Claspell brought in new earth, smoothed it, and seeded the bare spots.
 2. Friends of Wadawanuck Square donated a 15 foot, 2 ½ inch caliper, Princeton Elm from Oliver Nursery, which was delivered and planted on 6/10/2013.
 - a. Immediately after the tree had been planted, Cormac O'Malley told Burgess Lynch he had just seen the Como's map of the Village Fair, and where they were planning to put the Silent Auction Tent where the elm had just been planted.
 - b. Burgess Lynch called Beth at the Como to let her know about the tree.
 - c. Luckily for the tree it rained for the next three days after planting.
 - d. Warden Callahan asked Burgess Lynch to make note of newly planted trees in the "Tree Book."
 3. Friends of Wadawanuck Square removed soil to expose what still remained of the stump of tree across from the Post Office.
 - a. Nick Reardon will be grinding and grading that area.

4. Two Borough residents have each generously offered to fund the purchase of a large tree for Wadawanuck Square.

B. Trees:

1. Burgess Lynch noted that CL&P sent Lucas Tree Service to trim branches of a Bradford Pear tree at corner of Water Street and Harmony Street (107 Water Street, in front of The Hungry Palette).
 - a. The branches had been singed and the transformer needed to be repaired.
 - b. In order to have the job done before shops opened, they began work at 6 AM.
 - c. Approximately 1/3 of the branches were cut out and ground up.
 - d. The wires had singed some leaves and the transformer needed to be worked on.
 - e. A falling branch broke a scalloped shingle, which Lucas will pay the Merrill House to repair.
 - f. Burgess Lynch added that next time this type of work becomes necessary, she will notify everyone on the block beforehand, ask to have cars moved before trucks come, and warn residents and merchants of the noise the chain saw and grinder will make.
 - g. Burgess Adair asked if there was not a restriction on this type of work taking place before 8 AM.
 - h. Warden Callahan explained that there is an exception that allows utility companies to begin work before 8AM.
2. Saren Langmann advised Burgess Lynch that the Zelkova Serrata tree in front of her house at 46 Main was brushing against her roof.
 - a. Burgess Lynch will meet with Ms. Langmann and arborist Nick Reardon to see what action should be taken.
 - b. The job should be done before end of June.
3. Hurricane Sandy had knocked down a Bradford Pear (tree ID 100) in front of the Witliff's at 35 Main Street.
 - a. The Witliff's have offered to purchase and plant a new tree, as yet to be selected.
 - b. Nick Reardon will grind out the old stump at Borough's expense.
4. Several neighbors at Gold Street between High and Broad have requested permission to remove a 50' Pine (tree number 71).
 - a. Burgess Scala asked if the tree was on Borough property or on private property.
 - b. Burgess Park said he believed the tree was on private property.
 - c. Warden Callahan said that the removal of trees on private property is not subject to the same process required for removal of trees on Borough property.
 - d. Warden Callahan said the proximity of the tree to the property line should be checked to make sure the tree in question is not on Borough property.

C. Rights of Way:

1. The Stonington Commons Residents held a ribbon cutting ceremony for the reopening of the Right of Way path along the shore, which had been damaged by Hurricane Sandy.

PUBLIC BUILDINGS (BURGESS ADAIR):

A. Borough Hall Renovation Project:

1. Burgess Park asked Burgess Adair if there was any progress on repair or replacement of the generator, noting that in the case of a power outage, the overhead doors cannot be opened.
 - a. Burgess Adair said he would follow-up.

2. Warden Callahan asked Burgess Adair to prepare a “needs assessment” for Borough public buildings.

SIDEWALKS (BURGESS SCALA):

- A. Sidewalk Ordinance revision:
 1. Discussion recorded under “Old Business” of these minutes.
- B. Bayview Avenue Sidewalk/ Utility Pole:
 1. Burgess Park asked if the sidewalk in front of the Velvet Mill could be patched rather than waiting for CL&P to remove the utility pole damaged during Hurricane Sandy.
 - a. Burgess Scala said that CL&P will not remove the damaged pole until Comcast removes their wires and installs them on the new pole.
 - b. Burgess Park said the condition of the sidewalk is dangerous, and he could have the highway crew fix the sidewalk with concrete mix.
 - c. Warden Callahan said that having the highway crew fix the sidewalk is a good idea that should be implemented.

POLICE, PUBLIC AFFAIRS, AND COMMUNICATIONS (BURGESS NICHOLAS):

- A. Police Incident Report:
 1. During the month of May 2013 there were 55 incidences in the police report for the Borough including:
 - a. Medical assists: 5
 - b. 911/fire/alarm/false alarm calls: 13
 - c. Animal control calls: 2
 - d. Pistol permit background checks: 2
 - e. Motor vehicle accident/injury/minor traffic mishaps: 6
 - f. Auto/parking complaints: 4
 - g. Instances of DWI: 1
 2. There were 4 complaints of vandalism which prompted an investigation.
 3. Warden Callahan asked Burgess Nicholas if the young community police are on station yet for the summer season.
 - a. Burgess Nicholas responded in the affirmative.
- B. Website/ Communications:
 1. Burgess Nicholas and Administrative Assistant Perry are working on updating the calendar on the website.
 2. Burgess Nicholas hopes to issue a Borough Newsletter soon, with the plan to issue the newsletter on a periodic basis.
 - a. Burgess Blair suggested sending the newsletter to the Patch for posting on their blog.
- C. Events:
 1. The Village Fun Runs have started on Tuesday evenings.

OLD BUSINESS:

- A. Creation of the position of Assistant Assessor:
 1. Warden Callahan had requested that Attorney Nicholas Kepple write a legal opinion regarding the eligibility of Lisa Coleman to serve as Assessor as she resides on property that

straddles the Town/ Borough line, with the dwelling structure located in the Town of Stonington.

- a. In a letter issued by Avena and Kepple, LLC dated 6/13/2013, Attorney Kepple asserts that, in accordance with the Borough Charter, Connecticut General Statutes, applicable case law, and discussions with the office of the Connecticut Secretary of State, Ms. Coleman is not eligible to hold Borough Office as she is not an elector in the Borough.
2. Attorney Kepple, in his letter, outlined two courses of action the Board could take to fill the vacancy.
 - a. The Board has the authority to appoint someone who is a Borough elector to fill the vacancy.
 - b. The Board could create a position of Assistant Assessor by voting to accept the Avena and Kepple opinion, create the position of Assistant Assessor, fund the position for a specific amount of money, generate a letter of hire, and nominate an elector to fill the position of Assessor.
 3. Warden Callahan explained that the Borough Assessor has to work very closely with the Town Assessor, noted that Ms. Coleman has served the Office well over the years, and said he would like to see her continue her good work in the position of Assistant Assessor if the Board agreed that creating this position was the best course of action.
 - a. Burgess Blair said that he would be supportive of Ms. Coleman in this new position, but added that the term should be limited so that it is concurrent with the term of the current Board.
 4. On a motion by Burgess Blair, seconded by Burgess Scala, acceptance of the Avena & Kepple, LLC opinion that the election of Lisa Coleman for the office of Borough Assessor was flawed by virtue of her ineligibility for the role and therefore a nullity was unanimously approved.
 5. On a motion by Burgess Nicholas, seconded by Burgess Park, creation of the position of Borough Assistant Assessor was unanimously approved.
 6. On a motion by Warden Callahan, seconded by Burgess Adair, funding for the newly created position of Borough Assistant Assessor, in the amount of \$600 per annum, was unanimously approved.
 7. On a motion by Burgess Blair, seconded by Warden Callahan, appointment of Lisa Coleman to the newly created position of Borough Assistant Assessor, for a term coinciding with the term of the current Board of Warden and Burgesses, was unanimously approved.
- B. Revisions to Street and Sidewalk Ordinance:
1. Burgess Scala presented proposed text revisions to the Streets and Sidewalk Ordinance as follows (underlined text is proposed additional text):

4. Upon determination that a violation has occurred of Sections 1, 2 or 3 of this Ordinance, the Board shall set a reasonable amount of time in which the person responsible for such violations may correct the condition and shall notify him in writing of the violation and the period of time for correction. If the condition is not corrected within the specified period, the Board shall have the authority to correct it and to charge the person responsible for the violation a reasonable fee for such service.

Notwithstanding, any obstruction or damage to sidewalks caused by the encroachment or uncontrolled growth of trees owned or maintained by the Borough shall be corrected at the expense of the Borough. Such expense shall be limited to the repair of the actual damage caused by such tree/s.

- a. Warden Callahan suggested that the Sidewalk Commissioner, rather than the Board, be the one to set a reasonable amount of time for a sidewalk to be repaired.
 - b. Warden Callahan suggested that the word “notwithstanding” be removed from the beginning of the second paragraph.
 - c. Burgess Blair asked hypothetically, what would happen if the Borough shaved the roots of a tree to improve the sidewalk condition causing the tree to die?
 - d. Burgess Scala said that would always be a risk and the Borough would be responsible for removal of the tree.
 - e. Burgess Blair said there should be careful coordination between the Tree Commissioner and the Sidewalk Commissioner where corrective action is necessary so as to cause as little damage to trees as possible.
 - f. Burgess Scala said that in cases where action to a tree might be harmful to the tree’s health, an arborist could be consulted.
 - g. Burgess Lynch suggested placing a low iron fence around roots projecting above sidewalks, provided enough of the sidewalk remained passable.
 - h. Warden Callahan suggested sloping sidewalks up and over existing roots as a possibility.
 - i. Burgess Scala said each case can be looked at individually for the best solution.
2. On a motion by Burgess Scala, seconded by Burgess Nicholas, acceptance of a text change (noted below) to Paragraph 4 of Borough Ordinance SBO-01 STREETS AND SIDEWALKS, subject to legal review, was unanimously approved.

Text Change:

4. Upon determination that a violation has occurred of Sections 1, 2 or 3 of this Ordinance, the Sidewalk Commissioner shall set a reasonable amount of time in which the person responsible for such violations may correct the condition and shall notify him in writing of the violation and the period of time for correction. If the condition is not corrected within the specified period, the Board shall have the authority to correct it and to charge the person responsible for the violation a reasonable fee for such service.

C. Parking at The Point:

1. Burgess Park said that the wheel stops have been placed in The Point parking lot.
 - a. Burgess Nicholas said she discussed with the Police Chief the possibility of issuing parking permit to residents for overnight parking in The Point parking lot.
 - b. Burgess Nicholas reported that the Chief said resident-only parking would be unworkable and there would be no way to enforce it.

- c. Warden Callahan said that residents can always park overnight in the Waylands Wharf lot.
2. Warden Callahan said that he asked Administrative Assistant Perry to order resident parking stickers for Waylands Wharf.
 - a. Administrative Assistant Perry will call people who are already on the Waylands Wharf parking list to see if they want to remain on the list.
 - b. Burgess Park asked if there are plans to charge for the parking permit.
 - c. Burgess Blair said that he thought there should be a charge for the permit.
 - d. Burgess Lynch asked if parking would be limited.
 - e. Burgess Park said that limiting the number of permits would not be in keeping with the terms of the Deed which says that Waylands Wharf is open to all residents of the Borough; parking would be on a first-come first-served basis.
 - f. Warden Callahan said that the question of whether to charge for permits will be placed on the Agenda for next month's Board Meeting.
- D. Appointment of Borough Attorney:
1. Warden Callahan said that he sent a letter of solicitation to Attorney Theodore Ladwig and to the law office of Avena and Kepple, LLC, noting that only Avena and Kepple responded before the deadline set in the letter of solicitation.
 - a. Avena and Kepple would work on a \$6,000 annual retainer for routine issues and would charge by the hour for litigation and for matters requiring extensive research.
 - b. Avena and Kepple's billing rates would be \$190/hr for attorneys and \$75/hr for research assistants.
 2. On a motion by Warden Callahan, seconded by Burgess Blair, in accordance with Chapter 3, Section 4 of the Borough Charter, appointment of Avena & Kepple, LLC as legal advisor to the Board of Warden and Burgesses, for a term coinciding with the term of the current Board of Warden and Burgesses, was unanimously approved.

NEW BUSINESS:

- A. Gold Street Stop Sign:
1. Burgess Park said that he spoke with Borough resident Bruce MacKinnon about Mr. MacKinnon's request that stop signs be placed at the intersection of Pearl and Gold Streets to improve a dangerous traffic pattern.
 - a. Burgess Park said he thought Mr. MacKinnon's proposal was a good idea, and if approved by the Board, he would also recommend painting stop lines on the road and trimming some branches for better visibility at the intersection.
 2. On a motion by Burgess Nicholas, seconded by Burgess Blair, installation of two stop signs at the intersection of Pearl and Gold Streets to create a four-way stop at the intersection was unanimously approved.
- B. Applications for use of Borough Property Including Streets:
1. On a motion by Burgess Scala, seconded by Burgess Adair, the following application for use of Stonington Borough property, including streets, subject to the organizer's coordination with the Police Department was unanimously approved.

Stonington Historical Society 4th of July Parade:
Date/time: 7/4/2013, 9 AM to 11:30 AM.
Location: Main Street, Water Street, and Wadawanuck Square.

2. On a motion by Burgess Nicholas, seconded by Burgess Scala, the following application for use of Stonington Borough property, including streets, subject to the organizer's coordination with the Police Department was unanimously approved.

St. Mary Church Blessing of the Fleet:
Date/time: 7/28/2013, 11 AM to 4 PM.
Location: Procession from St. Mary Church to Town Dock; Lawn at Town Dock.

C. Appointment of Auditor:

1. On a motion by Burgess Blair, seconded by Burgess Nicholas, appointment of O'Connor Davies, LLP as the Auditor for the Borough of Stonington for the fiscal period from July 01, 2012 to June 30, 2013 was unanimously approved.

OTHER BUSINESS:

A. Storm Preparation:

1. Burgess Blair said that it is likely that the Borough will be hit by storms again this season, noting that it would be prudent to begin preparations ahead of time.
 - a. Burgess Blair suggested that the Borough review its response to recent storms to see if improvements can be made, with the focus on hurricanes rather than snow storms.
 - b. Burgess Blair suggested that a meeting be arranged, sometime in July, with the Fire Chief, the Parks Commissioner, the Street Commissioner, and the Public Buildings Commissioner to discuss and review potential action items.
 - c. Burgess Park suggested inviting former Warden Paul Burgess since he did an exceptional job coordinating storm response efforts during his term.
 - d. Warden Callahan said that a Public Meeting would be a good idea and asked Burgess Blair to Coordinate with Burgess Nicholas and the Police Department.
 - e. Burgess Adair suggested inviting the major subcontractors hired by the Borough to assist with storm prior cleanup efforts.
 - f. Warden Callahan said he would contact CL&P to see if they would send a representative to this meeting.
 - g. Burgess Scala suggested inviting George Brennan, Stonington's Director of Emergency Management.
2. Burgess Blair will send out an email with potential dates for a meeting once he has coordinated potential dates with Burgess Nicholas and the Police Department.

B. Fire Department Reimbursement from Hurricane Sandy:

1. Warden Callahan said he thought it would be fair to reimburse the Fire Department \$1,100 for expenses incurred keeping the Fire Department operational as a refuge during Hurricane Sandy.
2. On a motion by Burgess Park, seconded by Burgess Adair, the transfer of \$1,100 to Borough Budget Fire Department line item 341 was unanimously approved.

C. Borough Hall Kitchen:

1. Warden Callahan said that Administrative Assistant Perry noted that no one uses the kitchen as a kitchen anymore, and suggested that we could remove the cabinets and counters on the south (elevator) side of the room and use the space for file cabinets.
 - a. Warden Callahan said it looks like 8 standard file cabinets might fit along the wall, noting that the large refrigerator, which is failing, could be replaced by a small office unit.
 - b. Warden Callahan said that most, if not all of the work, could be done by in-house labor.
 - c. Burgess Adair said that some sort of kitchen facility should remain if the Borough Hall is intended to be a refuge during storms.

2. Provided the kitchen could still function as noted by Burgess Adair, the Board expressed no objection to the removal of the cabinets, counters, and the old refrigerator.

ADJOURNMENT:

- A. On a motion by Burgess Scala, seconded by Burgess Nicholas, adjournment of the meeting at 9:35PM was unanimously approved.

Respectfully submitted,

Brian Krafjack
Clerk- Treasurer