

Board of Warden and Burgesses
Minutes of Regular Monthly Meeting ~ July 15, 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 6/17/2013 was unanimously approved.

ADMINISTRATIVE ASSISTANT'S REPORT (PERRY):

- A. Received tax collections for May: \$7,377.

- B. Sent request to Town of Stonington for FY 2013 disbursement.

CLERK-TREASURER'S REPORT (KRAFJACK):

- A. No activity to report.

REVIEW OF BILLS:

- A. The 6/18/2013 through 7/12/2013 report was reviewed and is on file in the Borough Office.
 - 1. Bills for the period totaled \$47,922.

REVIEW OF PROFIT/LOSS STATEMENT:

- A. The July 2012 through June 2013 Profit and Loss Budget vs. Actual Report was reviewed and is on file in the Borough Office.

CORRESPONDENCE:

- A. Informational:
 - 1. Stonington Police Department: copy of Town's application for Music at the Lighthouse event on 7/7/2013.

 - 2. Jesse Diggs: email regarding Harbor Management ordinance change.

- B. Requests:
 - 1. Special Olympics Connecticut: application for 9/7/2013 Parade of Athletes.

 - 2. Portuguese Holy Ghost Society: application for 8/31/2013 and 9/1/2013 Festival processions.

 - 3. Stonington Players: letter requesting permission to use Wadawanuck Square from 8/13/2013 to 8/15/2013 for production (no event application paperwork submitted).

 - 4. United Church: request to post signs for 7/13/2013 and 10/26/2013 events.

 - 5. Calvary Church: request to post sign for 9/1/2013 Fish Bake.

 - 6. Stonington Garden Club: letter requesting permission to use Wadawanuck Square on 6/13/2013 and 6/14/2013 (application to follow).

C. Invitations/ Meetings:

1. SWCA: 7/18/2013 meeting notice.

D. Other:

1. Michael E. Schefers: letter of interest in filling Assessor vacancy.

PUBLIC COMMENT:

A. New parking stripes on School Street:

1. Borough Resident Jesse Diggs thanked Burgess Park for the new parking stripes on School Street.

B. Broad Street and Main Street Intersection:

1. Burgess Adair asked Burgess Park if center lane dividing lines could be painted at the Broad Street and Main Street intersection by St. Mary Church, noting that some motorists think Main Street is one-way and wander into the opposing lane when turning the corner.
 - a. Burgess Park said he would like to minimize the amount of lines painted on the streets but would consider a short line at the intersection.

WARDEN'S REPORT:

A. Public Restrooms:

1. Warden Callahan attended a meeting in Town Hall on 6/20/2013 with Ed Haberek, Joe Bragaw, and others where the decision was made not to pursue redirecting the CTDEEP Boating Infrastructure Grant (BIG) towards installing restrooms and showers at the Town Dock.
 - a. There were several reasons why the group determined that the project would not succeed, the primary one being the fact that the location is in a V flood zone, which would require elevating the facility at least six feet above the ground.
2. Town has expressed interest in exploring the option of renovating the existing restrooms at the Water Pollution Control Facility (WPCF) and adding a new accessible unit.
 - a. Architect Michael McKinley has been retained by the Town to develop concept drawings and cost estimates.
 - b. If the project goes forward, Warden Callahan recommends that the Borough consider contributing to the capital cost in fiscal year 14-15.

B. Open Burning Training:

1. Under CT state law, the Chief Elected Official of each municipality is responsible for managing and enforcing the open burning program within his/her municipality.
 - a. Warden Callahan plans to attend CTDEEP training at the police station on 7/18/2013 to find out more about the program.

C. Revised FEMA Flood Management Regulations:

1. Regulations were passed by Planning & Zoning Commission on 7/9/2013.
 - a. This action was critical in order to keep the Borough eligible for the National Flood Insurance Program.

D. Stonington Commons Cooling Tower Noise:

1. Several residents living near Stonington Commons have expressed concern.
 - a. This is not a new issue, but the protracted warm, humid weather over the past couple of weeks has caused the fans to run continuously, annoying surrounding neighbors.
 - b. Warden Callahan has spoken with the president of the Condominium Association and with Zoning Enforcement Officer, Dave Atkinson.

- c. The Condominium Association is in the process of collecting data and is planning to hire an engineer to design system modifications; a process that will take months to complete.
 - d. Approximately \$80,000 of the bond money held by the Borough could be used to defray the cost.
 - e. Burgess Nicholas noted that noise levels were monitored last year and found to be in excess of what is allowable.
- E. Bicentennial Plans:
- 1. The Battle of Stonington Bicentennial Committee has requested that the Borough make a commitment of \$5,000 in next year's budget to help defray the cost of the celebration in August 2014.
 - 2. On a motion by Burgess Park, seconded by Burgess Scala, a commitment to appropriate at least \$5,000 in the budget for fiscal year 14-15 to help defray costs for the celebration of the victorious Battle of Stonington was unanimously approved.
- F. Blessing of the Fleet:
- 1. On Sunday 8/28/2013, all Burgesses are invited to march in parade from St. Mary Church to the Town Dock.
- G. Complaints about Noise at New England Science and Sailing (NESS) Event:
- 1. Warden Callahan explained that several residents complained about amplified music at a recent NESS event.
 - a. Warden Callahan said the event was in compliance with the Town noise ordinance.
 - b. Burgess Blair noted that just as much noise comes from Skipper's Dock and from the Garbo facility when they were still located in the Borough.
 - c. Burgess Nicholas said it was curious that an educational facility would host an event serving alcohol and play loud music, noting it did not seem to be in keeping with NESS's stated mission.

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

- A. Ash Street Seaweed:
- 1. Docko has nearly completed the permit application.
 - a. Warden Callahan signed the application earlier in the day, and now it will go to CTDEEP for processing, which could take a month.
 - b. Warden Callahan is requesting a Certificate of Permission (COP) that is valid for five years.
- B. Wadawanuck Square Light:
- 1. Southeast Electric (contractor) will install a new power line from the light in the northwest corner to the one in the southwest corner on 7/23/2013.
 - a. The job will involve trenching from one light pole to another.
 - b. The existing shorted line will be abandoned in place.
- 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 again, and he will have them repaired.

STREETS (BURGESS PARK):

A. Streets and Roads:

1. Stop Lines and Stop Signs:

- a. Stop lines were re-painted on Main Street and on Water Street at the base of the viaduct.
- b. New stop lines were painted on Gold Street and a four-sided post will support the new stop sign.

2. Omega Street Stop Sign:

- a. A resident asked the Borough to place a stop sign at the bottom of Omega Street in an attempt to slow traffic because of children playing in the street.
- b. The Board noted that parents should not allow their children to play in the street. To make streets safe for children's play, they would have to be closed to vehicular traffic, which is not practical.
- c. The Board agreed with Burgess Park that adding a stop sign would be largely ineffective.
- d. Adding speed bumps to control traffic makes snow plowing difficult, risks breaking expensive equipment, and presents a danger to our plow operators.
- e. Burgess Park will consider a "Children at Play" sign painted on the road. This would be in addition to the "Children at Play" sign that already exists on Omega Street.

3. Handicap Parking Spaces and Parking Lines:

- a. Two handicap spaces were painted, one new space on Omega Street, and the other which had been painted out, was re-established on the corner of Hancock and Diving Streets.
- b. Parking lines were painted on School Street.
- c. Kyle Mola believes that he has painted several thousand feet of yellow curbing.

4. Bayview Sidewalk:

- a. The crew has repaired the sidewalk on Bayview Avenue and has replaced the grate on the corner of Bayview Avenue and Meadow Lane.

5. Road Replacement and Repairs:

- a. A preliminary look at roads in need of replacement puts Wall Street high on the list.
 - i. Warden Callahan noted that Wall Street may require engineering work prior to repaving.
- b. Burgess Park noted that some potholes have been filled, and a list has been started of other potholes requiring attention.
 - i. Burgess Park asked that Board members who are aware of bad or dangerous pot holes let him know so that these potholes can be added to the list to ensure that enough material is ordered to fix all of the potholes.
- c. Burgess Park is meeting with Joe Hastedt on 7/16/2013; Hastedt Brothers has done good work in the past and will hold square foot prices for new work at last year's price, noting that because some projects are not straight forward, there could be additional costs.
 - i. Burgess Park asked the board to waive the bidding process for new work.
 - ii. Warden Callahan said that the Board needs to see proposals for work before considering whether waiving the bid requirement is appropriate.

B. Other:

1. Truck Bed Plate:

- a. The new bed plate has been welded in place after a heavy cleaning of the bed.

2. Mirror Installed on Utility Pole:

- a. Burgess Park has received complaints about the mirror installed on a utility pole adjacent to the Gorby property, but does not believe he has the authority to order it removed.

- b. Warden Callahan said that he believes that items such as mirrors are not allowed to be installed by property owners on utility poles owned by the utility company.
 - i. Burgess Nicholas and Burgess Park will speak with Police Chief Stewart to see if this is the case.
 - ii. Burgess Park will speak with Mr. Gorby.
3. Bushes at intersection of Wall Street and Main Street (see discussion on page 5 of 14 in the Minutes of the 7/15/2013 Board Meeting):
- a. Burgess Lynch asked Burgess Park whether she should proceed with the removal of the bushes or whether this would be taken care of by the Highway Department.
 - b. Burgess Park said he recalled that Burgess Lynch was going to see if the bushes could be transplanted elsewhere, and that the Highway Department is not going to remove the bushes.
 - c. Burgess Lynch said she would follow up.

FIRE AND EMERGENCY MANAGEMENT (BURGESS BLAIR):

- A. Emergency Management Meeting:
 - 1. A Special Meeting will be held on 7/22/2013 at 7PM with Police Chief Stewart, Fire Chief Hoadley, Town of Stonington Emergency Management Tactical Operations Director George Brennan, and former Warden Paul Burgess.
 - a. Current procedures will be reviewed and public comment will be solicited to see if any improvements can be made in preparation for this Fall's storm season.
- B. Fire Department Annual Lobster Dinner:
 - 1. The Annual Lobster Dinner will be held on 8/3/2013, the same night as the Village Fair, making a nice transition from one event to the other.
- C. Fire House Flower Beds:
 - 1. Burgess Blair said that the Fire Department could use help maintaining the flower beds, noting that perhaps some neighbors might be interested in lending a hand.
 - a. Burgess Nicholas suggested that the Fire Department speak to the Garden Club.
- D. Fire Department Reorganization:
 - 1. Burgess Scala asked about the progress of the Department's reorganization.
 - a. Burgess Blair said meetings are taking place on a weekly basis to develop By-Laws, noting that the meetings have been positive discussions.
 - b. The By-Laws will be reviewed by legal counsel before being presented to the Board for approval.
- E. Fire Marshal's Report:
 - 1. Burgess Blair will forward the report once received.

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

- A. Parks:
 - 1. Permission to Post Signs in Wadawanuck Square:
 - a. The United church received permission for the 7/13/2013 Yard Sale.
 - b. Calvary Church received permission to display a sign for the 9/1/2013 Fish Bake.
 - c. Two unsanctioned signs were put up and subsequently removed by Burgess Lynch.
 - 2. Pending Signs:
 - a. The United Church Craft Show on 10/26/2013.
 - b. The Stonington Players, for the August 13, 14 15th free production of "Blue Yonder."

3. Permission to use Wadawanuck Square:
 - a. The Stonington Players has asked for the use of the Square for the performance.
 - b. Burgess Park noted that the Stonington Players will have to fill out an Application for Use of Borough Property Including Streets.

B. Trees:

1. The ornamental trees, the five Crabapple trees, and the small Horse Chestnut in Wadawanuck Square were “pruned, shaped, and crowned” by Larlham Landscape Construction Company.
2. All Lindens in the Square and the two Lindens across Main Street at the southwestern corner were treated for aphids.
3. The two Holly trees were treated for an insect infestation and a fungicide was included in the mix to treat the ornamental trees for leaf fungus and disease.
4. The two-man crew under Craig Martin’s supervision greatly improved the look of the small trees in the park.
 - a. The work took a day.
 - b. The second part of this job is the pruning of the tall trees in Wadawanuck Square, which will be generously funded by the Garden Club.
 - c. The arrangement is that the Borough and the Garden Club each put in \$1,000 for the pruning of the trees in the Square.
5. Nick Reardon removed the lowest limb of the most northwestern tree at Wadawanuck Square, which had lowered itself almost to the sidewalk.
6. Mr. Reardon further ground down the stump of the tree which was cut down after it had fallen on the Library roof during Hurricane Sandy.
 - a. The area was then leveled and seeded by The Friends of Wadawanuck Square.
7. Mr. Reardon also ground down the stump at 35 Main Street in front of the Witliff’s, who will be replacing the fallen Bradford Pear with a Tree Lilac, at their expense, with an agreement that they will maintain and trim it to allow for pedestrian and vehicular traffic.
8. Mr. Reardon cut away the portion of the Zelkova Serrrata that was growing against the house at 46 Main.
9. The Pine on Gold Street will be posted to be removed.
 - a. All surrounding neighbors are in agreement that they want it removed and the expenses will be borne by them.
 - b. Whether it is actually on Borough land or private property has not been determined.
 - c. The tree was planted by Mrs. Rand Jones.

C. Rights of Way:

1. Burgess Blair said that he would like to discuss the breakwater at Stonington Commons with Burgess Lynch.

PUBLIC BUILDINGS (BURGESS ADAIR):

A. Borough Hall:

1. Burgess Adair is soliciting estimates for painting the white fascia at the roof of Borough Hall.
 - a. There are three potential contractors; Burgess Adair will have the estimates and a recommendation in August.
 - b. The problem with this job is the combination of height-off-the-ground to narrow access making for a narrow triangle at the base for access.
 - c. Burgess Adair noted that there is always a solution, but this one is a trifle tricky.
2. Generator Project:
 - a. Burgess Adair said that if we are to have Borough Hall serve as a possible haven of refuge for residents during storms that it must provide both access and power when the lights go out.
 - b. The goal is to balance the cost of generator capacity for full power for all needs, including the elevator, against the facts of realistic needs for the community.
 - c. To make a proper evaluation a fair amount of homework on alternatives will be required; a process which will take time and is in progress.
 - d. Warden Callahan said that he asked an electrician to put together a load analysis and make recommendations for the system based on this analysis.
 - e. Burgess Blair said that the Fire House can be used as a refuge in storms, noting that the Fire Department is eager to serve this function, and that two shelters in the Borough may not be necessary.
 - f. Burgess Park said that Borough Hall is very convenient for residents, is at a higher elevation than the Fire House, and that a generator is necessary to open the overhead doors of the truck bays in the event of a power failure.
 - g. Burgess Nicholas noted that the Borough Office has to function in the event of an extended power outage.
 - h. Warden Callahan agreed that Borough Hall has to be functional in the event of an extended power outage.

B. Evaluation of Public Restrooms:

1. Burgess Adair said that since a decision was made not to pursue redirecting the CTDEEP Boating Infrastructure Grant (BIG) toward installing restrooms and showers at the Town Dock, he will no longer be tracking this project.
 - a. Warden Callahan agreed, noting that the Town is taking the lead on the project; Warden Callahan will continue to track the project as the Borough's representative.

SIDEWALKS (BURGESS SCALA):

A. Foliage Obstructing Sidewalk Passage:

1. Burgess Scala said that he is continuing to speak to residents about trimming foliage encroaching onto sidewalks.
 - a. Burgess Scala asked Burgess Blair to talk to the Historical Society about the foliage at the sidewalk by Dime Bank.

B. Granite Curbs:

1. Borough resident Jesse Diggs said that as a result of road construction, some granite curbs have been chipped, leaving sharp edges.
 - a. Mr. Diggs suggested that the edges be ground smooth.

- b. Burgess Blair said that 25 years ago the edges of the granite curbs at Wadawanuck Square were ground smooth, noting that it was a very time consuming, noisy, messy process.

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

A. Police Incident Report:

- 1. During the month June 2013 there were 52 incidences in the police report for the Borough including:
 - a. Medical assists: 6
 - b. 911/ fire/alarm/ false alarm calls: 15
 - c. Animal control calls: 3
 - d. Motor vehicle accident/ injury/ minor traffic mishaps/ auto and parking complaints: 8
 - e. Larceny and suspicious activity: 2
 - f. Vandalism: 1
 - g. Criminal mischief: 1
 - h. Civil complaint: 1
 - i. Phone harassment: 1
 - j. Marine incidents: 1
- 2. A Borough resident has complained to Warden Callahan about parking and a lack of adherence to traffic regulations in the Borough.

B. Additional Police Officer Patrol:

- 1. Warden Callahan and Burgess Nicholas have discussed with Captain Desmond the possibility of having more patrols of the Borough to help enforce traffic regulations.
 - a. Currently there is one officer assigned to the Borough and the Police Department does not have the resources to assign additional officers.
 - b. The need could be addressed with overtime assignments, which would cost the Borough \$250 for a 4 hour period.
 - c. Burgess Lynch noted a concern about noise levels of motorcycles going to Dog Watch Café.
 - i. Burgess Adair said that noise levels of motorcycles are a concern throughout the Borough.
 - ii. Burgess Nicholas said she would talk to Captain Desmond about motorcycle noise.
 - d. Burgess Nicholas said that parking by permit only at Waylands Wharf will not be enforced by the Police Department; the Borough is responsible for enforcing parking in this parking area.
- 2. On a motion by Warden Callahan, seconded by Burgess Park, allocation of \$2,000 from the Contingency Fund to pay for police overtime patrol of the Borough, for 4 hours a day for 4 days a week for 2 weeks, exact hours determined at the discretion of Burgess Nicholas, with feedback from the Police Chief to be provided at the end of the term, was unanimously approved.

B. Website/ Communications:

- 1. No activity to report.

C. Events:

- 1. No activity to report.

OLD BUSINESS:

- A. Revisions to Street and Sidewalk Ordinance (SBO-01):
 - 1. 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 was unanimously approved.

Text Change:

4. Upon determination that a violation has occurred of Sections 1, 2 or 3 of the 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 the violator 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.

If the obstruction or damage to sidewalks is caused by the encroachment or uncontrolled growth of trees owned or maintained by the Borough, it 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.

- B. Boating Infrastructure Grant:
 - 1. Discussion recorded under Warden’s Report in these Minutes.

NEW BUSINESS:

- A. Revisions to Harbor Management Ordinance (SBO-21):
 - 1. Harbor Management Commission member Jessie Diggs and Commission Chairman Jay Spalding presented a fact sheet in support of increasing the annual Private Mooring fee from \$20 to \$50, asking for support from the Board for this change to the Ordinance.
 - a. Burgess Park asked why the Commercial Mooring fees are not being increased.
 - i. Mr. Spalding explained that Commercial Mooring fees have already been increased.
 - b. Warden Callahan asked what Special Purpose Moorings are.
 - i. Mr. Spalding explained that these permits are held by organizations such as NESS.
 - 2. Burgess Blair said that because the Stonington Harbor Management Commission (SHMC) was formed as a joint entity with a 50/50 split between the Town and the Borough, he believes separate and identical ordinances will require votes in both the Town and the Borough.
 - a. Warden Callahan said that he thought a Town-wide vote would be required as opposed to separate votes.
 - b. Burgess Blair requested that legal counsel be consulted to clarify the process.
 - c. Jesse Diggs said that Burgess Blair may be confusing the 50/50 split between the Town and the Borough as the required make-up of the commission members, noting that it did not seem right that an equal vote would be required when the number of residents in the Town far outnumbers the number of residents in the Borough.
 - i. Burgess Blair pointed out that 50 percent of the harbor is in the Borough.
 - d. Burgess Blair said that when the SHMC wishes to make a change in the Town Ordinance, an identical change must be made to the Borough Ordinance, noting that it does not appear that this policy has been adhered to.

- e. Warden Callahan said he doesn't believe that the Borough Ordinance is identical to the Town Ordinance, noting that the Borough Ordinance just establishes Borough representation on the Commission.
 - f. Warden Callahan asked Mr. Diggs to forward the Town Ordinance to him so that he can compare it with the Borough Ordinance.
 - g. Burgess Blair reiterated his request that legal counsel be consulted to clarify the process.
3. Burgess Blair asked why the SHMC lists repair of the Monsanto breakwater on their fact sheet as a Harbor improvement, noting that when the Federal Government abandoned the breakwater he believes that the Borough went through a process confirming Borough ownership.
 - a. Mr. Spalding suggested the Town Attorney should be contacted to investigate ownership.
 - b. Burgess Blair said he would take the lead on this; Burgess Park said he would assist.
 4. On a motion by Burgess Scala, seconded by Warden Callahan, Board support for increasing the fee for a private mooring from \$20 to \$50 was unanimously approved.
- B. Special Meeting regarding Hurricane Preparations:
1. Discussion recorded under Burgess Blair's Fire and Emergency Management report in these minutes.
- C. Applications for Use of Borough Property, Including Streets:
1. On a motion by Burgess Blair, seconded by Burgess Nicholas, the following Applications for Use of Stonington Borough Property, Including Streets was unanimously approved.

Portuguese Holy Ghost Society Annual Festival of the Holy Ghost:
 Date/time: 8/31/2013, 6 PM to 7 PM; 9/1/2013, 9:30 AM to 12:30 PM.
 Location: Society Grounds to St. Mary Church.

Special Olympics of Connecticut:
 Date/time: 9/7/2013, 10 AM to 10:30 AM.
 Location: Water Street.
- D. Reappointment of Bruce MacKinnon to Full Term on Harbor Management Commission:
1. On a motion by Warden Callahan, seconded by Burgess Scala, reappointment of Bruce MacKinnon to Full Term on Harbor Management Commission was unanimously approved.

OTHER BUSINESS:

- A. Borough Assessor Vacancy:
1. On a motion by Burgess Blair, seconded by Warden Callahan, in accordance with Chapter 4, Section 6, Paragraph C of the Borough Charter, appointment of Michael E. Schefers to the fill the vacant position of Borough Assessor, with a salary of \$600 per annum, was unanimously approved with Burgess Lynch abstaining from the vote.

ADJOURNMENT:

- A. On a motion by Burgess Scala, seconded by Burgess Adair, adjournment of the meeting at 9:25 PM was unanimously approved.

Respectfully submitted,
Brian Krafjack

Clerk- Treasurer