

May 7, 2014

The meeting of the Sterling Board of Selectmen was called to order at 6:02 p.m.

Selectmen present-Russell Gray, Lincoln Cooper, and John Firlik.

Staff present-Joyce Gustavson, Jamie Rabbitt, and Kara Fishman (6:12 p.m.)

Also present-Andrea Truppa, David Held, Charlie Corson, Frank Bood.

Pledge of Allegiance: Everyone stood for the Pledge of Allegiance.

Audience of Citizens: No Comment.

Approval of Minutes: J. Firlik made a motion, seconded by L. Cooper, to approve the 4/16/2014 regular meeting minutes as presented. All voted in favor of the motion.

New Business:

a. **Commission Vacancies (Alternates P&Z and Family Day Committee):** Walter Moriarty attended the Planning and Zoning Commission meeting on 4/22/2014 and expressed interest in being appointed a member. No candidates for Family Day Committee.

b. **Consider and Act on Bonding Requirements – C. Corson Excavation for 0 Sterling Road:** David Held of Provost and Rovero submitted modified plans. The last revision shows the sequence of operations with the Phase II area now being Phase I. This area is self-contained and storm water cannot reach nearby wetlands.

R. Gray reported that this excavation permit was previously approved on 2/20/2013, but not all the modifications have been met including the filing of the mylars with the Town Clerk.

C. Corson is asking for a reduction in the cash bond (presently \$11,025) which would be used for emergency E&S measures not addressed by the applicant in a reasonable period of time (i.e. 24 to 48 hours).

J. Rabbitt stated that regarding the original permit, what had occurred on site needs to be in compliance with a revised set of plans. C. Corson is modifying the original permit with a different sequence of events. Phase II will now be the temporary basin, thus replacing Phase I. It is a self-contained footprint, no changes horizontally, but the sequence of excavating is deeper vertically. By changing the phasing sequence, this would allow C. Corson the ability to reduce the bond. However, the amount of material removed from the New Phase II should not exceed the amount of excavation associated with the creation of the final detention basin now shown in Phase II.

L. Cooper made a motion, seconded by J. Firlik, to approve the modified excavation application for Charles Corson, Jr., for property located on adjacent land and abutting 160 Sterling Road referenced by Assessor's Map 03844, Block 16A, Lot 8 and plans entitled "Proposed Excavation Operation", Sterling Road (Route 14), Sterling, Property Owner: Charles W. Corson, Jr., Applicant: Charles W. Corson, Jr., Prepared by Provost & Rovero, Inc. dated 10/30/2012 consisting of 8 sheets and Revision Dates of 1/16/2013, 1/24/2013, 1/29/2013, 2/21/2013 and 5/1/2014, showing changes in the excavation sequence of operations with the following three (3) modifications:

1. Modifications 1, 3, 4, 5, 6, and 7 from the original excavation application, approved by the Board of Selectmen on 2/20/2013 are still effective. (copy on file)
2. Modification number 2 has been changed to the following: The applicant shall provide a cash bond of \$9,000 to the Town to be kept in a separate savings account set up and operated by the Town Treasurer to be utilized by the Town for emergency Erosion and Sedimentation Control measures not addressed by the applicant in a reasonable period of time (i.e. 24 to 48 hours). This bond may be reduced by the Board based on the satisfactory completion and restoration of Phase I by the applicant.

3. A note shall be added to the plans stating that the amount of additional material to be removed from Phase II shall not exceed the amount of material necessary to construct the original detention basin in Phase I. The final language shall be reviewed and approved by Town staff.

All voted in favor of the motion.

c. Schedule Special Town Meeting for Budget Vote: J. Firlik made a motion, seconded by L. Cooper, to hold a special town meeting on Wednesday May 28, 2014 at 7:00 p.m. in the Sterling Town Hall/Municipal Building Gym for the following purposes:

1. To adopt the budget of the Board of Selectmen in the amount of \$2,812,224, as approved by the Board of Finance and to appropriate said sums of monies for Fiscal Year Ending June 30, 2015.
2. To adopt the budget of the Board of Education in the amount of \$7,867,047, as approved by the Board of Finance and to appropriate said sums of monies for Fiscal Year Ending June 30, 2015.
3. To adopt the Local Capital Improvement Plan and Budget, as approved by the Board of Finance and to appropriate said sums of monies for Fiscal Year Ending June 30, 2014.

And In accordance with Section 7-7 of the CT General Statutes, to remove these items to a referendum vote to be held Thursday June 5, 2014 from 12:00 p.m. to 8:00 p.m. at the Sterling Town Hall/Municipal Building Gym, 1183 Plainfield Pike, Oneco, CT. All voted in favor of the motion.

d. Excavation Ordinance: J. Rabbitt reported that the attorney is reviewing the proposed language change. J. Firlik made a motion, seconded by L. Cooper to table to the next meeting. All voted in favor of the motion.

e. Water Meter Reader: R. Gray spoke with Sam Mossner about reading the water meters. D. Clark will train S. Mossner on reading the water meters and submitting a report to the Revenue Collectors at the end of each quarter. J. Firlik made a motion, seconded by L. Cooper to pay S. Mossner \$175 each quarter to read the water meters and submit a report to the Revenue Collectors. All voted in favor of the motion.

f. Schedule Special Town Meeting – Falls Creek Conservation Easement: Falls Creek Farm, LLC is required under a consent decree in U.S. v. Snowden, et al, and Environmental Protection Agency (EPA) to do a dedicated conservation easement on the property. There are two items that EPA would like revised in the easement language; 1) the easement language clearly referred to the consent order, in essence, that this easement is being placed on the property due to a consent decree relating to the following case; and 2) EPA wants the metes and bounds of the easement referenced and shown. To date, the Town has not been notified that the changes have been made. L. Cooper made a motion, seconded by J. Firlik, to table to the next meeting. All voted in favor of the motion.

g. Proposed Increase to ZBA Application Fee: J. Rabbitt reported that because the Zoning Board of Appeals fees are covered under the Planning and Zoning Regulations, ZBA wrote a letter to the Commission asking for an application fee increase. He explained that this will need a text amendment change. When ZBA receives an application, three legal notices need to be published at a cost of \$150 - \$250 each, depending on the size. P&Z has reviewed the request and is referring it to the Board of Selectmen as to whether or not the Town should subsidize part of the costs. It was decided that Steve Offiler, Chairman of the Zoning Board of Appeals should come to a meeting to discuss the proposed increase application fee further. L. Cooper made a motion, seconded by J. Firlik to table action and have S. Offiler come to a Selectmen's meeting. All voted in favor of the motion.

h. Board of Assessment Appeals – Paul and Alisa Campbell: Legally, the Board of Assessment Appeals cannot submit a letter to the Board of Selectmen asking for Abatement on delinquent back taxes for personal property owned from Grand Lists 2007, 2008, and 2009.

Property owner, Paul Campbell, was and is poor and unable to pay. K. Fishman, Assessor, has contacted the Office of Policy and Management (OPM), to get a ruling on the Abatement of Taxes and Interest, Under State Statute, CGS 12-124 and is waiting on a decision. J. Firlik will write a letter, on behalf of the Board of Selectmen to send to OPM, asking for the abatement of such said back taxes on the personal property owned by P. Campbell.

i. Personal Property Audit Update: K. Fishman, shared partial results from the personal property audit that was conducted on four (4) accounts. The first personal property audit completed was on Falls Creek Farm, LLC. A letter, dated 5/6/2014 was sent to Falls Creek Farm, LLC, with revised net assessments in the amount of \$231,208 to Grand List 2011; \$206,350 to Grand List 2012; and \$187,038 to Grand List 2013. Falls Creek Farms, LLC can appeal the assessment in writing to the Board of Assessment Appeals from 2/1/2015 through 2/20/2015.

j. Handicap Motor Vehicle Exemptions: The Selectmen reviewed the proposed ordinance for Tax Exemption for Certain Motor Vehicles Specially Adapted for Persons with Disabilities. A Special Town Meeting will be scheduled prior to 7/1/2014 so the ordinance can be adopted to go into effect for the 2014 Grand List. L. Cooper made a motion, seconded by J. Firlik to set a Special Town Meeting date before 7/1/2014 for the Tax Exemption for Certain Motor Vehicles Specially Adapted for Persons with Disabilities. All voted in favor of the motion.

New Business:

a. Request for Refund of Excess Tax Payments: J. Firlik made a motion, seconded by L. Cooper, to approve the following refund requests: 1) Kevin & Danielle Weismore, 61 Laiho Road, Sterling, CT 06377 for \$64.02 and \$94.50; 2) Lindsay Cramer, 590 Sterling Road, Sterling, CT 06377-2125 for \$32.29. All voted in favor of the motion.

b. Personal Property Audit Update: This is under "New Business" in error. This item was moved to "Unfinished Business".

c. Consider and Act on Appointment to Planning and Zoning Commission – Walter Moriarty, 440 Sawmill Hill Road, 3 year term, alternate vacancy: L. Cooper made a motion, seconded by J. Firlik, to appoint Walter Moriarty, 440 Sawmill Hill road, Sterling, CT 06377 as an alternate member of the Planning and Zoning Commission for a three (3) year term that expires 12/1/2014. All voted in favor of the motion.

Any Other Business:

1) Energy Commission – R. Gray and L. Cooper attended a COST (Connecticut Council of Small Towns) Conference last week sponsored by Murtha Cullina, LLP to discuss renewable energy and energy efficiency in Connecticut. R. Gray has asked Frank Bood to chair a commission to assist the Town in lowering heating costs and obtain funding opportunities from state, regional, and federal funding sources. The Sterling Community School is on board with this project. F. Bood will talk with other interested parties to work with him in helping the Town go greener and save on energy costs.

2) Heather George, 499 Westminster Road, Canterbury, CT 06331 was hired 12/30/2013 as the Town Clerk; replacing Catherine Nurmi who retired in January, 2014. J. Firlik made a motion, seconded by L. Cooper to hire Heather George, effective 12/30/2013 as the Town Clerk at the following rate of pay: 70% of the current Town Clerk's salary, increasing to 80% after six (6) months, 7/1/2014; 90% after eighteen (18) months 7/1/2015; and 100% upon certification and according to the Employee Handbook, single comprehensive group health insurance coverage at a cost shared between you and the Town. All voted in favor of the motion.

3) Connecticut State Library Historic Documents Preservation Grant - L. Cooper made a motion, seconded by J. Firlik, to adopt the following resolution:

RESOLVED, That Russell M. Gray, First Selectman, is empowered to execute and deliver for the Town of Sterling, a contract with the Connecticut State Library for a Historic Documents Preservation Grant.

All voted in favor of the motion.

4) FY 2013 State Homeland Security Grant Program – J. Firlik made a motion, seconded by L. Cooper, to adopt the following resolution:

RESOLVED, that the Town of Sterling may enter into with and deliver to the State of Connecticut, Department of Emergency Services and Public Protection (formerly the Department of Emergency Management and Homeland Security) any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Russell M. Gray, First Selectman of the Town of Sterling, is authorized and directed to execute and deliver any and all documents on behalf of the Town of Sterling and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

All voted in favor of the motion.

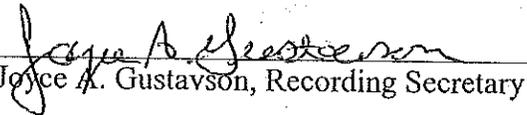
5) The PowerPoint Presentation for the Selectmen's Proposed Budget for FY 2014-2015 was reviewed and discussed. J. Firlik made a motion, seconded by L. Cooper to not make any changes to the presentation. All voted in favor of the motion.

6) Employee health insurance coverage for employees and dependents over the age of 65 – Discussion was held on the changes to insurance concerning employees and their dependents who are over 65 years of age and are required to sign up for Medicare Part B in order for the Town to reimburse the less expensive coverage. A question remains as to what percent the employees would need to contribute toward the co-pay. L. Cooper made a motion, seconded by J. Firlik to table action until the numbers are available. All voted in favor of the motion.

7) Employee vacation time – Vacation time for hourly and salaried, full-time employees, was discussed. J. Firlik made a motion, seconded by L. Cooper that all employees will abide by the vacation policy as stated in the Employee Handbook and affirm that regular full-time employees can be salaried or hourly, effective 5/7/2014. All voted in favor of the motion.

Adjournment: L. Cooper made a motion, seconded by J. Firlik to adjourn at 7:41 p.m. All voted in favor of the motion.

Attest:


Joyce A. Gustavson, Recording Secretary