

May 10, 2023

The meeting of the Sterling Board of Selectmen was called to order at 6:00 p.m.

Selectmen present: Lincoln Cooper, David Shippee and Jack Joslyn

Staff present: Susanne Tetreault

Also present: Residents in attendance

Pledge of Allegiance: Everyone stood to recite the Pledge of Allegiance.

Audience of Citizens: Victoria Robinson-Lewis commented on the transferring of Sand & Gravel Excavation to Planning & Zoning Commission. Gravel falls under special exception permits. If the Sand & Gravel comes back to Planning & Zoning she felt it would be a good idea to place a short moratorium on gravel excavating while the committee comes up with special exceptions permit regulations. Firmly supports Roaming Livestock Ordinance. Theresea Cavalier expressed her appreciation on areas that need addressing and looks forward to the next Planning & Zoning Commission meeting.

Approval of Minutes: D. Shippee made a motion, seconded by J. Joslyn to approve the 5/03/2023 meeting minutes. All voted in favor of the motion.

Correspondence: None

Unfinished Business:

a. Commission Vacancies (Energy Committee, Family Day, Inland Wetland & Watercourses Commission, Recreation Authority Board, and Zoning Board of Appeals): D. Shippee made a motion, seconded by J. Joslyn to table this item to the next meeting as there are no candidates. All voted in favor of the motion. .

b. Discussion Regarding Resident Trooper Program: D. Shippee is going to contact Troop D and try to set up an informational meeting before the Referendum on May 24th.

c. Consider and Act on Transferring Responsibility of Sand & Gravel/Excavation to the Planning & Zoning Commission: D. Shippee made a motion, seconded by J. Joslyn to transfer responsibility of Sand & Gravel Excavation to the Planning & Zoning Commission. All voted in favor of the motion.

d. Consider & Act on Generator and Associated Improvement Bids at the Sterling Municipal Building: J. Joslyn made a motion with conditions, seconded by D. Shippee to award R&C Electric LLC of 20 James St. Bristol, Ct 06010 for the Generator and Associated Improvement Bid at the Sterling Municipal Building as follows: \$218,715.00 for labor & materials, 4-day fuel tank \$4,200.00, 3% performance bond \$6,687.45 and 10% contingency \$22,960.25. The total amount is \$252,562.70. with the added condition to supply an emergency generator while installation is being done to install the new generator. All voted in favor of the motion.

e. Discussion Regarding Roaming Livestock Ordinance: D. Shippee made a motion seconded by J. Joslyn to adopt an **ORDINANCE REGARDING ROAMING ANIMALS**

1. Every owner of livestock, including but not limited to cattle, swine, horses, goats, donkeys, sheep, fowls, shall establish and maintain adequate fencing or enclosures to prevent such animals from roaming onto Town and State roads or onto real property owned by other persons.
2. Failure to maintain adequate fencing or enclosures, as required by section 1 above, shall be deemed a nuisance.
3. Any event in which livestock have been allowed to roam onto Town and State roads or onto real property owned by other persons as a result of the failure of the owner of such animals to establish or maintain adequate fencing or enclosures shall be deemed a violation of this ordinance and shall be subject to a penalty of \$250 or such higher amount as may then be allowed by state law.

4. Whenever livestock have been allowed to roam onto Town and State roads or onto real property owned by other persons as a result of the failure of the owner of such animals to establish or maintain adequate fencing or enclosures, the owners of the animals must retrieve all such animals and return them to their own property within 24 hours after receiving notice of such roaming. Any failure to retrieve such animals within such 24-hour period shall be deemed a separate violation and shall be subject to an additional penalty of \$250 or such higher amount as may then be allowed by state law. Each additional 24-hour period thereafter during which the animals have not been retrieved and returned to their owners' property shall also be deemed a separate violation and shall be subject to an additional penalty of \$250 or such higher amount as may then be allowed by state law.

Notwithstanding the foregoing provisions, the Town may reduce the amount of penalties charged for violations of this ordinance if it finds that the owners of the roaming animals have made reasonable efforts to fence or enclose their property and have offered to provide reimbursement for any damages caused by such animals. All voted in favor of the motion. Link explained the next step would be to go to a Public Hearing then a Town Meeting for a vote.

New Business:

a. Approval of Bills: J. Joslyn made a motion seconded by D. Shippee to approve the bills in the amount of \$ 26,431.41. All voted in favor of the motion.

b. Consider & Act on Resolution Supporting The Planning Phase of the Wood-Pawcatuck Rivers Watershed Flood Protection Project: J. Joslyn made a motion, seconded by D. Shippee to adopt the following Resolution:

RESOLUTION AUTHORIZING THE **First Selectman**
TO PROCEED ON BEHALF OF THE TOWN OF **Sterling** AS A SPONSOR
IN THE PLANNING PHASE OF THE WOOD-PAWCATUCK RIVERS
WATERSHED FLOOD PROTECTION PROJECT WITH THE
SOUTHERN RHODE ISLAND CONSERVATION DISTRICT UNDER
THE WATERSHED AND FLOOD PREVENTION OPERATIONS
PROGRAM OF THE
UNITED STATES DEPARTMENT OF AGRICULTURE-
NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

WHEREAS, the Southern Rhode Island Conservation District (SRICD) has made application and been accepted by the Natural Resources Conservation Service (NRCS) into their Watershed and Flood Prevention Operations Program as the Lead Local Sponsoring Organization (LSO or Sponsor) and has invited the **Town of Sterling** to partner with them, and

WHEREAS, the **Town of Sterling** wishes to partner with the Southern RI Conservation District (SRICD), to participate in the Planning Phase of the Wood-Pawcatuck Rivers Watershed Flood Protection Project, which is being conducted under the Watershed and Flood Prevention Operations Program within the US Department of Agriculture-Natural Resources Conservation Service (NRCS), and

WHEREAS, in 2017 the Wood-Pawcatuck Watershed Association (WPWA) led the development of the Pawcatuck River Flood Resiliency & Management Plan (PRFRMP) to reduce riverine flooding for each of the communities in the watershed, and

WHEREAS, the Town has identified flood prevention projects for the Wood-Pawcatuck Watershed as a priority for its work focus and the projects listed in the PRFRMP may be further analyzed and implemented under the NRCS Watershed and Flood Prevention Operations Program, and

WHEREAS, a Watershed Plan-Environmental Document must be created in accordance with NRCS program policy and guidelines to meet the federal agency's criteria for consideration of the Plan to be authorized for implementation by the Chief of NRCS, and

WHEREAS, the goal of this plan is not just to study alternatives, but to select actual solutions in terms of flood protection measures that may be taken into the design phase and installation/construction phase, and

WHEREAS, USDA-NRCS funds the technical assistance associated with all three phases of the program (Planning, Design, and Implementation/Construction) at up to 100% of allowable costs, and

WHEREAS, participation in the Planning Phase of this project makes the Town eligible to participate in the Design Phase and the Construction Phase with up to 100% federal cost share of allowable costs of the project, and

WHEREAS, participating in the planning phase does not obligate a municipality to further participation in the project if they feel the alternative selected does not meet the goals of their municipality, therefore

BE IT RESOLVED: That the Board of Selectmen hereby authorizes the **First Selectman** to proceed in partnering with SRICD as sponsors to the USDA--NRCS Watershed and Flood Prevention Operations Program, Wood-Pawcatuck Rivers Watershed Flood Protection Project, and to immediately complete and endorse the required federal forms for program enrollment.

c. Appoint Donald Buell to Municipal Veterans' Contact Person: D. Shippee made a motion seconded by J. Joslyn to appoint Donald Buell as the Municipal Veterans Contact Person. All voted in favor in the motion.

Any Other Business to Come Before the Board of Selectmen: Treasurer monthly report was handed out and reviewed.

Adjournment: D. Shippee made a motion, seconded by J. Joslyn to adjourn at 6:30 p.m. All voted in favor of the motion.

Attest: _____
Susanne Tetreault, Recording Secretary