

**Board of Selectmen
Regular Meeting
June 11, 2008
7:00 PM
Court Room
Revised**

1. Call to order

Meeting called to order by Catherine A. Osten, First Selectman at 7:00 PM. Present were Selectmen Edward Meadows and Kevin Generous. Also present: Gerry Meadows, Linda Puetz, Joe Osowski, Mike Smith, Steve Zevetchin, Stan Walczyk, Mike Collins and Todd Hastings.

2. Review and act on minutes of April 15, 2008 Special Joint Meeting, May 14, 2008 postponed to May 20, 2008 and May 19, 2008 Special Meeting.

* Motion made by C. Osten, seconded by K. Generous to accept the minutes of 4/15/08 unanimously voted.

* Motion made by K. Generous, seconded by E. Meadows to accept minutes of May 20, 2008 with changes to item #17. Unanimously voted.

* Motion made by K. Generous, seconded by E. Meadows to accept minutes of 5/19/08. Unanimously voted.

3. Act on request for tax refund of overpayment of taxes

* Motion made by C. Osten, seconded by E. Meadows to accept the tax refund of overpayment of taxes for CountryWide Tax Services Corp. for Crystal L. Thibeault in the amount of \$1,513.02 and CountryWide Tax Services Corp. for Michael Gada/Rafael Martinez in the amount of \$4,222.40. Unanimously voted.

4. Discuss members of the Charter Commission

* Motion made by C. Osten, seconded by E. Meadows, to appoint Susan Zimmerman to the Charter Commission.

Discussion: C. Osten recommends Susan Zimmerman, who is very well qualified, to fill the vacancy due to a current member moving out of town. K. Generous recommends Pat Olson who had submitted her name as an interested candidate when the Commission initially formed. The Town can legally appoint a new member but the time frame will start all over. E. Meadows states Pat Olson would be a good candidate but thinks Susan Zimmerman is more qualified because of her experience working in Hartford. K. Generous opposed.

5. Act on accepting resolution: Initiative for Sprague Youth Grant value of \$6,958

* Motion made by K. Generous, seconded by E. Meadows to approve the resolution for the Initiative for Sprague Youth Grant. Unanimously voted.

RESOLUTION

Resolution authorizing the First Selectman, Catherine A. Osten, to negotiate and execute all necessary Agreement/Contract documents on behalf of the Town of Sprague with the Office of Policy and Management of the State of Connecticut for the Initiative for Sprague Youth Grant Award.

6. Discuss and possibly act on resolutions for the following:

A. Sayles School Roof Project – Motion made by E. Meadows, seconded by K. Generous to approve the resolution for the Sayles School Project. Unanimously voted.

Item A:

RESOLVED, that the Board of Selectmen recommends that the Town of Sprague appropriate \$345,109 for costs related to the replacement of all or portions of the roof on Sayles School, and other related work, and various costs related to the financing of the project; and that the Town authorize the issue bonds or notes and temporary notes in an amount not to exceed \$345,109 to finance the appropriation. The Town has applied for a grant from the State of Connecticut Department of Education for approximately 70% of eligible project costs to defray in part the appropriation for the project, and the amount of bonds or notes authorized to be issued to finance the appropriation shall be reduced by the amount of grants received by the Town for the project to the extent that such grants are not separately appropriated to pay additional project costs.

FURTHER RESOLVED, that the Board of Selectmen recommends that Town deauthorize any unexpended balance of the \$187,250 and \$56,175 appropriations for the project included in the Town budgets for the fiscal years ending June 30, 2007 and June 30, 2008, respectively.

FURTHER RESOLVED, that a Special Town Meeting be held in June 2008 with respect to the foregoing recommendations, and that notice of said meeting be given, substantially in the form presented to this meeting.

B. Road /Parking Lot Project – Motion made by K. Generous, Seconded by C. Osten to approve the resolution for the Road/Parking Lot project. Unanimously voted.

Item B:

RESOLVED, that the Board of Selectmen recommends that the Town of Sprague appropriate \$400,000 for costs related to the 2008 Road/Parking Lot Upgrades Program, including improvements to all or portions of Pinecrest Lane, Baltic-Hanover Road, Wendy Drive, Main Street Hanover and such other roads as are determined by the Board of Selectmen, and to all or portions of the Town Hall, Library and School Bus Parking Lots, which improvements may include but are not limited to repaving, overlays, crossovers, widening, realignment, culverts, drainage and catch basin improvements, light pole relocation, retaining wall improvements, land or easement acquisition, and other related work, and various costs related to the financing of the project; and that the Town authorize the issue bonds or notes and temporary notes in an amount not to exceed \$400,000 to finance the appropriation.

FURTHER RESOLVED, that a Special Town Meeting be held in June 2008 with respect to the foregoing recommendations, and that notice of said meeting be given, substantially in the form presented to this meeting.

C. Sidewalk Replacement Project – Motion made by E. Meadows, seconded by K. Generous to approve the resolution for the Sidewalk Replacement Project. Unanimously voted.

Item C:

RESOLVED, that the Board of Selectmen recommends that the Town of Sprague appropriate \$550,000 for costs related to the 2008 Sidewalk Replacement and Installation Program, including replacement or installation of approximately 4,200 linear feet of sidewalks on all or portions of West Main Street, Park Drive, Main Street and River Street and such other roads as are determined by the Board of Selectmen, which improvements may include land or easement acquisition, and other related work, and various costs related to the financing of the project; and that the Town authorize the issue bonds or notes and temporary notes in an amount not to exceed \$550,000 to finance the appropriation. The Town has applied for a grant from the State of Connecticut Department of Economic and Community Development in the amount of \$500,000 to defray in part the appropriation for the project, and the amount of bonds or notes authorized to be issued to finance the appropriation shall be reduced by the amount of grants received by the Town for the project to the extent that such grants are not separately appropriated to pay additional project costs.

FURTHER RESOLVED, that a Special Town Meeting be held in June 2008 with respect to the foregoing recommendations, and that notice of said meeting be given, substantially in the form presented to this meeting.

D. Pumper Fire Truck – Motion made by E. Meadows, seconded by K. Generous to approve the resolution for the Pumper Fire Truck. Unanimously voted.

Item D:

RESOLVED, that the Board of Selectmen recommends that the Town of Sprague appropriate \$330,000 for costs related to the acquisition of a 3,000 gallon engine tanker fire truck and related equipment for use by the Baltic Fire Department, and various costs related to the financing of the project; and that the Town authorize the issue bonds or notes and temporary notes in an amount not to exceed \$330,000 to finance the appropriation. The Town has applied for a grant to defray in part or in whole the appropriation for the project, and the amount of bonds or notes authorized to be issued to finance the appropriation shall be reduced by the amount of grants received by the Town for the project to the extent that such grants are not separately appropriated to pay additional project costs.

FURTHER RESOLVED, that a Special Town Meeting be held in June 2008 with respect to the foregoing recommendations, and that notice of said meeting be given, substantially in the form presented to this meeting.

E. Town Garage – Motion made by E. Meadows, seconded by K. Generous to approve the resolution for the Town Garage. Unanimously voted.

Item E:

RESOLVED, that the Board of Selectmen recommends that Town deauthorize any unexpended balance of the \$500,000 appropriation included in the Town budget for the fiscal year ending June 30, 2005 and the \$21,000 appropriation approved by the Board of Finance at meeting held July 29, 2004 for costs related to the design, construction, furnishing and equipping of a garage for use by the Town Public Works Department.

FURTHER RESOLVED, that a Special Town Meeting be held in June 2008 with respect to the foregoing recommendations, and that notice of said meeting be given, substantially in the form presented to this meeting.

7. Authorize First Selectman to call a Special Town Meeting to approve the resolutions for (1) \$345,109 for the Sayles School Roof Project and deauthorize the unexpended balance of \$187,250 for the Sayles School Roof Project, (2) \$400,000 for 2008 Roadway expenditures, (3) \$550,000 for Sidewalk Replacement Project planned for 2008/2009 and (4) \$330,000 for the Pumper Fire Truck, (5) deauthorize the unexpended balance of \$521,000 for the Town Garage project.

* Motion made by K. Generous, seconded by E. Meadows to authorize the first Selectman to call a Special Town Meeting to approve the resolutions for (1) \$345,109 for the Sayles School Roof Project and deauthorize the unexpended balance of \$187,250 for the Sayles School Roof Project (2) \$400,000 for 2008 roadway expenditures (3) \$550,000 for Sidewalk Replacement Project planned for 2008/2009 (4) \$330,000 for the Pumper Fire Truck (5) deauthorize the unexpended balance of \$521,000 for the Town Garage Project.. Unanimously voted.

8. Act on accepting the Conservation Easement between the Town of Sprague and Andrew W. Hatch and Heather L. Hatch.

* Motion made by E. Meadows, seconded by K. Generous to discuss Conservation Easement between the Town of Sprague and Andrew W. Hatch and Heather L. Hatch. Discussion: K. Generous stated he can not act on a document in such short notice and requested that in the future all significant documents be sent to him in advance to review; tabling until such time to review documents.

* Motion made by C. Osten, seconded by E. Meadows not to table accepting the Conservation Easement between the Town of Sprague and Andrew W. Hatch and Heather L. Hatch K. Generous opposes.

* Motion made by C. Osten, seconded by E. Meadows to approve the Conservation Easement between the Town of Sprague and Andrew W. Hatch and Heather L. Hatch. K. Generous voted no.

9. Act on acceptance of Boundary Line agreement between Town of Sprague and Frederick J. and Barbara J. Pogmore.

* Motion made by C. Osten, seconded by E. Meadows to approve the Boundary line agreement between the Town of Sprague and Frederick J. and Barbara J. Pogmore. Discussion: K. Generous requesting more time to review; tabling until such time to review documents.

Motion made by C. Osten, seconded by E. Meadows not to table the acceptance of Boundary Line agreement between Town of Sprague and Frederick J. and Barbara J. Pogmore. . K. Generous opposes.

* Motion made by C. Osten, seconded by E. Meadows to approve the Boundary Line Agreement between Town of Sprague and Frederick J. and Barbara J. Pogmore. K. Generous voted no.

10. Act on acceptance of Hiking and Trail Easement Agreement between the Town of Sprague and Frederick J. Pogmore and Barbara J. Pogmore.

* Motion by E. Meadows, seconded by C. Osten to approve the Hiking and Trail Easement Agreement between the Town of Sprague and Frederick J. Pogmore and Barbara J. Pogmore. Discussion: K. Generous requesting more time to review; tabling until such time to review documents.

* Motion made by C. Osten and E. Meadows not to table the approval of Hiking and Trail Easement Agreement between the Town of Sprague and Frederick J. Pogmore and Barbara J. Pogmore. K. Generous opposes.

* Motion made by C. Osten, seconded by E. Meadows to approve the Hiking and Trail Easement Agreement between the Town of Sprague and Frederick J. Pogmore and Barbara J. Pogmore. K. Generous voted no.

11. Authorize the First Selectman to call a Special Town Meeting to accept the (1) Conservation Easement between the Town of Sprague and Andrew W. Hatch and Heather L. Hatch, (2) the Boundary Line Agreement between the Town of Sprague and Frederick J. Pogmore and Barbara J. Pogmore (3) and the Hiking and Trail easement agreement between the Town of Sprague and Frederick J. Pogmore and Barbara J. Pogmore.

*Motion made by E. Meadows, seconded by C. Osten to discuss: K. Generous requesting more time to review; tabling until such time to review documents.

*Motion made by C. Osten, seconded by E. Meadows not to table the decision to authorize the First Selectman to call a Special Town Meeting. K. Generous opposes.

* Motion made by E. Meadows, seconded by C. Osten to authorize the First Selectman to call a Special Town Meeting to accept the (1) Conservation Easement between the Town of Sprague and Andrew W. Hatch and Heather L. Hatch (2) Boundary Line Agreement between the Town of Sprague and Frederick J. Pogmore and Barbara J. Pogmore (3) Hiking and Trail easement agreement between the Town of Sprague and Frederick J. Pogmore and Barbara J. Pogmore. K. Generous vote no.

12. Act on acceptance of Open Space Land Acquisition Grant of up to \$500,000 for the Mukluk property

*Motion made by E. Meadows, seconded by C. Osten to discuss the acceptance of Open Space Land Acquisition Grant of up to \$500,000 for the Mukluk property. Discussion followed stating Sprague residents should know all the facts before making a decision on this property.

- Establish a process to provide information among residents.
- To define other municipal uses, option to explore other municipal purposes.

- Cost for cleanup \$4,000,000
- suggested a speaker at town meeting
- C. Osten believes that people coming to a referendum are well informed and have the opportunity to vote at their will.

*Motion made by K. Generous to table the acceptance of Open Space Land Acquisition Grant of up to \$500,000 for the Mukluk property. C. Osten and E. Meadows voted no.

* Motion made by C. Osten, seconded by E. Meadows to approve the Open Space Land Acquisition Grant of up to \$500,000 for the Mukluk property. K. Generous voted no.

Below in Bold information submitted by K. Generous Item #12 – no tape on file

- **First, this board cannot act to accept this grant without authority of the owners – the taxpaying residents of Sprague.**
- **We can however, establish a process and procedure by which town residents may come to an informed decision on accepting this grant.**
- **For months I have inquired of the First Selectmen about establishing a public and transparent process to provide information but I received no information or encouragement as to how this issue will be resolved. It was suggested that I consult the Chair of Conservation Commission. I did and suggested one or two joint public hearings of the EDC and Conservation to present and engage the public on this issue. There was no interest from the CC Chairman.**
- **Instead, I am informed *only upon receipt of this agenda* that an immediate decision being asked of this board at this meeting.**
- **This is not the proper way to make this important community decision. And doing so does a disservice to taxpaying residents of Sprague who are paying for this property, are as a community liable for its est. \$4 M-plus cleanup under state statutes, and may want to consider more than a single limited use of this property.**
- **We have had several years to establish a process to engage and inform residents – and to hear their views -- about this decision. Yet we have consistently failed to do so? Why is that? This is what the public voted for in Jan 2004: To acquire this property “for open space and other municipal purposes.”**
 - **In 2005 we had an *ad hoc* committee that was tasked in part to evaluate and report back on “other municipal uses” but the committee failed to do so.**
 - **In fact, one of its own subcommittees generated a survey of people who hiked the property and OT readers on this question – some 75 percent felt the town should seriously investigate and consider uses in addition to open space.**
 - **So the EDC established a volunteer citizen task force that evaluated alternative uses, held public hearings to get feedback and issues a report to the previous BOS, which accepted, but never even discussed its findings.**
- **Those who want only a single choice presented to residents have resisted this. These are also the people who want to “load the dice” by controlling the voting process over choices presented to voters, so that there is no town meeting for interested residents to hear pro/con arguments and make an informed decision.**
- **Instead, I believe these few want to limit public dialogue, public input and public involvement to a single act of casting a ballot –whether or not they know what alternatives exist or how some of these alternatives may benefit the community.**
- **Keeping the public deliberately uninformed about their choices is bad government.**
- **These few want the issue to come down to only a single day’s “get out the vote effort,” rather than making a case to the community for why their preferred alternative is better than another. A get out the vote effort is a political strategy, not an informed community decision process.**
- **Again, is this how we want to make important decisions in this town?**
- **Gerry Stefon last year made a reference on how he looked forward to a “stimulating” public debate over the terms of accepting this grant.**
- **But the previous Board and this board have done nothing to encourage it. Why not?**
- **We are now asked to move quickly to accept this grant without the benefit of any public meetings. We are asked to give First Selectman authority “to adjourn to referendum” which means that residents will have *no say whatsoever* as to what goes on the ballot, which I believe by design will restrict the choice to “take \$500,000 or leave all the money on the table.” Advocates of accepting this grant want this “all or nothing” choice and appear afraid of having townspeople her about alternatives and options for use of *their asset*.**
- **A choice of one is no choice at all. And it does not meet the town’s original intent to purchase the property “for open space and other municipal purposes.”**
- **But this is not the only choice. And we still have time to develop an open and transparent process for making this decision, and put into the hands of residents who care about the community the choice of how we make this decision.**

- **By all means, have a referendum. But let's have that "stimulating community debate" that Gerry talked about, and let's hear from the public before we limit choices.**
- **Other issues remain unresolved: Clean up costs and estimates. What do we know? What don't we know? How are we going to pay for it? Where are the funds coming from? What are the town's liabilities? Many questions that townspeople ought to have answers to before we make this decision, which could prevent us from using the property to generate revenue what most likely will be needed to pay for cleanup.**
- **I am also aware of a petition circulating that will call for a town meeting – a real one where residents make decisions, not a few people -- to discuss and debate the options on which we may decide this issue at referendum.**

13. Authorize the First Selectman to call a Special Town Meeting to accept the Open Space and Watershed Land Acquisition Grant, which will be adjourned to referendum.

*Motion made by C. Osten, seconded by E. Meadows to authorize the First Selectman to call a Special Town Meeting to accept the Open Space and Watershed Land Acquisition Grant, which will be adjourned to referendum. Discussion: K. Generous opposes stating the town needs to bring more information to the public; SEDC would like to make a presentation at the town meeting. K. Generous voted no.

Below in Bold information submitted by K. Generous Item #13 – no tape on file

- **I am opposed to moving to a referendum until the community has an opportunity to hear fully from residents on alternatives, discuss and debate those choices and have a majority decide what a referendum will decide.**
- **I motion to table this until we can establish a open and transparent process involving the public. What is the hurry? Can't we wait until we take the time for voter education on this important issue?**

14. Discuss CERC invoice; class attended by non committee member

*Motion made by E. Meadows, seconded by C. Osten to discuss. SEDC is a Statutory Commission which researches and votes on their resources and states it was a discretionary decision to send a non committee member to a seminar.

*Motion made by E. Meadows, seconded by K. Generous to pay invoice for a class attended by a non committee member. Unanimously voted.

Below in Bold information submitted by K. Generous Item #14 – no tape on file

- **First Selectman has put this on the agenda because she decided the EDC could not allow a non-member to attend an information seminar, but the Commission unanimously voted otherwise, in the exercise of its statutory mission.**
- **This has been the practice of this commission in the past, spending funds to send non-commission members with a strong interest and involvement in community affairs to such events when no commission member is able to attend (sometimes even when they do).**
- **Further, this is also the practice of other commissions as well. P&Z paid for me and several other non-P&Z members to attend a multi-session land use seminar several years ago. Why? Because they had funds for such education budgeted and they felt it would be a good expenditure of these funds to send us.**
- **The "non-member" in question is:**
 - **a long-time resident, who has regularly attended EDC meetings for years, and**
 - **is a member of a volunteer "auxiliary", the Business Attraction and Retention committee of the EDC. This group was established with volunteers who are not statutory members, but are willing to volunteer their time and energy to advance the Commission's mission, which is to promote economic development to Sprague.**
 - **This person has gone to a previous information meeting and brought back useful information and a detailed report of her activity. The EDC found this expenditure of funds a good use of its limited budget.**
- **Further, are we so overwhelmed with eager volunteers with strong interest and passion for community development that we should we discourage this involvement?**
- **If the Commission cannot send one of its own members, but can send an "auxiliary member"— who has been working with the commission, and who reports back with detailed report, collects literature and names and numbers of useful points of contact, is this a bad expenditure of Commission funds? NO. Unanimously no.**
- **Further, how commissions spend their approved budgets is a *Commission* decision, not a First selectman decision, and unless she can point to a legal document that prevents or overrules the decision of a statutory commission doing its job. The EDC is prepared to defend this expenditure and make future judgments based on the criteria mentioned earlier, as EDC and other boards have done.**

15. Discuss Code of Ethics

C. Osten asked K. Generous to send information to the Board. To discuss at next month's meeting.

16. Discuss recording system for the Town of Sprague Boards and Commissions

Tabled until next the next Board of Selectmen's meeting.

17. Discuss motor vehicle tax abatement – 'green cars' to residents whose hybrid cars have a federal rating of at least 40 mpg in city driving

Motion made by K. Generous, seconded by E. Meadows for discussion. Federal and State discounts are applied when purchasing hybrids therefore, the Board is not in favor of local tax abatement. Unanimously opposed.

18. Act on appointment to the Park and Recreation Committee

* Motion made by E. Meadows, seconded by C. Osten to appoint Jasara Hall to the Parks and Recreation Committee. Unanimously voted.

19. Act on reappointment to the Sprague Housing Authority

* Motion made by K. Generous, seconded by E. Meadows to reappoint Raymond Allyn to the Sprague Housing Authority. Unanimously voted.

20. Act on resolution: Authorizing First Selectman to enter into agreement and sign contracts on behalf of the Town of Sprague for the Senior Van Grant \$50,000.

* Motion made by K. Generous, seconded by E. Meadows to approve the resolution authorizing the First Selectman to enter into agreement and sign contracts on behalf of the Town of Sprague for the Senior Van Grant for \$50,000. Unanimously voted.

RESOLUTION

RESOLVED: That the Town of Sprague approves the submittal of a grant application to the Office of Policy and Management in the amount of \$50,000 for a Senior Van and that Catherine A. Osten, First Selectman is authorized to sign grant application and grant award.

21. Discuss and possibly act on Board of Selectmen's meeting time.

* Motion made by K. Generous, seconded by C. Osten to change the regular meeting time of the Board of Selectmen from 7:00PM to 5:30PM for the months of July and August. Unanimously voted.

22. Selectman's report

- 150th anniversary - establish a committee appointing E. Meadows as Chairperson, Gerry Meadows, Tom Girard, Colette Hoffman, Reggie Patchell, Noreen Foley; with options to appoint more.
- Senior Coordinator report reviewed
- Public Works Dept. projects assigned and in progress; list in Selectman's office
- Water & Sewer – 11 ½ days of water due to well #1 going down. Wells 4 & 5 is in the process of going on line.
- Fence on Riverside drive owned by Cascade and will be meeting with them next week; will ask to upgrade fence.
- Met with Barr Construction Contractor for Sidewalks on Main Street; ground breaking for sidewalks will be on July 1, 2008.

23. Public comment

**RFQ's Baltic Mill sent to R. Cody

**Bike Race and YMCA

**Riverside Drive-illegal parked cars

**Chip Seal on Town Roads – life expansion approx. 25 year.

**Light at River Park

**Mr. Stygar – explain cleanup at Mukluk

**Grant Writer – Employee not private consultant

**Mukluk property- municipal purposes, evaluate property, cleanup cost

** Town Meeting-\$500,000 request individual to explain what open space is

**Legal authority for using resources from the Town/race belongs to the Town

**Race created by M. Smith; permits need to be authorized by the Town of Sprague before events take place.

Below in Bold information submitted by K. Generous Item #23 – no tape on file

- **Why is town attorney sending letter to Norwich YMCA about how Three Village Tour is run?**
 - **The letter evokes name and authority of BOS, but I was never consulted on it, nor given a copy of this document.**
 - **Are there other communications of this nature? If so please provide them to all members of this board.**

- **Are there letters or any communication sent to Mohegan Sun or other race sponsors?**
- **Is this a good or proper use of town's legal resources?**
 - **Esp. When a member of BOS could not get a written answer to a question prior to a town referendum that was possibly conducted in violation of state statutes.**
 - **Esp. when EDC was required to use the attorney to file a formal appeal to an FOI case which was never sent, and has never been sent.**
- **Please provide an explanation or documentation for authority to use town legal resources, including prerogatives of other BOS members.**

24. Adjournment

* Motion made by K. Generous, seconded by E. Meadows to adjourn meeting at 9:35PM. Unanimously voted.

Respectfully submitted by,

Catherine A. Osten
First Selectman