

**BOARD OF SELECTMEN
MEETING MINUTES
MONDAY, JANUARY 7, 2019
8:30 A.M. – COMMUNITY CENTER**

First Selectman Matthew Hoey called the meeting to order at 8:30 a.m.

Present: Board Members: Matthew Hoey, Charles Havrda, Susan Renner,
Louis Federici and Sandra Ruoff

Town Officials: Human Resources Director Mitch Goldblatt,
In-House Counsel/Purchasing Pam Millman,
Town Engineer Janice Plaziak, Public Works
Director Tom Fillion, Hazard Mitigation
Commission Steve Kops, Facilities Task Force
Members Gary MacElhiney and Barbara Casey,
Planning and Zoning Commission Chair Phil
Johnson, Environmental Planner Kevin Magee and
Clerk Traci Brinkman

Others: About five others in the audience

Media: Guilford Courier Reporter Zoe Roos and Mike
Graziano, taping for GCTV

1. Pledge of Allegiance

Mr. Havrda led the pledge.

2. Public Hearing to obtain comment and consider enactment of: An ordinance on Illicit Connections and Illegal Discharges to Municipal Storm Drainage systems; an ordinance to amend the Code of the Town of Guilford – Chapter 174 Floodplain Management; and an ordinance to amend the Code of the Town of Guilford Chapter 236 Solid Waste and Recycling.

Ms. Plaziak explained that they are updating two current ordinances and the third is a new ordinance. The update of the Floodplain Management ordinance is to bring it in compliance with current building code requirements. The Illicit Connections and Illegal Discharges to Municipal Storm Drainage Systems is a new ordinance to make the town complaint for the MS-4 Stormwater Permit. The amendments to the Solid Waste and Recycling Ordinance are to bring it up to date with the current language in the state model.

Mr. Hoey opened the public hearing to comments and questions from the audience.

Mr. Johnson asked about historic structures and defining the value of a building when it comes to substantial improvement.

Ms. Plaziak said the way it is historically done is to go to the Assessor field card and use the appraised value of just the structure. If people want to provide their own certified appraisal on the structure she would take that as well.

Mr. Hoey noted that in the Floodplain ordinance they are adopting a one-foot freeboard.

Ms. Plaziak said that was the requirement with the previous building code. They are going to a one foot freeboard across all flood zones and a one foot freeboard for all mechanical equipment as well. In addition certain Coastal A zone properties adjacent to velocity zones will be required to be built in compliance with velocity zones. They are also adding a five-year time period for substantial improvement, which is above and beyond what FEMA requires. She added that people try and phase in projects to get around compliance. They need to make sure they are compliant so they are less likely to suffer risk. And if they are in compliance, their flood insurance rates will be lessened.

Catherine Adams of 215 Dromara Lane asked how people will be notified about this.

Ms. Plaziak said there will be some outreach, but most people that live in a floodplain know they are in a floodplain. Usually those looking to purchase a property will come into the office to ask questions and when a person pulls a permit staff will discuss these issues with them, particularly if it is a larger project.

Mr. Kops stated that the Hazard Mitigation Commission is 100 percent behind the changes

The board closed the public hearing at 8:40 a.m.

3. Public Forum (limited to 3 minutes regarding agenda items)

None

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to add to the agenda under executive session to discuss and take possible action on two Tolling Agreements by the Army Corps of Engineers for projects at Chaffinch Island Road and Old Quarry Roads.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to move Old Business up on the agenda.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

13. Old Business

Ben Brechlin of Boy Scout Troop 474 came to show the board pictures depicting his proposed project for a kiosk at the Town Marina. He noted that the two sided wooden informational kiosk would be constructed in front of the island that is there with the tree in the no parking zone area. It would be 9 feet tall from ground to the tip of the roof. He is also going to relocate the Light Brigade sign and put it under his kiosk, because it is currently very close to the ground and gets covered especially in snow. He spoke to the police commission and they said they didn't need a presentation on this since it did not interfere with traffic. He also received approval from the marina commission.

Mr. Federici said it will also need site plan approval from Planning and Zoning.

Mr. Hoey said Town Planner George Kral is willing to work with Mr. Brechlin and steer him through the process for the site plan/coastal area management plan approval. He noted that the selectmen previously approved this, but wanted to see what it would look like.

4. Approve minutes of:

4.1 December 17, 2018 – Regular Meeting

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to approve the minutes of the December 17, 2018 Regular Meeting as presented.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

5. Facilities Task Force (Gary MacElhiney/Barbara Casey):

5.1 Receive update on Facilities Task Force.

Mr. MacElhiney said the task force has expanded and better defined its goals. They started the process with a bus tour of the facilities with Steve Neydorff and are currently preparing a survey for department heads and commissioners if appropriate so they can build a lot more data.

Ms. Casey handed out a sheet to the board that detailed their goals, objectives and scope of work. They are assessing town properties to come up with recommendations for the short and long term. She added that they have gotten a sense of the properties, received reports and documents from others that they could take advantage of and are going to organize them. They will review short and long term needs, will survey department heads and are piloting that process with the superintendent of schools and the Parks and Recreation Department. Public input will also be important so they are going to hold some public comment periods in March and April.

Mr. MacElhiney added that their regular meetings are published and anyone is welcome to come and speak during public comment.

Ms. Casey said they are also going to look for financial operational efficiencies and consolidation possibilities. They will coordinate with other town task forces such as Sustainable Guilford and the floodplain issues are important as well because of the Public Works Department.

Mr. MacElhiney said they do have a recommendation today regarding 52 Church Street. Winter is here and decisions have to be made. They are recommending that the building be prepared for demolition. There are problems with the roof, heat and cellar that it would not be useful for town purposes. The lot should be prepared for temporary parking and be used by Parks and Recreation employees, which would free up the current lot. He suspects when they finish their work they would recommend the building be replaced, especially for the aesthetics of the neighborhood, but this is premature until they get all the input from the departments. With nothing on the property they would gain an additional 55 spaces, if they were to build an equivalent size building that would bring the spaces down to 33-35.

Mr. Hoey noted that Mr. Neydroff is in agreement with this recommendation. Any use for town purposes would require significant cost. He asked what the cost for demolition and creation of a parking lot would be.

Mr. MacElhiney said the cost for demolition and parking would be close to \$200,000 to do it right, with the proper drainage.

Ms. Ruoff noted that once the lot is prepared, whether it's temporary or not, it will become a public municipal lot and will need to be made safe and well lit.

Mr. Federici asked if the garage in the back would stay.

Ms. Casey said this recommendation includes taking down both structures.

6. Environmental Planner (Kevin Magee):

6.1 Discuss and take possible action to contract with tree removal company for removal of eighteen trees located on Great Hill Road.

Mr. Magee stated that there are 18 hazardous and dead trees located between 790 and 1779 Great Hill Road. This past year they were hit by gypsy moths, they are still dealing with older sugar maples and they have the new infestation with the ash boor. He added that it will take about six years for that to wipe out all the ash trees. Mr. Magee emailed seven contractors for pricing and received a low quote of \$12,450 from Don's Landscaping and Tree Service and a high of \$26,510 from Lucas Tree Service with the remaining quotes in between.

He added that Don's is a new contractor so he called three references and all

said they have done great work and there are no issues.

Ms. Millman asked if these trees are all on public property.

Mr. Magee said they are all within the public right of way.

Ms. Ruoff asked if the property owners are notified in advance.

Mr. Magee explained that most of these trees are ones in which the property owners have called him about.

Ms. Millman asked if signs have been put on the trees.

Mr. Magee explained that these are dead and hazardous trees that need to come down so he just marks them with white a white "x." If there are other healthy trees that he is removing, those are posted and signs are placed on those.

Mr. Hoey noted that through November \$45,000 of the tree budget has been expended. He asked Mr. Magee what he was projecting for the end of the year.

Mr. Magee said he will be short like last year.

Motion: Upon a motion made by Ms. Renner and seconded by Ms. Ruoff, the board voted unanimously to approve the expenditure of \$12,450 to Don's landscaping for removal of the 18 trees on Great Hill Road identified and tagged by Mr. Magee.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

7. Discuss and take possible action on award of request for proposals for lead-based paint risk assessment services and title search services for Small Cities Rehabilitation projects and authorize the first selectman to sign agreements.

Mr. Hoey noted that the original authorization when the board entered into the agreement with Lisa Low for the grant program, gives them the authority to move forward with these contracts so no further approval is needed.

8. Consider and take possible action to set a public hearing date of February 4, 2019, 8:30 a.m. at the Community Center to consider an ordinance to amend the town code to add Chapter 58, Human Rights Commission.

Mr. Hoey explained that a group of interested participants asked them to establish a Human Rights Commission and they have come to an agreement on the ordinance. The purpose of the commission is predominantly to raise awareness and provide education on treating everyone with respect and dignity. They will also provide educational outreach programs.

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Renner, the board voted unanimously to set a public hearing date of February 4, 2019, 8:30 a.m. at the Community Center to consider an ordinance to amend the town code to add Chapter 58, Human Rights Commission.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

9. Discuss and take possible action on the Illicit Connections and Illegal Discharges to Municipal Storm Drainage Systems; an ordinance to amend the Code of the Town of Guilford – Chapter 174 Floodplain Management; and an ordinance to amend the Code of the Town of Guilford Chapter 236 Solid Waste and Recycling as a result of earlier public hearing.

Motion: Upon a motion made by Mr. Havrda and seconded by Mr. Federici, the board voted to approve all three ordinances as presented.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

10. Requests for Use of Town Property:

10.1 Act on request from the Community Nursery School to place a sign on the Green advertising its Open House taking place January 15 and January 29, 2019. (Sign Placement 1/8-1/22)

Motion: Upon a motion made by Ms. Renner and seconded by Mr. Havrda, the board voted unanimously to approve the request from the Community Nursery School to place a sign on the Green advertising its Open House taking place January 15 and January 29, 2019. (Sign Placement 1/8-1/22)

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

11. Correspondence

Mr. Federici noted the correspondence they received from the state about rumble strips being applied to the center lane on Route 77 between County Road and Lake Drive. The state is doing chip sealing so they are going to put in the rumble strips at that time.

Ms. Plaziak said there are rumble strips currently on Route 77 South or Route 80. It is just another safety measure to make people aware they are crossing the yellow line.

Motion: Upon a motion made by Ms. Ruoff and seconded by Mr. Havrda, the board voted unanimously to authorize the first selectman to sign the letter from the state regarding the installation of rumble strips.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
 Opposed: None
 Abstaining: None

12. Committee Reports

Mr. Federici said he met with the North Haven first selectman and will meet with the Branford first selectman. Then the committee will then get together to make its recommendation.

14. New Business

Mr. Federici said he was contacted by someone who had concerns regarding some of the Coastguard families on the north end of town who many have some funding problems due to the government shutdown.

15. Public Forum (limited to 3 minutes regarding any issue)

Catherine Adams of 215 Dromara Road noted that with the town having a new vendor cutting trees they should make its expectations about removal and disposal clear up front. There is a difference with the companies that Eversource uses with regarding to timeliness and cleanup.

She asked about the precedent with regard to dog bites in communities and how they apply information when it does occur. She added that the same procedures need to be followed in every case.

Bob Howard of 89 Valley Shore Drive noted that there are a dozen Coastguard families living in Guilford. Because of the government shutdown their salaries have stopped, but expenses have not. They have mortgages, fuel cost and taxes due at the end of the month. They are on the job, just not being paid so they cannot get a job somewhere else. He asked if there is something that can be done to help. He questioned if the town cannot charged interest on their late taxes and if they could take advantage of fuel assistance programs.

Mr. Hoey said the Social Services Department could be of assistance relative to fuel assistance. With regard to the tax question he could work with town counsel to see if that is a possibility, but that is a dangerous precedent to start with one group of individuals even though they are in a difficult financial situation. He added that there are many people in the community in similar situations. Mr. Hoey said will look into what they can possibly do, but there are significant restrictions in the state statutes on waiving interest for late taxes and there is zero flexibility with regard to that.

Cindy Vaporis of 7 Alpine Drive of East Haven said she had a couple of concerns. She has heard from a few people who frequent the Save Simon website (she is an administrator on the site) that they were told social media is lying to them. This came from someone who spoke with the first selectman. She added that everything she says is truthful and there is no reason for her to lie. Ms. Vaporis said it is a cut and dry situation. The kid trespassed and got bit. The homeowners should not have to spend

money on this and it is horrendous that she still needs to come to these meetings. She asked why they cannot just come to some agreement.

16. **Consider and take possible action to contract with Milone and MacBroom for ongoing work associated with the DEEP consent order. (Executive session may be required)**
17. **Receive update on potential land acquisition. (Executive session may be required)**
18. **Discuss and take possible action on two Tolling Agreements with the Army Corps of Engineers for Chaffinch Island and Old Quarry Road and authorize the first selectman to sign. (Executive session may be required)**

Motion: Upon a motion made by Mr. Federici and seconded by Mr. Havrda, the board voted unanimously to enter executive session at 10:15 a.m. for the purpose of discussing a contract with Milone and MacBroom for ongoing work associated with the DEEP Consent Order, to receive an update on potential land acquisition and to discuss two Tolling Agreements with the Army Corps of Engineers for Chaffinch Island and Old Quarry Road. The board invited Ms. Plaziak and Ms. Millman into the executive session and Mr. MacElhiney into the executive session portion related to potential land acquisition.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to return to public session at 10:17 a.m.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Motion: Upon a motion made by Ms. Ruoff and seconded by Ms. Renner, the board voted unanimously to authorize the first selectman to enter into an agreement with Milone and MacBroom for ongoing work with DEEP in the amount of \$20,500.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Motion: Upon a motion made by Mr. Federici and seconded by Ms. Renner, the board approved the two Tolling Agreements with the Army Corps for Chaffinch Island and Old Quarry Roads and authorized the first selectman to sign.

*Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None*

Regular Board of Selectmen Meeting Minutes of January 7, 2019

The board took no action on the land acquisition item.

Motion: Upon a motion made by Mr. Havrda and seconded by Ms. Ruoff, the board voted unanimously to adjourn the meeting at 10:19 a.m.

Vote: In Favor: Hoey, Havrda, Renner, Federici and Ruoff
Opposed: None
Abstaining: None

Respectfully submitted,

Traci K. Brinkman
Clerk
Board of Selectmen