

LEGAL NOTICE

TOWN OF DEEP RIVER

Special Town Meeting

Tuesday November 22, 2011 @ 7:00 P.M.

Town Hall Conference Room

To approve the following three items, as recommended by the Board of Selectmen:

1] Approve the Memorandum of Understanding with the State of Connecticut Department of Emergency Management and Homeland Security.

2] Approve the following appointments:

Planning & Zoning: Janet Edgerton
Nancy Fischbach
Thomas Walsh

Zoning Board of Appeals: Jerome Ackerman
Margot Gamerdinger
William Harris

All terms to expire December 1, 2014.

3] A. Submit to a Deep River Town Meeting the following resolution:

RESOLVED: the Resolution approved at the Deep River Town Meeting of February 25, 1981, the text of which appears below, is hereby rescinded:

“To adopt a resolution giving the Deep River Town Hall Restoration Association, Incorporated, authorization for restoration of the Deep River town Hall in substantial conformity with plans prepared by Luchs, Beckerman & Bird, of Glastonbury, Connecticut, to the extent that funds become available for such purpose, and the authority to monitor the maintenance, upkeep restoration and alteration of said building.”

All authority granted to the Deep River Town Hall Restoration Association, Incorporated, is withdrawn.

B. Create an administrative structure to replace the Deep River Town Hall Restoration Association, Incorporated, which will include:

1. Creation of a committee to be called the Deep River Town Hall *Auditorium* Restoration Committee (DRTHARC). The DRTHARC is authorized to oversee, and to arrange for the completion of the restoration of the Deep River Town Hall Auditorium, to the extent that funds are available.
2. DRTHARC membership will consist of a maximum of eleven (11) members who shall be appointed by the Board of Selectmen, with each to serve a two-year term. Approximately half of the initial members shall have one-year terms.

- C. Create a special fund to be titled Town Hall Auditorium Restoration Fund.

Dated at Deep River, CT, this Wednesday, November 9, 2011.

Board of Selectmen:

Richard H. Smith

Arthur R. Thompson

David N. Oliveria

RETURN

I CERTIFY THAT I, RICHARD H. SMITH, First Selectman of the Town of Deep River, caused a copy of this notice to be posted on the Public Sign Post in the Town of Deep River on November 9, 2011, and I caused a copy of said notice to be published in the Middletown Press, a newspaper having a circulation in said town, in its issue of November 11, 2011.

Richard H. Smith

SPECIAL TOWN MEETING
November 22, 2011

A Special Town Meeting was held on Tuesday, November 22, 2011, in the Deep River Town Hall Conference Room. Selectmen present were Dick Smith, Dave Oliveria, and Angus McDonald starting his new term. The audience consisted of approximately 12 citizens and 2 local reporters. Margo Hilfinger and Rich Strukus were filming for the Public Access channel.

Dick Smith called the meeting to order at 7:04 p.m. A motion to appoint Dick Smith as moderator was made by Dave Oliveria and seconded by Angus McDonald. Motion carried. The moderator appointed Amy Winchell as clerk of the meeting, who then read the call. A motion to accept the call was made by Arthur Thompson and seconded by Angus McDonald. Motion carried.

A motion to accept item 1 of the call was made by Arthur Thompson and seconded by Angus McDonald.

- 1] Approve the Memorandum of Understanding with the State of Connecticut Department of Emergency Management and Homeland Security.

DISCUSSION: Dick clarified that this was to approve an agreement, reached by all 30 towns in Region 2 of DEMHS, to pool any grant money received for Homeland Security.

There being no further discussion, item 1 was APPROVED UNANIMOUSLY.

A motion to accept item 2 of the call was made by Arthur Thompson and seconded by Angus McDonald.

2] Approve the following appointments:

Planning & Zoning: Janet Edgerton
Nancy Fischbach
Thomas Walsh

Zoning Board of Appeals: Jerome Ackerman
Margot Gamerdinger
William Harris

All terms to expire December 1, 2014.

There being no discussion, item 2 was APPROVED UNANIMOUSLY.

A motion to accept item 3 of the call was made by Dave Oliveria and seconded by Jonathan Kastner.

3] A. Submit to a Deep River Town Meeting the following resolution:

RESOLVED: the Resolution approved at the Deep River Town Meeting of February 25, 1981, the text of which appears below, is hereby rescinded:

“To adopt a resolution giving the Deep River Town Hall Restoration Association, Incorporated, authorization for restoration of the Deep River town Hall in substantial conformity with plans prepared by Luchs, Beckerman & Bird, of Glastonbury, Connecticut, to the extent that funds become available for such purpose, and the authority to monitor the maintenance, upkeep restoration and alteration of said building.”

All authority granted to the Deep River Town Hall Restoration Association, Incorporated, is withdrawn.

B. Create an administrative structure to replace the Deep River Town Hall Restoration Association, Incorporated, which will include:

1. Creation of a committee to be called the Deep River Town Hall *Auditorium* Restoration Committee (DRTHARC). The DRTHARC is authorized to oversee, and to arrange for the completion of the restoration of the Deep River Town Hall Auditorium, to the extent that funds are available.
2. DRTHARC membership will consist of a maximum of eleven (11) members who shall be appointed by the Board of Selectmen, with each to serve a two-year term. Approximately half of the initial members shall have one-year terms.

C. Create a special fund to be titled Town Hall Auditorium Restoration Fund.

DISCUSSION: Arthur Thompson presented a brief update on item 3. Deep River Town Hall Restoration Association, Incorporated has filed a Certificate of Dissolution with the State but, because they were a charitable organization, transferring assets to the Town of Deep River is an involved process. It will involve the Secretary of the State's office, the Attorney General's office and, because of close proximity and ease of use, the regional Probate Court in Old Saybrook. Art has worked with Karen Gano from the Attorney General's office to draft a document to be submitted to the Probate Judge. This document must create a structure for the receiving and distribution of funds. Since these funds were donated for specific purposes, they must be used as the donors intended. Attachments to the document will include copies of the minutes from the Deep River Town Hall Restoration Association meeting where they voted to dissolve the corporation, the actual Certificate of Dissolution, and the Legal Notice and minutes of this Special Town Meeting. Ultimately the Town Treasurer will oversee these funds. Sallie Carlson-Crowell of the Deep River Town Hall Restoration Association asked for a timeframe for this process to be finished. The Association would like for their responsibilities to end by 12/31/2011. There is no way of knowing how long it will take for the Probate court to process this so there is no definite date. All records from the Association will need to be transferred to the Town. A local professional will do a financial review and compilation before the end of the year. Actual audits are more expensive to have done and are not required for charitable organizations. Fran Strukus produced a financial report for 10/31/2011 stating total assets at \$257,315.10 but, with the volatility of the present day stock market, this number varies greatly. With approval at this meeting, the new DRTHARC Board can be established and progress on the auditorium can move forward quickly. Only residents of Deep River may serve on the Board. The whole project should be finished within two years. Richard Naggot and Joe Mizejeski would like to see the chandelier installed and the floors finished.

There being no further discussion, item 3 was APPROVED UNANIMOUSLY.

A motion to adjourn was made by Arthur Thompson and seconded by Dave Oliveria. Motion carried. The meeting was adjourned at 7:41 p.m.

ATTEST: _____

Amy M. Winchell, Town Clerk