

May 13, 2009

The Stonington Board of Selectmen held a regular meeting on this date at the Stonington Police Station at 7:00 p.m. Present were First Selectman Edward Haberek and Selectman William Brown. Absent was Selectman Peter Balestracci. Also present were members of the public and press.

**(1) Call to Order**

Mr. Haberek called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

**(2) Approval of Minutes**

A motion was made by Mr. Brown, seconded by Mr. Haberek and voted unanimously to approve the April 22, 2009.

**(3) Citations**

Mr. Haberek presented Citations to Mallory Huard and Nathan Bradbury in recognition of their being honored as "Scholar Athletes" at the 26<sup>th</sup> Annual Connecticut High School Scholar-Athlete Awards Program.

**(4) Comments from the Public**

None

**(5) Correspondence**

a. Mr. Haberek took in correspondence from Nicholas Kepple, Esq. The correspondence was in response to Mr. Haberek's request that Attorney Kepple render an opinion about whether there ought to be a standing Ethics Commission as well as Attorney Kepple's views about the complaint-handling process described in Stonington's ethics ordinance, especially the role of the Town Attorney as the screening mechanism for such complaints. Mr. Brown asked why we are compensating the Kepple Law Firm and not the Town Attorney who is on retainer to do the work. Mr. Haberek stated one of the reasons was to clear up any appearance that the town attorney, who is also the screening mechanism for complaints, to have the town attorney make a legal opinion on a procedure which he is involved in personally it is better to have no appearance of impropriety or any type of conflict of interest. To have an outside person look at this who is not involved in the process of the conflict of interest violation.

b. Mr. Haberek took in correspondence from the Mystic & Noank Library requesting a special appropriation from the Town of Stonington to the library to restore the \$10,000 reduction in their funding from the level of previous years and will forward the correspondence on to the Board of Finance for their consideration.

c. Mr. Haberek took in correspondence from Bob Mercer stating that he is resigning from the Architectural Design Review Advisory Committee.

**(6) Appointments/Reappointments**

**Stonington Shellfish Commission**

A motion was made by Mr. Brown, seconded by Mr. Haberek and voted unanimously to appoint Alan Desbonnet to the Stonington Shellfish Commission as an alternate, as requested in his letter to Mr. Haberek.

A motion was made by Mr. Brown, seconded by Mr. Haberek and voted unanimously to appoint Tessa Getchis to the Stonington Shellfish Commission as a full member, as requested in her letter to Mr. Haberek.

**(7) New Business**

**Resolution Authorizing Signature for Historic Documents Preservation Grant**

**Application**

Mr. Haberek presented a letter from Town Clerk Cindy Ladwig stating that the State of Connecticut State Library has awarded the Town Clerk's Office a \$5,000.00 Historic Documents Preservation Grant for the fiscal year 2009-10. A motion was made by Mr. Brown, seconded by Mr. Haberek and voted unanimously to adopt the resolution.

**Neighbor Day Proclamation**

A motion was made by Mr. Brown, seconded by Mr. Haberek and voted unanimously to proclaim the Sunday before Memorial Day, 2009 as "Neighbor Day".

**Street Renumbering**

Mr. Haberek presented a memo from Joe Larkin, CZEO – Zoning Official, requesting 31 Fellows Street, Pawcatuck, Connecticut be renumbered to 25 Field Street, Pawcatuck, Connecticut. A motion was made by Mr. Brown, seconded by Mr. Haberek and voted unanimously to renumber the street.

**Internal Staff Memo**

Mr. Brown requested to entertain new business not on the agenda. A motion was made By Mr. Brown, seconded by Mr. Haberek and voted unanimously to add new business.

Mr. Brown stated that the he knows that an internal staff memo exists and he wanted to know why it has not been released to the Board of Selectmen and urged Mr. Haberek to release the memo.

Mr. Haberek stated that the Town Attorney is of the opinion that the memorandum need not be disclosed. The Management Team and First Selectman agree. The memorandum is nothing more than draft notes to be used as an agenda item at a staff retreat. The record is not to be deemed as a public record and is exempt from Connecticut State Statute.

**(8) Comments from the Public**

Mr. Vincent Faulise stated that a couple of years ago there was money appropriated for microphones and asked why they are not being used. Mr. Brown stated that they are used by the Planning and Zoning meetings and there is no reason why we can't use them. Mr. Haberek stated that we are starting at the next BOS are going to be taped and uploaded to the website so that you can listen to the podcast. Mr. Haberek will request that starting at the next meeting that microphones be used. Mr. Brown stated he was dismayed that he didn't know that the meeting was being taped. Mr. Haberek stated that the last three meetings have been taped so that the minutes are done in a correct way so that the public can get the true sense of the meeting.

Mr. Faulise stated that he read an article on May 11, 2009 about senior housing in The Sun newspaper and asked for an update. Mr. Haberek spoke to EDOC who is the parent owner of Stonington Arms and they are interested in building a second Stonington Arms similar

facility in the Town of Stonington. There is currently a waiting list of 39 people at Stonington Arms so there is a need for affordable senior housing. They are currently looking at several sites that are both town owned and privately owned to find a suitable site that is comparable for their needs.

Ms. Fran O'Neil stated that she would like the project to be expanded to include young people and middle aged people who do not have good paying jobs. She also asked about a court ruling that 70 towns in Connecticut were getting \$36 million to split and whether we were one of the towns that applied for it. Mr. Haberek stated that he has not seen anything according to that but will definitely. Mr. Haberek heard that the towns were in Western and Middle Connecticut but not sure about Southeastern Connecticut.

Ms. O'Neil stated she wants a shelter to house small animals built and she believes by the law of the State of Connecticut you are supposed to have one.

Mr. Faulise agreed that affordable housing should be for everyone.

Ms. Tracy Swain voiced concern that the Board of Education did not send the bus company's contract out for bid but renewed the existing contract with First Student. Mr. Haberek stated that certain contracts have bid waivers so it may not have had to go out to bid.

**(9) Projects Update**

None

**(10)Adjourn**

There being no further business to come before this Board, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Kristine Bell  
Recording Secretary