

TOWN OF STONINGTON
SPECIAL TOWN MEETING
June 30, 2010

A Special Town Meeting of the Town of Stonington was called to order at 7:10 p.m. on June 30, 2010 at the Stonington High School auditorium, 176 South Broad St., Pawcatuck, CT, by First Selectman Ed Haberek, Jr. Also, in attendance were Selectmen George Crouse and Glee McAnanly and Town Attorney Thomas Londregan.

Mr. Rob Cary nominated Mr. Ted Ladwig for Moderator being properly seconded and was unanimously elected Moderator of the meeting. Town Clerk, Cynthia Ladwig served as Clerk.

There being no objection the Moderator dispensed with the reading of the Call of the meeting, recorded immediately preceding these minutes.

The Moderator asked for a motion to waive the reading of the first item on the Call. A motion was made and seconded and passed on a voice vote.

The Moderator asked for a motion on the first item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF
STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut providing for an enforcement procedure against properties within the Town that are deemed to be blighted. A copy of the complete text of the proposed Ordinance is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the Ordinance were Mr. Donald Charbonnier, Mr. Sam Fiore, Mrs. Carleen Donnarummo, First Selectman Haberek, Planning Director William Haase, and Mrs. Tracy Swain.

Mrs. Tracy Swain made a motion to amend under Section II. Definitions, item B. Citation Hearing Officer, be changed from First Selectman to Board of Selectmen. Upon review by the Town Attorney the motion was ruled out of order by the Moderator because 7-152c mandates that the Chief Executive Officer appoint Hearing Officers.

Ms. Gail Shea made a motion to amend Section II. Definitions, item A. Blighted Property #2. be changed from – The property is in a state of disrepair or is becoming dilapidated and evidenced by one or more of the following be amended to - The property is in a state of disrepair or is becoming dilapidated and evidenced by **at least two** or more of the following.

The Moderator asked for a voice vote on the amendment. Not being able to determine whether it passed, the Moderator asked for a show of hands. The amendment was passed Yes

38, No. 14.

Discussion continued on the Ordinance as amended by Mr. Ed Hart, former First Selectman James Spellman, Mr. John Vino, Ms. Fran O'Neil, Mr. Marc Guay & Mrs. Christina Guay.

With no further discussion, the motion was passed by voice vote.

The Moderator asked for a motion to waive the reading of the second item on the Call. A motion was made and seconded and passed on a voice vote.

The Moderator asked for a motion on the second item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, prohibiting and regulating the illicit discharge of material into the Town of Stonington's storm water system; and prohibiting and regulating the illegal connection of private drainage systems to the Town of Stonington's storm water system. A copy of the complete text of the proposed Ordinance is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the Ordinance were First Selectman Haberek, Public Works Director Joe Bragaw, Mr. Tom Haggerty, Ms. Gail Shea, and Mr. Sam Fiore.

Mr. Sam Fiore made a motion to table this item. Being properly seconded, the Moderator asked for a voice vote. Not being able to determine whether it passed, the Moderator asked for a show of hands. The motion was approved Yes – 38, No. 21. The Moderator declared the item tabled.

The Moderator asked for a resolution to waive the reading of the third item on the Call. A motion was made and seconded and passed on a voice vote.

The Moderator asked for a motion on the third item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution authorizing an exchange of properties of equal size between Joseph and Mary Putnam, owners of property at 200 Mistuxet Avenue, with an equal size parcel of land owned by the Town of Stonington behind the Mystic Middle School; said transfer shall be for no consideration, but shall be subject to certain terms and conditions as is

more fully set forth in the resolution. A copy of the complete text of the proposed resolution is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the resolution were First Selectman Haberek, Mr. Harry Martin, Attorney Nick Kepple representing the Putnam's, Mr. Phil Biondo, Mr. Joseph Putnam and Mr. Rob Marseglia.

Mr. Rob Marseglia made a motion to amend the resolution to add a number 5 to read as follows:

The Putnam's, or their heirs, successors and assigns, agree to share equally with the Town of Stonington the cost of a parking lot to be constructed at Mystic Middle School if:

1. The Putnam's or their heirs, successors and assigns subdivide or build homes on the property obtained by the Putnam's and/or the adjacent 14 acre lot.
2. The Town of Stonington constructs a parking lot at Mystic Middle School.

After review by the Town Attorney the motion was ruled out of order because it was too vague.

Discussion continued on the Ordinance by Mr. Dennis Souza and Mr. Joseph Putnam.

Mr. Putnam made a motion to amend the resolution to add to the end of paragraph 4 the following:

The Putnam's will grant an easement to the Town to permit parking on any driveways constructed on the parcel conveyed to the Putnam's for special middle school events for up to 9 (nine) times during the usual academic year. The motion was seconded.

Commenting on the amendment were Mrs. Kathleen Clark, Board of Education member Rob Cary, Board of Education Chairman Gail MacDonald and Attorney Nick Kepple.

With no further discussion, the Moderator asked for a voice vote on the amendment. The Moderator declared the amendment defeated.

Continuing discussion on the main motion were Mr. Robert Tabor, First Selectman Haberek, Mr. Morris Clark, Mr. Marc Gentilella, Economic Development Commission Chairman Mr. Blunt White, Mrs. Nancy Hughes, Attorney Nick Kepple, Mr. Harry Martin, Mr. Rob Marseglia, Ms. Anne Page and Mr. David Rathbun.

Mr. David Rathbun made a motion to table this item. Being properly seconded, the Moderator called for a vote to table. The motion was defeated by voice vote.

Continuing discussion on the main motion were Mr. Lou Allyn, Mr. Paul Sartor, Planning Director Bill Haase and Selectman Glee McAnanly.

With no further discussion, the Moderator asked for a voice vote on the resolution. Not being able to determine whether the resolution passed, the Moderator asked for a show of hands. The motion carried Yes – 41, No. 36.

At this time Ms. Gail Shea made a motion to adjourn and then withdrew her motion to adjourn.

The Moderator asked for a resolution to waive the reading of the fourth item on the Call. A motion was made and seconded and passed on a voice vote.

The Moderator asked for a motion on the fourth item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, providing for the partial abatement of taxes for real property located at 26 Main Street, and owned by the Portuguese Holy Ghost Society. Said abatement would cap the property tax burden of the subject property to no more than \$7,500.00 for the current assessment year, and for every assessment year thereafter, up to and including the assessment year of October 1, 2014, at which time said abatement would be revisited by the Town. A copy of the complete text of the proposed Ordinance is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the resolution were Mr. James O'Boyle, First Selectman Haberek, Ms. Gail Shea, Mrs. Tracy Swain and Mr. Dennis Souza.

With no further discussion, the Moderator asked for a voice vote on the resolution. Moderator declared the motion carried.

At this time Ms. Gail Shea made a motion to adjourn. The Moderator after discussion with the Town Attorney did not recognize a second and continued with the next item on the Call of the Special Town Meeting.

The Moderator asked for a resolution to waive the reading of the fifth item on the Call. A motion was made and seconded and passed on a voice vote.

The Moderator asked for a motion on the fifth item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution authorizing the sale of 2,626 shares of stock in WellPoint, Inc. held by the Town of Stonington, and authorizing that all proceeds from said sale be deposited into the Town of Stonington's Health Insurance fund. A copy of the complete text of the proposed resolution is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the resolution were Ms. Fran O'Neil, Director of Administrative Services George Sylvestre and Mrs. Tracy Swain.

With no further discussion, the Moderator asked for a voice vote on the resolution. The Moderator declared the motion carried.

The Moderator asked for a resolution to waive the reading of the sixth item on the Call. A motion was made and seconded and passed on a voice vote.

The Moderator asked for a motion on the sixth item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, providing for a tax exemption for any personal property leased to the Town of Stonington, provided that such personal property is used exclusively and entirely for the purposes of the Town of Stonington, and said personal property is not otherwise exempt under General Statute 12-81. A copy of the complete text of the proposed Ordinance is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the Ordinance was Tax Assessor Marsha Standish.

With no further discussion, the Moderator asked for a voice vote on the resolution. Moderator declared the Ordinance approved.

The Moderator asked for a resolution to waive the reading of the seventh item on the Call. A motion was made and seconded and passed on a vice vote.

The Moderator asked for a motion on the seventh item on the Call. First Selectman Haberek presented and read the following resolution:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, providing that a business with its principal place of business within the limits of the Town of Stonington receive bidding preference over non-Town based businesses if the Town based business is not the lowest responsible bidder; provided that said Town based business is within certain percentages of the lowest responsible bidder, and said Town based business agrees to accept the award of the bid at the amount of the otherwise lowest responsible bidder. A

copy of the complete text of the proposed Ordinance is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the Ordinance was Jonathan Duncklee.

With no further discussion, the Moderator asked for a voice vote on the resolution. Moderator declared the Ordinance approved.

The Moderator asked for a resolution to waive the reading of the eighth item on the Call. A motion was made and seconded and passed on a voice vote.

The Moderator asked for a motion on the eighth item on the Call. First Selectman Haberek presented and read the following resolution:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, providing that the Town Assessor and the Town Board of Assessment Appeals shall have the authority to waive any penalty pursuant to General Statute 12-63c(d) if the owner of real property required to submit income and expense information is not the owner of said real property on the assessment date for the grand list to which such penalty is added. A copy of the complete text of the proposed Ordinance is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on this Ordinance was Tax Assessor Marsha Standish and Mr. Walter Grant.

With no further discussion, the Moderator asked for a voice vote on the resolution. Moderator declared the Ordinance approved.

The Moderator asked for a resolution to waive the reading of the ninth item on the Call. A motion was made and seconded and passed on a voice vote.

The Moderator asked for a motion on the ninth item on the Call. First Selectman Haberek presented and read the following resolution:

To consider and vote on a resolution to enter into a Property Tax Assessment Agreement with Zachry Nuclear Engineering, Inc., as lessee, and Quiambog, LLC, as owner, for certain real property located at 14 Lords Hill Road; whereby the assessed value of the building at 14 Lords Hill Road will be set at its pre-renovation assessed value of TWO MILLION FOUR HUNDRED SIXTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$2,465,500) for the next seven (7) Grand List years, up to and including the assessment year of October 1, 2017; provided that Zachry Nuclear Engineering, Inc. and Quiambog, LLC together invest at least THREE MILLION DOLLARS (\$3,000,000) to renovate the subject property, and Zachry Nuclear Engineering, Inc. moves its business into the subject property after said renovation on or before September 30, 2011. A copy of the complete text of the proposed Property Tax Assessment Agreement is on file in the Town Clerk's office during normal business hours.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the Ordinance was First Selectman Haberek, Ms. Edie Morin, Mr. Jonathan Duncklee, Mr. Robert Tabor, Mr. Francis Jenkins owner of the Hubbell building, Tax Assessor Marsha Standish, Mr. Rob Marseglia, Economic Development Commission Chairman Blunt White and Chief Nuclear Officer of Zachry Nuclear Eng. Inc. Mr. Ken Ewell.

With no further discussion, the Moderator asked for a voice vote on the resolution. Moderator declared the Resolution approved.

There being no further business on the Call of the meeting, upon motion properly made, seconded, and unanimously passed, the Moderator declared the meeting adjourned at 10:05 p.m.

Cynthia Ladwig
Clerk of the meeting

Received for record this 2nd day of July, 2010.

/s/ Cynthia Ladwig
Town Clerk