

**Town of Washington
Special Town Meeting
Dec 8, 2011**

Moderator: Hank Martin ~ Clerk: Sheila Silvernail
Motions, Minutes, Transcript

First Selectman, Mark Lyon, requested nominations for moderator. Gary Fitzherbert nominated Hank Martin and seconded by Dick Carey. With no other nominations, they were closed with Hank Martin as Moderator.

Moderator: Good evening, I hereby call this special town meeting to order and Sheila would you come up and read the warning please.

Clerk: Good evening
*WARNING - TOWN OF WASHINGTON
SPECIAL TOWN MEETING*

The voters and electors of the Town of Washington are hereby warned that a Special Town Meeting will be held on Thursday, December 8, 2011 at 7:30 p.m. at Bryan Memorial Town Hall, Washington Depot, Connecticut to consider and act upon the following:

1) To consider and act upon the acceptance of Birch Hill Run and Chestnut Lane as Town Roads.

2) To approve an ex-budget appropriation in the amount of \$220,000.00 to cover expenses incurred as a result of Storm Alfred.

*Dated at Washington, Connecticut this 22nd day of November 2011.
Mark E. Lyon, Richard O. Carey, Susan L. Jahnke
Board of Selectmen*

Moderator: Thank you Sheila. Just out of curiosity, how many people here are attending a town meeting in Washington for the first time? Anybody? Couple people, ok, then let me explain ground rules. We have two items on the agenda. Can you hear me ok? I feel like I should back away from this a little bit. Two items on the agenda, we'll handle them consecutively obviously. Each one will start with a motion which hopefully will get seconded by this group. Then we'll have a discussion of the item starting off with the First Selectman explaining it to us and then opening it up for any

question that there may be from you all. Once that's exhausted, we'll vote on it. When that gets done, we'll go on to the next item and then we're done. The only thing we ask from a cooperation standpoint is that when you, if you do have a question and you want to raise your hand, I will recognize you. Please state your name and your street that you live on even if you know that we know you because she's [Sheila – Meeting Clerk] looking down at her laptop and she won't be seeing you. She's the one taking the minutes. Any questions? Ok, Mark would you start with the first motion please?

Mark Lyon: Resolved that the town of Washington accept Birch Hill Run and Chestnut Lane as shown on "Road Plan As-Built for Birch Hill Run, Inc." dated April 28, 1994 as town roads pending receipt of a title certificate of any interest in the property to be conveyed or granted to the town.

Moderator: Ok, would you?

Mark Lyon: That's my motion.

Moderator: Ok, any thing you want to?

Mark Lyon: Second?

Moderator: Oh, I'm sorry, yes, we need a second before we start. Lots of seconds, we'll go with Dick Carey. Alright, now would you explain it?

Mark Lyon: Yes, this is. That's rather unusual that ... This is a subdivision road that's off of Wilbur Road in the Woodville section of town. We have worked with Peter Pappas representing Birch Hill Run Inc. The conditions for acceptance have been met. The road was accepted by the town and Planning Commission back in 1994 and it is exceeded the 50% build-out that would require it to be turned out to the town.

Moderator: Does anybody have any questions on this? Yes.

Jason Hyde: ...

Moderator: Could you identify yourself please?

Jason Hyde: Jason Hyde, Wilber Road.

Moderator: Thank you.

Jason Hyde: ...

Mark Lyon: Once, after the vote, we have to get documentation from Mr. Pappas that there's clear title to the road, there're no liens and it's not considered collateral in any land mortgage. Then it will become part of the town's infrastructure and it will be included in our town aid road inventory. So it currently isn't. It currently, it would be considered, it's basically a private road in a subdivision.

Jason Hyde: ... it's not being maintained by the town?

Mark Lyon: No, it's not at this time.

Jason Hyde: ... condition of the road ...

Mark Lyon: Yes, and it's been. It was. It was built to town road specifications and that was accepted by the town and it was examined by Land Tech on behalf of the town during it's construction and after it's completion. It's been inspected by the town highway department currently as well as it's been, the survey it's been marked. It matches up with the as-built survey.

Jason Hyde: Ok, I'm just curious to ... current condition ... poor side ... walk the road ... town right of way ... few rebars that were installed ... typically with other towns ... concrete monuments ... been set along that street ...

Mark Lyon: It has been inspected ... Nick Solley did the work with Mr. Pappas and the surveying marks have been added. Those are additional flagging that we asked for to see where the surveyor's marks were. The surveyor pin is acceptable as a permanent marker. The road condition is typical for a road in this town that is over fifteen years old. We would probably include it in our regular road maintenance once it's on our inventory.

Jason Hyde: ...

Moderator: Can I just get a couple of other comments in? Did you have your hand raised.

Helen Lord: ... live on Chestnut Lane ... maintained road very well

Moderator: Excuse me, can you all hear her? Good.

Clerk: No.

Moderator: Could you come up and just speak into the mic?

Clerk: ... name ...?

Helen Lord: ... and I live on Chestnut Lane. Thank you, alright. We are very anxious to have the town take over it so that the road will be better maintained for the sake of safety above all. I am curious considering that the road was not properly cleared either in the Fall of 2010 or currently now there is quite a bit of buildup of leaves on the road. The drains are blocked. We had a lot of trouble with ice last winter as I'm sure you're aware. Currently some of the people who live on Chestnut Lane and particularly the gentleman who lives on Birch Hill Run have been trying their best to clear some of the debris from the storm and to clear some of the drains, but that's not really an acceptable long-term solution. It's not possible for one human being to clear half a mile of road. I'm wondering is the town going to make that a condition upon Mr. Pappas to bring it up to standard in terms of clearing the rest of the debris before the town takes it over. Is the town going to undertake the clearing of that before the winter sets in?

Mark Lyon: We're planning. We typically, the leaves and so on, we have a, it's a big leaf blower that we mount on the back of a truck and we would clear the leaves from the gutter line and ... that.

Helen Lord: How about the drains?

Mark Lyon: The drains, we would have to see about that. That might be something that would have to be addressed in the Spring. We have a vacuum. On a regular basis, we go around and vacuum out the catch basins.

Helen Lord: Right.

Mark Lyon: So that would probably end up being done in the Spring because I think that's all been, the rest of the roads in town have been done with that this Fall already.

Helen Lord: Right, I'm just concerned.

Mark Lyon: But it would be, you know, snow removal would be taken care of by the town ...

Helen Lord: Right.

Mark Lyon: ... once we accept them.

Helen Lord: We had significant icing problems last winter.

Mark Lyon: Yes.

Helen Lord: Some of it was due to the water not being able to drain away.

Mark Lyon: Yes, we would be looking at that.

Helen Lord: Alright, thank you.

Moderator: Any other comments then before I go back? Ok, back to you.

Jason Hyde: ... feel typically that ... acceptance of the road by the town ... good condition before the town accepts it ... wetlands enforcement officer ... also, the ... recommend tree warden ... these are all things that become a significant cost to the town ... caused by frost heaves ... addressed by the developer before turned over to the town ... repair all these areas ... town funds could be spent more efficiently ... pictures took along the road ... catch basins ... before town accepts the road ... regarding trees ... cost savings to the town over time ... needs to be set through the subdivision ... from what I've seen in other towns...

Mark Lyon: Like I said, the road is typical for a twenty-year road, any twenty-year road in town. It's condition is typical. A lot of the issues you raised are, would be addressed by our routine annual maintenance. So far as trees, it's not atypical to Birch Hill Run or Chestnut Lane. It's an issue with every road in town especially after the last couple of storms. We, Nick Solley, spent quite a bit of time researching this. He's comfortable and the town is accepting it as it currently is. Our highway foreman director has looked at it and he's well aware of issues with the road. He doesn't feel that there's any major structural problems that are going to be a large expense other than what we would spend on routine annual maintenance or periodic maintenance.

Male: I move we go right to the vote.

Moderator: Ok, the question has been moved. This is a sub-motion to the main motion to approve the motion to accept the road. Just to make to make sure I have my facts straight. There needs to be a second to the motion. Is there a second to move the question to an immediate vote? There is?

Helen Lord: [Raised hand to signify second.]

Moderator: It requires a two-thirds majority. There is no debate so we must go straight into the vote on moving this question immediately to vote. All in favor of moving the question immediately to vote, please say aye.

Audience: Aye.

Moderator: Any opposed.

Audience: [Silence.]

Moderator: Any abstains?

Audience: [Silence – motion passed unanimously in favor.]

Moderator: Ok, we're going to vote now with no further discussion then. Everybody with me on the process that we just went through? Ok, let me read motion that we're voting on again and then I'll ask for your vote.

Resolved that the town of Washington accept Birch Hill Run and Chestnut Lane as shown on "Road Plan As-Built for Birch Hill Run, Inc." dated 4/28/1994 as town roads pending receipt of a title certificate of any interest in the property to be conveyed or granted to the town.

All in favor of that motion please say aye.

Audience: Aye.

Moderator: Any opposed? One opposed. Any abstentions? Ok, the motion carries. Thank you. The next motion pertains to the Nonrecurring Capital Fund. Mark would you put that one into motion, no pun intended?

Mark Lyon: Resolved to approve expenditure from the Nonrecurring Capital Fund not to exceed \$220,000.00 (two hundred twenty thousand dollars) for the operation of a temporary shelter, removal of debris and repair of roadways and other municipal improvements required due to winter storm damage incurred in Storm Alfred which began on October 29, 2011. It is anticipated that up to 75% of these funds will be reimbursed to the Town of Washington through the Federal Emergency Management Agency (FEMA). Funds will then be returned to the Nonrecurring Capital Fund upon their receipt.

Moderator: Could I have a second to that motion? Gary Fitzherbert. ... We have a motion that's been seconded. Would you explain?

Mark Lyon: This is to cover extraordinary expenses in relation to the storm of October 29th. It is basically to cover expenses that are considered reimbursable by FEMA. Any other expenses will have to be absorbed in our regular budget. The 75% reimbursement will amount to about \$55,000 which would end up, theoretically end up being the net expense to the town out of the \$225,000. We have spent to date excluding shelter expenses approximately \$86,000 and the shelter expenses we estimate to come out at close to \$7000. We still have trees and cleanup to address.

Moderator: Thank you Mark. Ok, questions on this motion, this item in the warning? I guess we all know that there would have to be a fair amount of road clearing done? We have to approve the whole \$220,000 even though we hope to get three-quarters of it back because that's what we've spent. Are we ready to vote? Alright, let me read the motion again.

Resolved to approve expenditure from the Nonrecurring Capital Fund not to exceed \$220,000.00 (two hundred twenty thousand dollars) for the operation of a temporary shelter, removal of debris and repair of roadways and other municipal improvements required due to winter storm damage incurred in Storm Alfred which began on October 29, 2011. It is anticipated that up to 75% of these funds will be reimbursed to the Town of Washington through the Federal Emergency Management Agency (FEMA). Funds will then be returned to the Nonrecurring Capital Fund upon their receipt.

All in favor of that motion, please say aye.

Audience: Aye.

Moderator: Any opposed? Any abstains?

Audience: [Silence.]

Moderator: Motion carries. We're done with the agenda. Could I have a motion to adjourn please?

Audience: So moved.

Moderator: And a second?

Audience: Second.

Moderator Ok, thank you. Before I say the word adjourned, I have to say I'm enjoying my background behind me. I'm used to having an empty stage back there so this is extra special tonight.

Mark Lyon: Please come back tomorrow night starting at 6:00 o'clock when we light the tree outside and the local businesses will be open light. They'll be a line of kids in here.

Audience: ...

Moderator: Ok, we are adjourned.

Adjourned at 7:50 p.m.