

# **Town of Washington**

Special Town Meeting  
Bryan Memorial Town Hall  
Washington Depot, CT 06794

March 15, 2012

Moderator: Nicholas Solley

Clerk: Sheila Silvernail

First Selectmen, Mark Lyon, opened the meeting at 6:30 with request for nominations for moderator. Mr. Bedini nominated Nick Solley with a second by Mr. Carey. With no other nominations, Mr. Solley was unanimously voted as Moderator.

Moderator: Thank you, do we have a call for the podium? I'd like at this time to welcome everybody tonight and to ask Sheila Silvernail to read the call of the meeting.

Clerk: 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, March 15, 2012 at 6:30 p.m. at Bryan Memorial Town Hall, Washington Depot, Connecticut to consider and act upon the following:

1. To approve an ex-budget appropriation in the amount of \$40,000.00 to be added to the Town's Legal Litigation Fund.

Dated at Washington, Connecticut this 2<sup>nd</sup> day of March 2012.

Mark E. Lyon, Richard O. Carey, Anthony J. Bedini  
Board of Selectmen

Moderator: Thank you Sheila. Chet, do you want to read the motion as presented please?

M. Lyon: Resolved, to approve an ex-budget appropriation in the amount of \$40,000 from the Town of Washington Fund Balance to the Legal Litigation Fund.

Moderator: Thank you, is there a second?

K. Gollow: Second.

Moderator: Would you like to go into some explanation of how we got here?

M. Lyon: We set up the Legal Litigation Fund three years ago as an annual appropriation of \$20,000 to specifically fund law suits filed against the town. This year we did the same. We have had a number of land use law suits filed that we've defended our Land Use Commissions decisions on, a number of different occasions. We have expended that \$20,000 plus an additional \$20,000 that was an ex-budget appropriation from the Board of Finance. We are currently looking ahead to June 30<sup>th</sup>. I corresponded with Kari Olson of Murtha Cullina and her recommendation was looking ahead from their current bills submitted a conservative estimate of \$25,000. We also have approximately \$9500 in bills that are from them that are unpaid. So the Board of Selectmen thought it would be prudent at this point in time to appropriate \$40,000 which will hopefully by all estimations carry us through the end of the fiscal year.

Moderator: Ok, for anybody who has questions, I'm sure Chet can probably answer most any question that comes forward.

Rex Swain: Rex Swain, South Street. Mark, a few people asked me and said what a shame that people sue our volunteer commissions. I told them that this is not correct. Nobody is suing the individual ..., but suing the boards. ... real recourse that they have ... Is this correct?

M. Lyon: That is correct. These are all appeals of decisions by our commissions. My personal opinion is that I feel we are obligated to defend the decisions that our duly elected and appointed commissions make. That's it and here we are, but no, there has been no individual law suit.

Moderator: Anybody else? Would anyone like the motion reread? Linda would you like to join us? We're about to vote I think. Seeing no one wants the motion reread, then, oops, Randy? Oh sure.

M. Lyon: Resolved, to approve an ex-budget appropriation of \$40,000 from the Town of Washington Fund Balance to the Legal Litigation Fund.

Moderator: Ready for a vote? All in favor of the appropriation of \$40,000 toward the Legal Litigation Fund signify by saying aye.

Audience: Aye.

Moderator: Any opposed? So carried.

Moderator: I would entertain a motion unless there's someone with an urge to say something unrelated to the business at hand, but I'll entertain a motion to adjourn. Mary Anne Greene ... Thank you everybody for coming out.

Adjourned at 6:36.

I, Sheila R. Silvernail, do certify the foregoing pages a true and accurate transcript to the best of my ability of the March 15<sup>th</sup>, 2012 Special Town Meeting.



Dated at Washington, CT this 17<sup>th</sup> day of March 2012.