

Town of Washington Annual Town Budget Meeting
Minutes
May 22, 2008 - 7:30 p.m.
Moderator: Bill Fairbairn
Clerk: Sheila Silvernail

First Selectman, Mark E. Lyon, called the meeting to order accepting nominations for moderator. Bill Fairbairn was nominated, seconded, and the motion for Moderator was duly passed unanimously. Clerk for the meeting read the call/warning to the meeting.

Town of Washington: Warning, Annual Town Budget Meeting, May 22, 2008.
The voters and electors of the Town of Washington are hereby warned that a Town Meeting will be held on Thursday, May 22, 2008 at 7:30 p.m. at Bryan Memorial town Hall, Washington, Connecticut, to consider and act upon the following agenda:

- 1. To consider and act upon the proposed General Fund Expenses for the 2008-2009 fiscal year.**
- 2. To consider and act upon the proposed Nonrecurring Capital Expenses for the 2008-2009 fiscal year.**
- 3. To discuss and act upon the discontinuance of Old River Road.**
- 4. To discuss and act upon amending Town Ordinance 720, Ordinance Establishing Citation Procedures and Fines for Violations of Inland Wetlands and Watercourses Regulations, Section E, Schedule of Fines.**

A copy of all information pertinent to this meeting is available in the Office of the Town Clerk. Dated at Washington, Connecticut this 15th day of May 2008. Mark E. Lyon, James L. Brinton, Nicholas N. Solley: Board of Selectmen

RESOLVED: To approve an amount not to exceed \$3,890,636 for expenditures from the 2008-2009 General Fund Budget.

Proposed by: Michael Jackson

Seconded by: Jack Boyer

Discussion: Peter Tagley, John Millington, Kathy Gollow. Questions and clarification of processes.

Vote: All in favor. None opposed. Motion passed

RESOLVED: To approve an amount not to exceed \$1,670,176 for expenditures from the Nonrecurring Capital Fund Budget, which will be offset by anticipated grants in the amount of \$520,000, resulting in a net expense of \$1,150,176.

Proposed by: Michael Jackson

Seconded by: Jack Boyer

Discussion: None

Vote: All in favor. None opposed. Motion passed.

RESOLVED: To discontinue Old River Road from the intersection of Cook Street, River Road and Old River road as shown on Assessor's Map 9-6, Lots #1 and #2, where it abuts Assessor's Map 4-6, Lot #68 and where it rejoins River Road on Assessor's Map 9-4, Lot #14. Proposed by: Mark Lyon

Seconded by: Nicholas Solley

Discussion: Wayne Hileman. Questions and clarification of passive use, liability, ownership.

Vote: All in favor. None opposed. Motion passed.

RESOLVED: To amend Town Ordinance 720, "Ordinance Establishing Citation Procedures and Fines for Violations of Inland Wetlands and Watercourses Regulations", Section E, Schedule of Fines as follows:

TO DELETE: E. SCHEDULE OF FINES:

1. The amount of the fine specified in any citation shall be based upon the number of citations issued to the same person during the ten (10) years immediately prior to the date of the citation being issued. The amount of the fines shall be as follows.

Number of Citations	Amount of Fine
None (0)	\$120
One (1)	\$250
Two (2)	\$500
Three (3) or more	\$1000

TO ADD: E. SCHEDULE OF FINES:

1. The amount of fine specified in any citation shall be based upon the presence or risk of adverse affect on wetlands or watercourses associated with the violation, and the number of citations issued to the same person during the ten (10) years immediately prior to the date of the citation being issued. Violations arising from regulated activities not conducted in wetlands or watercourses, which have not had a physical impact on wetlands and watercourses at the time of the citation, are nevertheless subject to fines if the activities are conducted within 100 feet of wetlands and watercourses and by their nature pose the risk of adverse physical impact on those resources.

The amount of the fines shall be as follows:

\$150 if the violator has had no previous citations, the violation does not involve activity directly in a wetland or watercourse, and the activity has not had a physical

impact on a wetland or watercourse.

\$350 if either 1) the violator has had a previous citation, but the violation does not involve activity directly in a wetland or watercourse, and the activity has not had a physical impact on a wetland or watercourse, or 2) if the violator has not had a previous citation, and violation does not involve activity directly in a wetland or watercourse, but the activity has had a physical impact on a wetland or watercourse.

\$500 if either 1) the violator has had no previous citation, but the violation involves activity directly in a wetland or watercourse, or 2) the violator had had a previous citation and the activity has had a physical impact on a wetland or watercourse, but the violation does not involve activity directly in a wetland or watercourse.

\$750 same circumstances as above for the \$500 violation, but this is the violator's third offense.

\$1000 For all other violations.

The failure to comply with any provision of an enforcement order shall constitute a separate violation and shall be subject to a separate citation and fine.

For purposes of establishing the amount of the fine in accordance with the foregoing schedule, the "Number of Prior Citations" shall not include any prior citations that were dismissed on appeal.

Proposed by: Mark Lyon

Seconded by: Michael Jackson

Discussion: None

Vote: All in favor. None opposed. Motion passed.

Motion to Adjourn:

Proposed by: Michael Jackson

Seconded by: Jack Boyer

Discussion: None

Vote: All in favor. None opposed. Motion passed.

Meeting adjourned at 7:51 p.m.

I, Sheila R. Silvernail, do certify that the foregoing pages are a true and accurate summary of the Town Meeting of the Town of Washington, CT held on May 22, 2008, to the best of my ability.

_____ Dated at Washington, CT this 27th day of May 2008.

Note: Copies of minutes, transcript, and audio recording of said meeting are available in the Office of the Washington Town Clerk.

Town of Washington Annual Town Budget Meeting
May 22, 2008 - 7:30 p.m.
Moderator: Bill Fairbairn
Clerk: Sheila Silvernail

TRANSCRIPT OF AUDIO RECORDING

(An ellipsis as indicated by ... indicates an omission due to an inaudible portion.)

First Selectman, Mark E. Lyon, called the meeting to order accepting nominations for moderator. Bill Fairbairn was nominated, seconded, and the motion for Moderator was duly passed unanimously.

Moderator: Good evening everyone. Welcome to the Annual Washington Town Meeting. Sheila Silvernail is our reporter who replaced Janet Wildman. I don't know if Janet is here, but we'll just make a note that we appreciate everything she did over the years. I'm going to ask Sheila to come up and read the call of the meeting. What I'm going to ask, if you have any questions is to raise your hand and Jimmy's got a microphone here. He'll give it to you and if you'll give your name and address so we can have it for the recorded record, that would be great and we'll go from there. So, Sheila if you could read the warning please?

Clerk: Good evening, Town of Washington Warning, Annual Town Budget Meeting, May 22, 2008. The voters and electors of the Town of Washington are hereby warned that a Town Meeting will be held on Thursday, May 22, 2008 at 7:30 p.m. at Bryan Memorial town Hall, Washington, Connecticut, to consider and act upon the following agenda:

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A copy of all information pertinent to this meeting is available in the Office of the Town Clerk.

Dated at Washington, Connecticut this 15th day of May 2008.

Mark E. Lyon, James L. Brinton, Nicholas N. Solley, Board of Selectmen

Moderator: Thank you very much Sheila. Is there a first motion? Michael? Michael Jackson.

Michael Jackson: Resolved: To approve an amount not to exceed \$3,890,636 for expenditures from the 2008-2009 General Fund Budget.

Moderator: Is there a second to that motion.

Jack Boyer: Second.

Moderator: Mr. Boyer, Jack Boyer, seconded the motion. If anybody has questions or comments on the budget, raise your hand and Jimmy will come and bring you the microphone. And again, just identify yourself, where you live, and we'll go right from there. Pete Tagley?

Audience: Multiple voices and laughter.

Pete Tagley: ... couple of questions that I forgot to ask at the ... you know. Talk and right down everything and ... remember it.

Moderator: Pete, hold the microphone on the...

Pete Tagley: Yes, I've got it. I can see we have a much shorter version of what was at the ... Is this the first ... I also remember getting a much more complete ...

Audience: Inaudible.

Pete Tagley: In this budget, are we getting any money back? Have you factored any money coming back from the Board of Education at the end of the year ... We do, ok.

Michael Jackson: We ... in the budget for next year.

Moderator: Mike, could I ... just so that Sheila

Michael Jackson: ... repeat it off the podium ... maybe everybody can hear better. In the budget for next year Peter, we've got for grants coming, education grants, \$104,000. This year we've got about \$98,000 so far.

Pete Tagley: Are those the grants from the state, correct?

Michael Jackson: Yeah.

Pete Tagley: What about money? There's been a lot of talk this year about a ...

Michael Jackson: From the Region?

Pete Tagley: Excuse me?

Michael Jackson: From the Region?

Pete Tagley: Yes.

Michael Jackson: I don't, we don't know what the ...

Peter Tagley: Ok, so you haven't factored any? Ok. That was main question I was interested in knowing.

Michael Jackson: Unless, Mark, you don't know anything about that?

Mark Lyon: No.

Pete Tagley: And if there is a ... where does that get factored in to next year's budget? Is that how that works?

Michael Jackson: It goes into the General Fund and when we set the mill rates, we try to take those sorts of things into consideration.

Pete Tagley: So if the Board of Ed, I heard of a sum. Are there any Board members here? I heard of a sum of \$400,000 left over this year. Is that correct? Anybody here from the school board? Kathy?

Kathy Gollow: I'm not from the school board ...

Moderator: Kathy Gollow speaking.

Kathy Gollow: Sorry. We did get ... of that, which was a little over \$200,000. And that is shown as income. It's not budgeted for next year ... know if we're going to get anything back.

Pete Tagley: No, so in here is \$200,000 that came back from them?

Kathy Gollow: It already came back, yes. It came back about a month or so ago.

Pete Tagley: Ok.

Kathy Gollow: That's for this year's budget, but for next year's budget there's nothing budgeted for this. We never know if we're going to have...

Pete Tagley: No, but the, explain exactly when you have a surplus from last year's budget which is given to you this year, correct?

Unknown: Are you talking about the Region's budget?

Pete Tagley: Yeah, the Region, not our share, but I mean the Region...

Unknown: It would go into the General Fund and it would be available for, as funds for the following year.

Pete Tagley: So in actuality, do you figure that into an overall reduction in expenses? How do you handle that? For me as a taxpayer, I would say to you as a taxpayer, "That's my money that I gave you from the school board..."

Michael Jackson: All the money is your money Peter.

Pete Tagley: Yeah, I know...

Multiple Voices: Inaudible.

Pete Tagley: It wasn't spent and it never seems to work its way back to us as, directly as it came out.

Unknown: I don't think...

Pete Tagley: It goes into the General Fund, correct?

Unknown: It all gets into the General Fund and it's considered.

Pete Tagley: Right, so then, what it does reduces maybe upcoming expenses.

Unknown: Well, if it wasn't there, you'd have to have \$200,000 more, if that's the number, of income from someplace. Ok?

Pete Tagley: Ok, I have one other question which I forgot to ask you. Ken Cornet brought up at the budget hearing that the issue of appropriated money into a fund for land, appropriation of land, correct? And this was the reason for that you explained and we all know that ... couple years ago we decided as a town to build a fund ... space. The question I have which I didn't ask at the last meeting is one, what is the criteria for determining what would be purchased? Because, right now we have in the fund I think you said \$600,000. Is that what's in the fund right now?

M. Jackson: Actually more.

P. Tagley: Ok, what bothered me and I didn't get to bring it up at the budget hearing was that several, two years ago I think it was, Owen Moore offered us a very large parcel of land in New Preston which is a very important piece of land because it covers ... expensive businesses which have been constructed in New Preston, plus protects the lake. It's 34 acres. I think he offered it for like \$390,000, \$400,000 somewhere in that general area. The town did not step up and buy it. It had enough money to buy it outright. Although, you explained at the budget hearing that this money could be used to even hold a mortgage, if you so choose, whoever makes that decision. I guess at a town meeting you would propose that the town would make a decision. Would you explain, because I was very interested in seeing that piece of land purchased. I called Dick Sears and he said that he thought they missed the boat. That was what he said to me. I don't know the story behind it, but could you explain, maybe not on that exact

parcel, but what is? From my vantage point, I thought it should have been purchased. It wasn't. I didn't get ... political aspects of you know what happened, because I found out about it after it was rejected by the town. And I think Nick was on the Board at that time. So my question to you is, many of us are concerned about open space. Who makes the decision as when, what is going to be presented to us and just what is that criteria that determines that? Because, I thought we missed an opportunity and it never got to the public. And, I don't know, how does it get to the public? Who determines whether it will get to the public?

Unknown: It's a process that goes from the Commission to the Selectmen. And the Selectmen then present it to the town if they so wish. The best example that we've had to date was Macricostas. And if you remember how that worked, it went from a Conservation Commission to the Selectmen. There were three parties involved, the state, the town, and private donations. And there was a town meeting and you voted on it. And the town put up \$500,000 of the \$1.5 million purchase.

Pete Tagley: The only reason I brought that up was because this was a very affordable, large parcel of land in the middle of a significant...

Moderator: I can tell you Pete. I happened to be at the Conservation Commission meeting the night that that was brought up. And, I think it, they voted not, they voted ... something like that not to purchase it. It wasn't ... but they, you know, they, you know ...

Unknown: Inaudible.

Moderator: One second! Excuse me.

John Millington: Hi, John Millington. I'm not sure I understand exactly what you just said to me. What happened at that meeting? Who voted against it? This is all kind of smoky in my mind.

Moderator: Well, I'm just a bystander, but I believe that, you know, they discussed the possible purchase of it and decided, you know, the Committee decided that they didn't, you know, that they weren't going to go forward on it. That was my recollection.

J. Millington: This is conservation?

Moderator: Rich, you were there? ... Yeah, that's what I remember, the Conservation Commission, you know.

John Millington: That's funny, because just quickly, I'm remembering the number of the town's upper echelon went to look at that property and walked it and said to me, "We should buy that as a town." And, I know when I was on the Commission we offered \$250,000 for that Moore property from Washington Housing Trust. Where we were going to get the money, who knows! I thought, as you did Peter, this town, this absolutely ought to be bought.

Moderator: Well, I think Pete with this wonderful budget here, maybe you can write a check tonight to buy it.

Audience: Laughter.

Moderator: Any more questions on the budget specifically? Anybody else out there? Anybody? No comments, no questions? Because, if there aren't, then we're going to go ahead and vote on the budget. Last chance! No other questions? If not, then we'll go ahead and vote on the resolution. Does anyone want it re-read before we vote on it? Everybody understand what we're doing? Ok! All in favor of the motion, please say aye.

Audience: Aye!

Moderator: Any opposed?

Audience: Silence.

Moderator: Motion passes. Next motion?

Michael Jackson: Resolved: To approve an amount not to exceed \$1,670,176 for expenditures from the Nonrecurring Capital Fund Budget, which will be offset by anticipated grants in the amount of \$520,000, resulting in a net expense of \$1,150,176.

Moderator: Second for that motion?

Jack Boyer: Second.

Moderator: Mr. Boyer again the second on that motion. Does anybody have any questions or comments on this motion?

Audience: Silence.

Moderator: Nobody? Alright, if not, last chance. Alright, anyone want the motion repeated before we vote on it? Alright all those in favor of the motion, please say aye.

Audience: Aye.

Moderator: Opposed?

Audience: Silence.

Moderator: Ok! Mark? Mark Lyon.

Mark Lyon: Mark Lyon.

Audience: Laughter.

Mark Lyon: Resolution: To discontinue Old River Road from the intersection of Cook Street, River Road and Old River road as shown on Assessor's Map 9-6, Lots #1 and #2, where it abuts Assessor's Map 4-6, Lot #68 and where it rejoins River Road on Assessor's Map 9-4, Lot #14.

Moderator: Ok, is there a second for that motion?

Nicholas Solley: Second.

Moderator: Mr. Solley, Nick Solley. Any questions or comments on this motion?

Mark Lyon: I left a little map in the back and I note on the top that says not to scale.

Audience: Laughter.

Moderator: Does anyone have any questions for the Board of Selectmen on this motion. Mr. Hileman? Jimmy will get you there.

Wayne Hileman: Wayne Hileman, River Road. Just one quick question, does the discontinuance of this section of River Road allow for, I guess what the term is passive recreational use, or people who are normally used to cutting through there or walk through there are still going to be allowed to use that?

Mark Lyon: That option was discussed by the Board of Selectmen back in August as well as the Planning Commission. It was decided it was probably was not because when the town reserves, maintains that right, it also maintains the liability for maintenance as a walking trail as long as, as well as for liability for personal injury. It was felt by the Planning Commission and the Board of Selectmen that that little piece there was not worth the liability.

Wayne Hileman: Ok, so then, so then as I understand it, then that portion, so that portion of Old River Road is basically going to revert to those two lots ...?

Mark Lyon: Well, actually it's abutted by four lots, but yes. What happens is the town is going give up all rights to those eased properties. It'll go back to abutting landowners if they decide they want to redo a survey, if it's not included in their survey. But, basically the town is just discontinuing all claims to any rights to use that property.v

Wayne Hileman: And all obligation to maintain it?

Mark Lyon: Correct. Yes.

Wayne Hileman: Thank you.

Moderator: ... you have a question?

Unknown: That answered my question.

Moderator: Anybody else have a question on this motion? Ok, if not, let's go ahead and vote on it. Anyone want it re-read? That's good too! All in favor please say aye.

Audience: Aye.

Moderator: Any opposed? Ok, motion passed.

Unknown: - read the next motion ...

Mark Lyon: I'll read this next motion. Any questions, we have representatives from the Inland Wetlands Commission here that could address any questions you have. It's: To Delete: Section E of Ordinance 740, 720 and: To Add: in E. Schedule of Fines: Amount of fines specified in any citation shall be based upon the presence or risk of adverse affect on wetlands or watercourses associated with the violation, and the number of citations issued to the same person during the ten (10) years immediately prior to the date of the citation being issued. Violations arising from regulated activities not conducted in wetlands or watercourses, which have not had a physical impact on wetlands and watercourses at the time of the citation, are nevertheless subject to fines if the activities are conducted within 100 feet of wetlands and watercourses and by their nature pose the risk of adverse physical impact on those resources. The amount of the fines shall be as follows;

\$150 if the violator has had no previous citations, the violation does not involve activity directly in a wetland or watercourse, and the activity has not had a physical impact on a wetland or watercourse.

\$350 if either 1) the violator has had a previous citation, but the violation does not involve activity directly in a wetland or watercourse, and the activity has not had a physical impact on a wetland or watercourse, or 2) if the violator has not had a previous citation, and violation does not involve activity directly in a wetland or watercourse, but the activity has had a physical impact on a wetland or watercourse.

\$500 if either 1) the violator has had no previous citation, but the violation involves activity directly in a wetland or watercourse, or 2) the violator had had a previous citation and the activity has had a physical impact on a wetland or watercourse, but the violation does not involve activity directly in a wetland or watercourse.

\$750 same circumstances as above for the \$500 violation, but this is the violator's third offense.

\$1000 For all other violations.

The failure to comply with any provision of an enforcement order shall constitute a separate violation and shall be subject to a separate citation and fine.

For purposes of establishing the amount of the fine in accordance with the foregoing schedule, the "Number of Prior Citations" shall not include any prior citations that were dismissed on appeal.

Moderator: Ok, is there a second to that? Mr. Jackson?

Moderator: Are there any questions or discussion on this motion?

Audience: Silence.

Moderator: Ok. Then does anyone want the motion repeated?

Unknown: Probably not.

Audience: Laughter.

Moderator: Alright, all in favor of the motion as read, please say aye.

Audience: Aye.

Moderator: Opposed?

Audience: Silence.

Moderator: Alright, we're all set. I don't believe there's any further business that's on the floor of the meeting. So, any motion to adjourn? Mr. Jackson, Mr. Boyer. So moved!

Adjourned at 7:51 p.m.

I, Sheila R. Silvernail, do certify that the foregoing pages are a true and accurate summary of the Town Meeting of the Town of Washington, CT held on May 22, 2008, to the best of my ability.

_____ Dated at Washington, CT this 27th day of May 2008.

Note: Copies of minutes, transcript, and audio recording of said meeting are available in the Office of the Washington Town Clerk.