

## 09/09/2009 Special Town Meeting Minutes

### MINUTES OF SPECIAL TOWN MEETING OF THE TOWN OF EAST HAMPTON HELD SEPTEMBER 9, 2009

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of East Hampton, Connecticut, was held at the East Hampton High School, North Maple Street in East Hampton, Connecticut on the 9<sup>th</sup> day of September at 7:00 p.m.

Mr. Robert McKinney was Moderator of the meeting and Sandra M. Wieleba was the Town Clerk. Alannah Coshaw, Republican Registrar of Voters and Margaret Jacobson, Deputy Registrar of Voters, Carol Dence, Democratic Registrar of Voters and Donna Long and Christie Dence, Democratic Deputy Registrar of Voters and Vincent Susco, Director of the Water Pollution Control Authority, Janet Brooks, Town Attorney were also in attendance.

The Clerk read the notice for the meeting which was published in The Rivereast on August 28, 2009, and which is recorded in these minutes.

Mr. Christopher Goff moved to accept the call of the meeting and it was seconded. Moderator McKinney called for a vote. Vote in the affirmative.

Ms. Melissa Engel moved to vote by rising vote seconded by Mr. Thomas Cordeiro. A discussion ensued concerning the verification of residency of the audience voting on these resolutions, exclusion of individuals unable to attend this meeting and the lack of absentee ballots. A resident urged the audience to vote "no" in order to use paper ballots for this meeting.

Moderator McKinney appointed Mary Ann Wall, George Pfaffenbach, Whitney Fielding and Roy Gauthier to be counters.

A vote on the method for voting was taken. A total of 378 individuals voted as follows:

Number of "YES" votes	<u>264</u>	Number of "NO" votes	<u>114</u>
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Moderator McKinney requested that the resolution prepared for this item be presented. Mr. Thomas Cordeiro presented the following resolution which was seconded by Mr. William Devine to be considered.

To acquire easement and rights in real estate located on Flanders Road: Lots 10 and 10A on Map 26, Block 87 owned by Kevin G. Kiely and Kim S. Kiely. Said easement will be used by the Town of East Hampton to complete Phase 2 of the Flanders Road reconstruction project. Said easements and rights include a permanent easement for sloping rights, a temporary construction easement, rights to remove existing trees and an existing stone wall as well as a drainage easement. An appraisal performed on behalf of the Town has valued the diminution in value to the Kiely property as a result of the Town's acquisition of said easements and rights at \$9,225.00

A discussion on the resolution followed.

Ms. Barbara Suprono, 43 Walnut Avenue, asked if the property would be reduced by this amount. Moderator McKinney confirmed that the assessment would reflect this reduction.

Mr. Rob Lazor, 40 South Main Street asked if the Kielys' were pleased with this arrangement. Moderator McKinney confirmed that they were in complete agreement with this arrangement.

A question as to where the drainage water would be diverted. Moderator McKinney indicated it would either go into Cranberry Bog or catch basins.

The foregoing resolution was adopted by standing affirmation. The consensus was unanimous in favor of this resolution.

Moderator McKinney requested that the resolution prepared for this item be presented. Ms. Melissa Engel presented the following resolution which was seconded by Mr. William Devine to be considered

To appropriate \$220,000 for costs with respect to the acquisition of real estate on Middle Haddam Road known as Assessor's Map 01C Block 10 Lot 3 owned by Meghan T. Greer aka Meghan Thomas Greer, Margaret G. Duffy f/k/a Margaret Taylor Greer, and Elizabeth M. Cote f/k/a Elizabeth M. Greer. Said property will be used by the Town of East Hampton in order to locate the construction of a water treatment plant to serve the Town's water system; and that the Town appropriate \$220,000 from undesignated, unencumbered general fund balance to finance the appropriation. The appropriation may be spent for title insurance, broker's fees, adjustments, and closing expenses, legal fees and administrative costs related to the acquisition. The Town has negotiated with the owners of the property to purchase the property together with all improvements as may exist thereon for the sum of \$212,500. The Town will incur certain other costs in connection with the purchase of the property, including but not limited to title insurance, broker's fees, adjustments and closing expenses, legal fees and administrative costs related to the acquisition estimated to be \$7,500. The Town anticipates that approximately 55% of the eligible costs of the project will be defrayed from federal grants.

A discussion on the resolution followed.

Kathleen Megan, 59 Middle Haddam Road asked where the property was located. Moderator McKinney indicated that it was behind Pat's Market.

Mr. Thomas Cordeiro, 32 Hog Hill Road, reminded the audience that they were not voting on a water system, but on the purchase of property in order to locate the construction of a water treatment plant to serve the Town's water system in the future. He also mentioned that this would allow the town to secure stimulus money.

A resident on Brookside Court was concerned that there would not be stimulus money available in the future.

Mr. Albert Colman, 21 Schoolhouse Lane, inquired as to what the environmental impact would be on the wetland area. Moderator McKinney explained that the system would be a closed loop system and have a direct line to the water treatment plant which would prevent any pollutants or other environmental contamination to this area.

Mr. William Choma, 20 Namonee Trail, asked if the legal document which was signed, but no available at last night's council meeting was available and how it would affect this vote. Moderator McKinney indicated that it would have no effect on this vote.

A resident spoke and indicated that he did not agree with the explanation of not impact to the wetlands. He asked for this in writing so that the town could review it in 10-15 years from now.

Mr. Rowland Rux, 129 Wopowog Road, spoke in support of this resolution.

Mr. John Suprono, 122 Colchester Avenue inquired about the potential contamination and asked how the town knew the water wasn't coming from the Connecticut River instead of from wells.

Mr. Rob Lazor, 40 South Main Street, asked about the order of the resolutions for voting purposes.

Mr. William Reardon, 55 South Main Street, asked why this issue couldn't be voted on at a later date.

Mr. John Hines, 38 South Main Street, pointed out that the survey revealed only 3 acres of buildable land and felt that the price was too high.

Mr. Chris Burt made a motion to move the question. A 2/3 vote of the audience was in the affirmative and a vote was taken on the resolution.

The foregoing resolution was adopted by rising vote. A total of 389 individuals were in attendance

Number of "YES" VOTES 276 Number of "NO" VOTES 113 \_

Moderator McKinney requested that the resolution prepared for this item be presented. Mr. John Tuttle presented the following resolution which was seconded by Mr. Christopher Goff to be considered

To appropriate \$790,500 for costs with respect to the (a) acquisition by the Town of an easement with respect to a portion of the property situated on the south side of the Portland-Cobalt Road (Connecticut Route 66) and known as 49 Oakum Dock Road in East Hampton, now or formerly owned by Saint Clements Marina, LLC, for the development and operation of a public water supply, (b) environmental remediation activities on the 49 Oakum Dock Road property, (c) demolition and removal of various structures on the 49 Oakum Dock Road property and (d) other work and improvements to the 49 Oakum Dock Road property consistent with the agreement between the Town and Saint Clements Marina, LLC with respect to the easement acquisition; and that the Town appropriate \$790,500 from

undesignated, unencumbered general fund balance to finance the appropriation. The Town anticipates receiving federal grants in the amount of approximately 55% of the eligible costs of the project to defray in part the appropriation.

A discussion on the resolution followed.

Mr. John Tuttle, 71 Viola Drive, indicated that it was his obligation to work on behalf of the residents and supported this resolution. He further indicated that there would be no tax impact or mill rate increase since the funds were available in the general fund and that the town anticipated receiving federal grants in the amount of approximately 55% of the eligible costs of the project in order to defray in part the appropriation.

Mr. Kyle Dostaler, 56 William Drive, spoke in opposition to how the system would be acquired and felt that this issue should have been voted on at a referendum rather than a town meeting.

Moderator McKinney reviewed the Town's Charter and the proper procedure in order to have brought these resolutions to a referendum vote.

Mr. Paul Peszynski, 29 Day Point Road, mentioned a vote on a water system was proposed in 1965 in which the town would have been required to pay for 10% of the project. That referendum failed. He did not wish to see his children and grandchildren have to struggle with this issue in order to have quality water. He supported this resolution.

Ms. Melissa Engel, 7 Markham Road, indicated that she supported town meetings because they allowed the residents to have a chance to ask questions and voice their opinion. She also discussed her reasons for not supporting the water system proposed in 2007 which would have raised taxes. She thanked the members that had served on the Water Task Force before it was dissolved. She mentioned Robert Heidel, who passed away on July 1, 2009, served on this and other water related committees and was a strong advocate who supported a water system for the Town.

Mr. Edward Jackowitz, CEO of American Distilling & Manufacturing Company, mentioned the importance of sustainability and the need for a water system. He explained that his company makes pharmaceutical products that need to have pure water and that his wells have been deteriorating over the last several years. He supported a water system for this Town and mentioned that if the town did not go through with this resolution, the Town of Portland would take advantage of it at a high price.

Mr. Scott Minnick, 28 South Main Street, felt that the previous Town Council, which he was and is a member of, was misled and that the reason why the referendum in 2007 failed was because the town did not want a water system. He did not support this resolution.

Mr. Chris Burt made a motion to move the question. A vote was taken on this motion and it passed by 2/3 vote.

The foregoing resolution was adopted by rising vote. A total of 347 residents were in attendance.

Number of "YES" VOTES 268 Number of "NO" VOTES 79 \_

Ms. Melissa Engel, 7 Markham Road, thanked everyone for attending this meeting and supporting these resolutions and wished to convey Mrs. Robert Heidel's appreciation for passing these resolutions.

Motion made by Ms. Melissa Engel and seconded by Mr. John Tuttle to adjourn the meeting at 8:30 p.m.

Respectfully submitted

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Sandra M. Wieleba, Town Clerk