

Town of Sherman
Board of Selectman Monthly Meeting
October 22, 2020 at 7:00 pm
Via ZOOM Teleconferencing

Member's Present: First Selectman Don Lowe, Selectman Bob Ostrosky, and Selectman Kevin Keenan

Member's Absent: None

Audience & Invited: Treasurer Eric Holub, Business Manager Liz LaVia, Phyllis Fox Schaer, Fire Chief Chris Fuchs, and members from the community.

Clerk: Margaret Beatty

Call to Order/ Pledge of Allegiance: First Selectman Don Lowe called the meeting to order at 7:00 pm followed by the reciting of the Pledge of Allegiance.

First Selectman Don Lowe opened meeting by motioning an agenda item.

Motion: To add an Inlands/Wetlands Commissioner appointment within the appointments segment of the agenda.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

Public Comment: Stan Greenbaum requested a Town meeting to discuss the cell tower proposal submitted. He expressed his concern that the proposal was done with limited public input.

First Selectman Don Lowe responded that all legal parties involved have been contacted and that further discussion on the related topic will be revisited in the Information & Discussion portion of the agenda under 2020/2021 Town Calendar dates approval.

First Selectman Don Lowe reaffirmed that there will be another opportunity for public comment at the end of the meeting and comments will be allowed throughout the meeting if the comments are pertinent to the topic being discussed.

Correspondence: A letter was sent by the CT Public Health Branch Chief for Water, Laurie Mathieu, expressing her gratitude to the Town for submitting the results of the new well water report. She was pleased with the Town's proactive approach in securing potable water and to continue keeping the state informed of any new measures.

Nina Walsh of Orchard Rest submitted a letter of concern regarding Orchard Rest Road and its safety issues, citing the dangerous drop off and the added dangers when inclement weather is a factor. She proposed a discussion on adding guardrails to help combat the safety concerns. First Selectman Don Lowe concluded the letter by adding he will be meeting with Mrs. Walsh.

Administrative Items:

A) Approval of minutes:

9/24/2020 Board of Selectman Monthly Meeting

Motioned by: Selectman Kevin Keenan (note: typo in well approval agenda item, first sentence should be read as officially not official.)

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

10/8/2020 Board of Selectman Special Meeting

Motioned by: Selectman Kevin Keenan

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

B) Tax Refunds: Refund for \$656.06

Motioned by: Selectman Kevin Keenan

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

C) Financial Review: Business Manager Liz LaVia reported that the Town is in the fourth month of this fiscal year and are on track/ or under spending. The building fees are up due to increase in building permits. The Fire Marshal wage line is running high due to extended storm coverage of Isaias, and filling in as facilities manager for building issues in the ESF, also for work securing generator(s) info/spec. She also noted that that the Town has money in ESF Contracted Services and could possibly offset any additional wage cost incurred by the Fire Marshal. The Happy Acres Farm lease expires at the end of December and discussion is needed to move forward with renewal. First Selectman Don Lowe acknowledged the lease expiration will be added to the November agenda.

Appointments:

A) Delegate to the Candlewood Lake Authority

Motion: Appoint Martin O'Connor to a 3 year term ending 1/1/2024 to the Candlewood Lake Authority.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

B) Sherman Housing Commission

Motion: Appoint Alexis Mace to the Sherman Housing Commission for a 2 year term expiring 1/1/2023.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Kevin Keenan **All in Favor:** Unanimous

C) Assistant Director of Office of Emergency Management

Motion: Appoint Bob Accosta for a term concurrent with the First Selectman's term to be the Assistant Deputy of the Emergency Management Team.

Motioned by: First Selectman don Lowe

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

D) Inlands/ Wetlands Commission (replace full commissioner who resigned)

Motion: Appoint Jerome Mendel from alternate commissioner to full commissioner on Inlands/Wetlands.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Kevin Keenan

All in Favor: Unanimous

Note: First Selectman Don Lowe mentioned that there is another vacant seat on that commission and to please contact him if anyone interested in filling the vacancy.

Information & Discussion:

A) SVFD monthly report: Fire Chief Chris Fuchs summarized the monthly activity. He noted the improvement in water quality since the updated well resulting in repairing many appliances and the startup of appliances that have been inactive for years, i.e. ice machine and dishwasher. The SVFD have responded to 18 calls, with a total of 412 calls for the year. The department is trending higher in calls for the year but it's mainly due to the storm damage of Isaias. October is Fire Prevention Month and he encourages everyone to practice safe fire habits around your home such as changing batteries in smoke detectors, and that your home and mailbox is properly marked/numbered.

B) Update on CERT (Community Emergency Response Team): James Reilley, Sherman's Director of Emergency Management, provided an update regarding interest in Town. The Town received interest from 12 people to date. The Town of New Fairfield will be hosting a class but only 6 Sherman applicants were able to join this class. Another CERT class series via ZOOM will be offered in the spring and the remaining applicants will be able to receive certification. James Reilley and First Selectman Don Lowe expressed gratitude to the applicants that stepped forward.

C) Covid 19 report: As of Tuesday October 20, 2020 Sherman has 2 new current cases, which has been posted to the Town website. There has been an uptick statewide with 19 Town's that are considered hotspots. Everyone is strongly encouraged to remain cautious practicing social distancing and wearing masks when necessary. First Selectman Don Lowe strongly advised that everyone exercise caution with Halloween. He advised that anyone who is elderly or anyone that does not want foot traffic to place a sign on your door stating "no trick or treating" to limit your exposure. If anyone wishes to partake in activities it is recommended to leave candy at the bottom of your driveway and to travel in small groups. The CDC altered its guidelines on exposure to the virus, stating it's thought by CDC experts to be a 15 cumulative total of exposure to someone who has tested positive.

D) Happy Acres Farm report: The barn work is in progress, it has been completely resided and the first coat of paint has been applied. First Selectman Don Lowe encouraged everyone to watch the documentary of David at the farm and an article was also written which can be found in the Town Tribune. The gardens have slowed down due to weather but he is selling beef, pork, and will be selling eggs. The property continuing to be painstakingly maintained.

Comment: Collette Shulman inquired about any concrete decisions regarding to use of space in the barn at Happy Acres. She believes that the barn should be preserved for farm related use. First Selectman Don Lowe responded that no final decisions have been made but the Town is exploring its options.

E) Review generator bid proposals for Mallory Town Hall and Public Works garage and decide on further action: The Town received 4 bids regarding the generators for Mallory Town Hall and the Public

Works garage. First Selectman Don Lowe opened up topic for discussion to the board members. Selectman Kevin Keenan expressed that he would like more time to review the bids. In turn, First Selectman Don Lowe took the opportunity to read aloud the submitted specs hoping that the information would lead to a decision made about bringing the topic to a Town Meeting.

Wright Electrical Co: \$27,425 MTH, \$18,875 PW, total for both \$46,300

A.M. Rizzo: \$43,538 MTH, \$39,370 PW, total for both \$82,908

Industrial: \$49,970 MTH, \$39,997 PW, total for both \$89,967

Polytech: \$29,500 MTH, \$28,000 PW, total for both \$57,500

First Selectman Don Lowe would like to move forward with the spec provided by Wright Electric and present at a future Town Meeting. Selectman Kevin Keenan wanted confirmation on the specific brand of generator offered in the bid specs from Wright before he made a decision. Selectman Bob Ostrosky suggested a special meeting to discuss. First Selectman Don Lowe mentioned he would follow up with Wright for more information regarding the brand of generators that would be provided. The Board decided that they would accumulate more information and warn a special meeting to discuss.

First Selectman Don Lowe recognized Fire Marshal Dave Lathrop for all of his hard work offering advice, helping organize the bid specs, and contacting appropriate parties.

F) Sherman Veteran's Association's request for an organization headquarters: The Town is exploring the idea of converting the Scout House as a proposed location for housing the Veteran's Association. The issue of storage and coordination of time between organizations pose a hardship.

Comment: Arthur Von Plachecki suggested looking into a metal building that was attached to the Town garage equipped with a bathroom.

Ed Hayes interjected stating the conversation relating to finding a home for the Veteran's was being mischaracterized. He went on to clarify that the home they are looking for would be a home available at a moment's notice. He did mention that the Scout House was 1 of 5 spaces considered as an option but no concrete decision was made on its potential viability. He is looking for a place where the Veterans can gather without the need to schedule or planning around another organizations schedule. He went on to thank the board for recognizing their needs.

The BOS assured Mr. Hayes that the Veteran's needs are met respectfully and with careful consideration.

G) Watercraft request from Candlewood Lake Authority: The CLA presented an elaborate presentation at a BOS Special Meeting expressing their need for funding for 2 new watercrafts. The CLA requested \$50,000 for 2 watercrafts as opposed to the initial \$60,000. First Selectman Don Lowe informed all participating that New Milford's and New Fairfield's Board of Finance have committed to funding the request. He also noted that the Brookfield BOS committed and are meeting with their Board of Finance about requisitioning the money. Danbury traditionally waits for neighboring Town's before making a decision. First Selectman Don Lowe proposes that the topic goes to a Town Meeting and opened conversation up to the board member's.

Selectman Bob Ostrosky supports moving the topic to a Town Meeting but was looking for clarification on whether the Town's that have committed put their commitment in writing. Selectman Kevin Keenan also supports moving to Town Meeting. First Selectman Don Lowe will follow up with the participating Town's and if their commitment was documented.

First Selectman Don Lowe mentioned that the Board has the power to use the Governor's Executive order to pass the request but feels the expense is too great and would prefer to bring it to the people. He also circled back to the idea that the CLA could loan the money and the 5 Town's would be the guarantors. He confirmed with Martin O'Connor, who has extensive knowledge on lending and finance, and Mr. O'Connor confirmed that it can be an option.

Arthur Von Plachecki believe the residents of Sherman would take no issue with the Board deciding to fund the watercrafts if the end result would be to curb bad behavior on the Lake and provide added protection.

Stan Greenbaum asked what the life expectancy of the boats and also questioned if the money was borrowed and budgeted wisely it would be considered a cost effective approach to purchasing the boats. First Selectman Don Lowe responded that the life expectancy is 30+ years and agreed that the possibility of a 5 Town guarantor loan was reasonable but unusual. Nick Mellas, assistant chief of the Marine Patrol, weighed in that stating the life expectancy is 40-50 years and retains better than half their value.

Motion: To approve an amount not to exceed \$50,000 from the Capital Non-Recurring Fund to the Candlewood Lake Authority for the Sherman portion for 2 new patrol boats contingent on the other four Town's from the Capital Non-Recurring Fund.

Motioned by: Selectman Bob Ostrosky

Seconded by: First Selectman Don Lowe

All in Favor: Unanimous

H) Northwest Connecticut Land Conservancy (NCLC) tax refund and tax abatement request: The agenda item was tabled for a future meeting.

I) 2020/2021 Town Calendar dates approval: All Selectman reviewed the dates and approve

Motion: Approve the calendar for year 2020/2021

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Kevin Keenan

All in Favor: Unanimous

J) Outdated Town Meeting Ordinance removal (Move to Town Meeting): A Town Meeting statute that was written in 1943 stating that a Town Meeting must be held on the first Monday in October. First Selectman Don Lowe proposed making a motion to bring the ordinance to a Town Meeting with the purpose of striking it down.

Motion: Move to Town Meeting to strike ordinance from books.

Motioned by: Selectman Kevin Keenan

Seconded by: Selectman Bob Ostrosky

Treasurer Eric Holub commented that years ago residents believed that the audit and Town Meeting happen before a municipal election so the public be informed about the Town's finances. The ordinance keeps Town Meeting systematic, it allows transparency.

First Selectman Don Lowe suggested amending the ordinance at a Town Meeting and not abolishing it.

The first motion was tabled.

Motion: Move to table the original motion.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Bob Ostrosky

All in Favor: Unanimous

New Motion: Amend the Town Meeting ordinance volume T-1 p.254, to amend it reflect that the Town Meeting be held no later than the last Saturday in October.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Bob Ostrosky

All in Favor: Unanimous

Other Business: None

Public Comment: Stan Greenbaum spoke about scheduling a public session about the proposed cell tower. First Selectman Don Lowe apologized for not adding a meeting in the agenda section bulleted Town Calendar. He spoke to the board about approving November 21, 2020 for a Town forum at 10:00 am.

Phyllis Fox Schaer of CLA expressed thanks to the board for their support for the special funding of the watercrafts. She believes it will help benefit controlling the bad behavior on the Lake.

Barbara Ackerman wanted to know if a copy of the cell tower application is accessible on the Town website. First Selectman Don Lowe responded yes, it will be available for viewing on the website.

Terri Hahn of 13 Pepper Pond Road inquired if there are any new updates on the Happy Acres Silo cell tower. First Selectman Don Lowe replied that as of now there are no new developments regarding the agreements between the parties.

Motion to adjourn meeting by Selectman Kevin Keenan at 8:15 pm.

Motioned by: Selectman Kevin Keenan

Seconded by: Selectman Bob Ostrosky

All in Favor: Unanimous

Notes respectfully submitted by Margaret Beatty October 27, 2020.