

**Town of Sherman**  
**Board of Selectman Monthly Meeting**  
**December 22, 2020 at 7:00 pm**  
**Via ZOOM Telecommunications**

**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, Fire Chief Chris Fuchs, and residents from the community.

**Clerk:** Margaret Beatty

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

**Public Comment:** Susan Zeitler of 8 Curtis Drive inquired on the status of 5G in Town and if there has been any applications proposed. First Selectman Don Lowe responded that the Town has had no applications or movement on 5G. He also reassured Mrs. Zeitler that he would communicate any new information to the Town if any applications were submitted.

Susan Zeitler of 8 Curtis Drive also expressed her concern relating to the test accuracy of the Covid 19 PCR test and whether there was more information regarding the statistics behind the number of cases. First Selectman Don Lowe commented that no new information is provided other than what affects the positivity rate. He went on to highlight that the test is regarded as 95% accurate and reiterated that everyone should continue to be diligent and follow the guidelines established to prevent and protect. He also said that he will continue to provide updated information to residents as it becomes available.

**Correspondence:** First Selectman Don Lowe read a letter submitted by Ryan Peburn, the chairman of the Planning and zoning Commission. In his letter, Mr. Peburn addressed the proposed cell tower on Coote Hill and its impact. He acknowledged the need for adequate cell service to the area but also acknowledged the negative impact it would have to the surrounding area. The Commission is asking for assurance that a plan is in place to mitigate any negative impact and to know the details of provisions on the site proposed and any information be provided to make a fair and impartial recommendation. In turn, first Selectman Don Lowe commented that Planning and Zoning will be provide all information and that Homeland Towers has been updated on the Commissions interest.

Peter Kuring of 5 Coote Hill Road submitted a letter addressed to Mr. Vergotti of Homeland Towers and the proposed cell tower. He expressed concern of the wear and tear on Coote Hill

Road, which is the only access point for homeowner residents. He explained that maintenance cost of the road falls under all homeowners residing on the road and that no correspondence was offered as to the possible complications of construction and damage that could ensue with construction. Mr. Kuring expressed concern that the volume of traffic of construction trucks would destroy and undermine the existing road and that homeland Towers has not provided an appropriate response to those concerns.

**Administrative: A) Approval of Minutes**

11/19/2020 Board of Selectman Regular Monthly Meeting

**Motioned by:** Selectman Kevin Keenan

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**B) Tax Refunds: None**

**C) Financial Review:** Business Manager Liz LaVia remarked that she provided a six month snapshot of general expenses and the Town is trending at or under budget. Slight overages fell under wage lines which were justifiable, the building inspector wages are running higher due to a large number of permits, as well as Planning and Zoning fees to the state. The ESF maintenance line is running high due to several unforeseen maintenance issues including the installation of a truck fill pump sprinkler system resulting as well as the outdoor emergency phone being an added expense. Some budget lines are running under such as gas and oil, Public Works truck repairs, building maintenance, winter maintenance supply, and most of the general supply lines. She also added that starting in January all departments and commissions will be receiving their budget packages. Lastly, Payroll will be going all direct deposit starting January 1, 2021.

**D) Approval of 2021 Holiday Calendar:**

**Motioned by:** Selectman Bob Ostrosky

**Seconded by:** First Selectman Don Lowe

**All in Favor:** Unanimous

**Appointments:**

**Motion:** To appoint Karen Kellett to a 3 year term ending 2024 on Park and Recreation

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**Motion:** To Appoint Bob Putnam to a 4 year term to Inland/Wetlands expiring 2025.

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**Motion:** To appoint Henry Cooperman to a 4 year term on Inland/Wetlands expiring 2025

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To appoint Pat Bailey to a 3 year term expiring 2024 on the Conservation Commission

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To appoint Rolph Martin to a 3 year term on the Conservation Commission expiring 2024

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To appoint Sheila McMann to a 3 year term expiring 2024 to the Commission on Aging

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To appoint Jean McRoberts to a 3 year term expiring 2024 to the Commission on Aging

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To appoint Rick Hudson to a 3 year term expiring 2024 to the Commission on Aging

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To appoint Juan Garcia to a 3 year term expiring 2024 to the Commission on Aging

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To appoint Phyllis Fox Schaer to a 3 year term expiring 2024 to the Candlewood lake Authority

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To reappoint Frank Capsitas to a 2 year term expiring 2023 to the Charter Cable Advisory Counsel

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Kevin Keenan

**All in Favor:** Unanimous

**Acknowledgments:** First Selectman Don Lowe took the opportunity to recognize several members from the community that devoted many years volunteering their services to the Town. He expressed his gratitude to Dave Sneider, who served on the Inlands/Wetlands Commission for 34 years, with a card thanking him for his exceptional volunteerism. First Selectman Don Lowe acknowledged Phyllis Fox Schaer for 7 years of service as the Chairman of the Candlewood Lake Authority and always having the best interest of the Lake. Lastly, he thanked Beth Trott, who left her position as Director of Social Services. She held that position for 15 years and worked tirelessly to help those in need. Sherman resident Lynn Gomez will be succeeding Beth Trott's position and welcome her services.

**Information & Discussion:**

**A) SVFD monthly report:** Fire Chief Chris Fuchs stated that as of December 22, 2020 the SVFD had responded to 482 calls, adding that it was a significant increase from the previous year at 399. The department responded to four 911 calls during the winter storm and remarked that all the calls went well despite conditions. There are currently 35 members on the vaccination wait list for Covid 19, all EMS certified members were able to schedule their vaccinations and receiving it within the following week. Lastly, Chris Fuchs expressed his gratitude to the community for supporting the Christmas tree sale. The department was able to sell all trees within two weeks which is a record for the department.

**B) Covid 19 report:** First Selectman Don Lowe reported on the current status of the Town. He reported that there has been a dramatic increase in infection cases. He added that from the time spanning December 2 to present, 27 new cases have been reported. In total, 53 cases in less than 10 weeks. He commented that the months between May to October, Sherman recorded 1 new case from the initial 14 cases that were recorded in the months of March through April. He asked the community to stay diligent and continue to socially distance, wear masks, and refrain from gathering in large groups. He noted that he had a meeting with the Town's Public Health Director about the direction of the vaccination rollout. Information will be provided on the Town website. Currently, the vaccination protocol has been broken down into segments with group 1A taking priority consisting of health care workers, first responders, and the elderly. Within the group labeled as 1A, it is broken down further to those who are considered high risk, medium risk, and low risk. First Selectman Don Lowe opened up the conversation to Jim Reilley to provide more clarity on the topic. Jim Reilley reiterated Don's talking points adding that the state is consistently receiving large quantity of doses, and that new facilities are being added to the list to administer the vaccine. Anyone can visit a website titled CTwiz to see which category you fall under for a vaccination timeline. Jim Reilley noted that summer might be the earliest opportunity for the general public to be vaccinated, however that could change for the better. First Selectman Don Lowe lastly added that vaccine scams via

telephone calls, social media, and internet are beginning to surface targeting our elderly. Please refrain from divulging any personal or financial information.

**Public Comment:** Jen Freed of 61 Church Road conveyed her concern that people view the vaccine as solution when it's lessening the symptoms not preventing transmission. She cautioned that individuals should continue to practice appropriate safety precautions. She noted it was a step in the right direction but people should not lose sight of the nature of the virus and let their guards down.

Phyllis Fox Schaer of 6 Oak Drive questioned how a person is determined for grouping for the vaccination and where she can research the list. Jim Reilley responded that you can search CTwiz for information and that the Department of Public Health will be rolling out emails with directions on signing up and registering for the vaccine. She also inquired whether the information will be coordinated with senior citizens commenting that not all seniors are computer savvy. First Selectman Don Lowe reassured her that all angles of communication are being discussed and the Town's new Social Services Director will be soliciting information to help clarify any issues. Mrs. Schaer offered to volunteer her services to help in the community.

Ro & Al Burgasser of 1 Short Lane noted that the Senior Center has forms that can be picked up, which are submissions for requests to find out what category someone qualifies for vaccination. The forms can be returned to Social Services and the information is passed through the system.

Currently the efforts for rolling out the vaccination is in its infancy, information will be provided at a steady stream when the Town is presented with more. The Town will provide a separate heading pertaining to the vaccine on the website.

**C) Happy Acres farm report:** The farm has been meticulously maintained, Dave is selling meat currently such as chicken, beef, and eggs will be available soon if not already. First Selectman Don Lowe encouraged residents to observe the newly renovated barn. Come spring, the remainder of the projects will be tackled elevating the overall esthetic appeal of the farm.

**D) Renewal of Farm Manager's contract:** The contract would be preserved to the same particular's other than Dave Jellen was looking for more security and would like an extended term. He has invested his own money to help create an enterprise and would like to see the contract extended form a 1 year to a 5 year contract. First Selectman Don Lowe is in favor of the extension. First Selectman Don Lowe extended the conversation to the rest of the board to share their thoughts.

Selectman Kevin Keenan stated that Dave has been an asset and has done a wonderful job, he has embraced the farm and agricultural aspect. He is supportive of the idea.

Selectman Bob Ostrosky concurred with Kevin Keenan's talking points, also stating that the extension does not weaken the contract. He is also supportive of the idea. The only question Selectman Bob Ostrosky brought up was whether it is a contract with a third party or whether it

is handled as a board. First Selectman Don Lowe commented that the item can be handled by the board.

**Motion:** Extend the contract of the Farm Manager Dave Jellen and change the terms from a 1 year contract to a 5 year contract.

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**E) Renewal of Lescynski grazing contract:** The Lescynski family is also looking to extend their contract from a 1 year term to a 5 year term citing the same reasons as the farm manager. The Lescynski family would like to invest more into preserving the soil, planting grass and seed, and buying equipment to continue the mowing and repair of fields. Topic opened for discussion amongst the Selectman.

Selectman Bob Ostrosky commented he had no issue with the extension.

Selectman Kevin Keenan raised the question on whether the investments made to preserve the land was done on behalf of the Town. First Selectman Don Lowe replied no and the investments refer to purchasing grass seed and hay to make land fertile for the cows to eat.

**Motion:** Renew the contract and extend the lease terms up to 5 years to the Lescynski's

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**Comment:** Colette Schulman of 109 Route 39 North questioned whether the cited findings of the Apple Report, stating the land was to degraded and that a certain number of animals should be grazing in the pastures, was being adhered too. First Selectman Don Lowe in turn responded that the Lescynski's rotate their cattle's grazing and that he didn't necessarily agree with certain aspects of the report and its practicality.

**F) Resolution to accept STEAP Grant:** First Selectman Don Lowe commented that a motion might be needed to accept the grant so one will be presented to cover all formalities.

**Motion:** WHEREAS, pursuant to Connecticut General Statutes, Section 4-66g, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and WHEREAS, it is desirable and in the public interest that the Town of Sherman make an application to the State for \$128,205 in order to undertake the Happy Acres Farm Barn Repairs & Painting and to execute an Assistance Agreement. NOW, THEREFORE, BE IT RESOLVED BY THE Board of Selectman

1) That it is cognizant of the conditions and prerequisites for the State financial assistance imposed by Connecticut General Statutes, Section 4-66g.

2) That the filing of an application for the State financial assistance by the Town of Sherman in an amount not to exceed \$128,205 is hereby approved and that the First Selectman Don Lowe is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Sherman.

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Kevin Keenan

**All in Favor:** Unanimous

**G) Board of Education conceptual design project (public comment on this agenda item must wait for Public Comment):** First Selectman Don Lowe gave a brief synopsis of the proposed school project objective and its proposed price tag of 22 million dollars. The agenda item was scheduled to be discussed in the January BOS meeting but has been moved in light of the recent BOE meeting and comments made by several members disparaging the BOS. Each Selectman prepared a statement addressing the project and misconduct of the BOE members in question.

Beginning with First Selectman Don Lowe, he suggested the scope of the project did not resonate with Town residents and that it was tone deaf to the actual needs. He believes that the education of our children is tremendously important but that a building does not directly encourage higher learning. He stated that the proposal lacks specifics and relied upon general insertions that does not justify the price tag. He believes that the outcome of the BOE meeting paved the way to encourage dialogue to move forward with a more reasonable and comprehensible plan. He hopes that a more focused approach involving the concepts of assessment, report, prioritize, and action will lead to a more robust plan when tackling the actual needs of addressing the insufficiencies.

Selectman Bob Ostrosky began his statement by reiterating his support of the school and the education of the children of Sherman. He applauded the protocols put in place to address Covid and reemphasized his open-mindedness to proposals for future Town projects. He also commented that conversations about large expenditure projects should be debated extensively without time constraints. He does not take it lightly spending the money of others to solve problems that make yourself feel good. He was dismayed by comments made by BOE members and felt the statements were counterproductive and undermining to any efforts moving forward with the proposed project. He also added that baseless threats about Sherman being forced to regionalize if the citizens don't approve the BOE building plan do not accomplish productive collaboration.

Selectman Kevin Keenan commented that the main focus of the BOE should be to maintain the focus and improving the quality of education. He strongly emphasized the need to improve

curriculum development, personnel resources, and budgeting. He applauded the Friar Report and its recommendations on improving the building but was disappointed with the follow up architectural studies. He cited that the studies did not take into consideration the declining enrollment and aging community population that require their own need. He believes improvements will be needed but the exorbitant expense is not justifiable. He also mentioned the proposed playground project and its price tag and its relation to the school renovation and possibility of being dismantled and reassembled with the building project. He concluded by acknowledging his willingness to work with the BOE to devise a plan that would be reflective of all its citizens.

Treasurer Eric Holub and Business Manager Liz LaVia concurred with all the statements presented by the Board.

**H) Northwest Connecticut Land Conservancy (NCLC) tax refund and tax abatement request:** The NCLC purchased 2 different parcels of land and missed the tax deadlines and are looking for reimbursement. All Selectman approve of refunds.

**Motion:** To abate the 2019 Grand List Taxes of \$1,679.78 on the parcel located at Route 37 Center Map/Lot 17-31 under the Northwest Connecticut Land Conservancy Inc.

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To abate the 2019 Grand List Taxes of \$1,009.02 on the parcel located at 37 Route 55 West Map/Lot 34-32 under the Northwest Connecticut Land Conservancy Inc.

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To abate half of the 2018 Grand List Taxes of \$522.99 on the parcel located at 37 Route 55 West Map/Lot 34-32 under the Nairomi Land Trust Inc.

**Motioned by:** First Selectman Don Lowe

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

**Motion:** To refund \$1,867.39 to the Northwest Connecticut Land Conservancy Inc. aka Nairomi Land Trust.

**Motioned by:** First Selectman Don Lowe

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

Selectman Bob Ostrosky commented on the record that the motions are not duplicated.



**Re-Motion:** To refund \$1,867.39 to the Northwest Connecticut Land Conservancy Inc. on the condition that we are not repeating something from previous motions and that the total refund cannot be more than \$3,211.79.

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**I) Ex. Order 9R: suspension and modification of tax deadlines and collection efforts for tax bills that become due and payable on January 1, 2021:** The Town enlisted into a program that was part of the Executive Order were residents were able to defer taxes and pay them 3 months later without penalty. The Town was given notice that the program is still ongoing. The program that Sherman currently recognizes allows for residents to apply for the deferment of their taxes. Sherman had minimal response/participation to this program. All Selectmen are in agreement with keeping the current program. Tuesday, January 26, 2021 will be the deadline for application of the program, correspondence will be sent via Nixle and advertisements in the paper.

**J) Storage space for Town organization and entities:** The topic has been touched upon in a previous meeting. The Town is looking to organize a committee to help find a favorable place to store extras belonging to Town commissions/organizations. The primary progress made was a site walk at the Town Garage with the Land Enforcement Officer Ron Cooper. Mr. Cooper reinforced the Town ordinance that allows the Town only 1 storage shed. The Town will have to go to ZBA or an ordinance change. The topic will be an ongoing conversation and an inventory will be needed of all items that need storage.

**K) Volunteer Field fence repair proposals:** Connecticut Fence and Landscaping was the low bidder at \$2,950. The cost of the fence, except for the \$1000 deductible, will be covered by insurance.

**Comment:** Selectman Kevin Keenan commented that the linear footage presented in each proposal was different. He has no concerns with awarding the contract to the low bidder as long as the scope of the project is done within the cost presented.

**Motion:** The Town of Sherman use Connecticut Fence and Landscaping for the fence repair.

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**Discussion:** Selectman Bob Ostrosky asked if the funding was to come out of the Capital Nonrecurring Fund. First Selectman Don Lowe responded yes and mentioned that the Town wasn't sure at the onset that it would have a successful insurance claim but has since heard that insurance would handle it.

**Other Business:** None

**Public Comment:** Rick Hudson of 20 Crooked Furrow Road would like to be considered as a volunteer for the committee that will be organized addressing the storage insufficiencies.

Peter Kuring of 5 Coote Hill Road expressed his gratitude to First Selectman Don Lowe for reading his letter addressing the proposed cell tower. He also mentioned a letter written by Pepper Jones addressed to Ray Vergotti of Highland Towers and why it hasn't been brought to the public's attention.

Pam Bonner of 44 Anderson Road commended the Board on their response to the BOE and she felt like the BOS handled the topic eloquently. She believes that projects at the school should be prioritized by need i.e. the playground.

Richard Lenihan of Osborn Road he wanted clarification if any members of commissions/boards are paid positions. First Selectman Don Lowe responded no members appointed are paid.

Steve Quaranto of Coote Hill Road wanted to know why First Selectman Don Lowe did not respond to the comment by Mr. Kuring and the letter Mr. Jones had written to Mr. Vergotti of Highland Towers. First Selectman Don Lowe replied that he did respond to Mr. Kuring and that the letter in question was a private correspondence from Mr. Jones and that it was not his place to respond on Mr. Jones's behalf. First Selectman Don Lowe was given a copy but was not a part of any remarks between the parties i.e. Mr. Jones and Mr. Vergotti.

First Selectman Don Lowe moved to adjourn the meeting at 8:58 p.m.

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

Notes respectfully submitted by Margaret Beatty January 3, 2021