

**Town of Sherman**  
**Board of Selectman Monthly Meeting**  
**July 22, 2021 at 7:00pm**  
**Mallory Town Hall**

**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, Author Von Plachecki, Terri Hahn, Stan Greenbaum, and residents from the community.

**Clerk:** Margaret Beatty

**Call to order/ Pledge of Allegiance:** First Selectman Don Lowe called the meeting to order at 7:01pm followed by the reciting of the Pledge of Allegiance.

**Public Comment:** Craig Bell of 20 Cedar Lane inquired why the proposed mini park on Cedar lane was not included as an agenda item. First Selectman Don Lowe encouraged Mr. Bell to reread the email correspondence that was communicated between both the BOS and Mr. Bell. First Selectman Don Lowe clarified to the audience that the email only included preliminary discussion and was not asked for to be on the July agenda but that the item would then be included in the August BOS meeting.

Stan Greenbaum of 9 Peacepipe Lane spoke on behalf of Sherman residents that requested a Town Meeting to initiate new conversations with Aquarion to revisit the negotiated agreement from 2018 and install emergency services equipment on the water tower in Timber Trails. He added that if the safety of the Town residents was of the utmost importance moving to install the equipment should take priority and that waiting for the Siting Counsels recommendations of the proposed cell tower can be a lengthy wait.

Terri Hahn of 13 Pepper Pond Road, the President of the Timber Trails Property Owners Association, informed the public that the water tower recommended for the installation of emergency equipment is leaking. She noted that there are no definitive solutions that have been agreed upon to secure the leak. Furthermore, she added that the rush to install the equipment cannot happen unless the leak is addressed which can turn into a lengthy process.

Rolf Martin of 1 Barlow Farm Road posed a question rather than a comment stating that he can no longer hear insects at his home and whether anyone else noticed the unexplained silence/ strange events?

Patricia Bailey of 34 Big Trail recognizes that there is a stretch of Sherman that does not have adequate cell coverage but doesn't like the idea of moving a proposed cell tower from one neighborhood to another.

The comment triggered response from the public in which Selectman Bob Ostrosky asked for a point of order. The participants were reminded that public comment is meant to address the Board and not for discussion amongst residents participating in the meeting.

Steve Caranto of 14 Coote Hill commented that the residents of Coote Hill also do not want a cell tower impeding the rural feel of their neighborhood.

**Correspondence:** None

**Administrative: A) Approval of Minutes**

**6/24/2021 Board of Selectman Regular Meeting**

**Motioned by:** Selectman Kevin Keenan

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**7/10/2021 Board of Selectman Special Meeting**

**Motioned by:** Kevin Keenan

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**B) Tax refunds: None**

**C) Financial Review:** Business Manager Liz LaVia provided the Selectman with a copy of the 2020/2021 year end summary of General Fund Expenses, in which she included explanations of line item overages and underages. She noted that there were still outstanding items, specifically paving and asphalt invoices and that's due to the price increase of asphalt by roughly 1/3, and General Fund expense surplus is running less than originally estimated. Notably around \$38,000 at this time. This assumes that the paving that the paving and asphalt come in as anticipated in price and time. She also noted that the Town is in the middle of the first of 3 audits. All other business running on track.

**Information & Discussion:**

**A) SVFD monthly report:** Fire Chief Chris Fuchs provided a review of the SVFD current calls and events. To date, the SVFD has responded to 236 emergency calls, the department has been experiencing a shortage in covering Ems calls. He did add that new EMT's have been brought into the department and new members that have been certified that will help elevate staff shortage. The department boats have been busy on the lake ensuring the safety of those enjoying water recreation. The SVFD participated in a Touch-A-Truck event with Park & Rec summer camp program. The local police department brought in a helicopter, the SVFD brought

two fire trucks and concluded the event with spraying the campers with a hose. The Annual Roast Beef Dinner fundraiser will be on August 7, 2021 from 5-8pm drive thru style on the green. All residents are invited to bring a blanket and enjoy a meal along with live music. You can visit the SVFD website for tickets at [www.ShermanVFD.org](http://www.ShermanVFD.org). The information will also go out on Nixle.

**B) Covid 19 report/ vaccination report:** The states Covid cases have increased, everyone is encouraged to get vaccinated. Jim Reilley, the Emergency Services manager, noted that the states positivity rate is at 2.71% and most hospitalizations are those who are unvaccinated. There have been no new logged cases in Sherman for 3 last weeks.

**C) Happy Acres farm report:** Farm Manager Dave Jellen was present to give a review of operations at the farm. He has been working with the Conservation Committee to host a Farm Day on September 25, 2021 that will be open to the residents to enjoy the workings of the farm as well as enjoy a meal. The farm stand is open selling vegetables, meat, and eggs. Lastly, he explained that one of the barn cleaner chains that pushes the manure through the barn broke making it impossible the properly upkeep the barn. The approximate cost to replace the chain amounts to \$8000. The Selectman take the opportunity to discuss the monetary options to cover the expense. All Selectman agreed that the expense be covered by the Town and will be taken out of the Happy Acre Operating Fund. The Town has approved a \$20,000 stipend to pay for expenses, if funds are exhausted before the year's end a Town Meeting will be warned to seek to replenish funding out of the Operating Fund.

**D) Commission on Aging/ New Senior Center:** The Town allocated \$2500 for a beginning feasibility study for a location that has been identified as a possible location site. The study is meant to rule in/or out a potential location. The Commission on Aging unanimously supported the endeavor. First Selectman Don Lowe offered the floor to Commission member Arthur Von Plachecki to provide a statement identifying goals and possible locations. In his statement, Mr. Plachecki outlined a 6-point plan that would bring the idea to reality. The two locations under consideration are as followed 1) a site located within the Town Center, and 2) Volunteer Field. An engineering study will assist in determining a viable location. The 6- point plan will appear in the paper to keep residents informed and provide full transparency. No final decision has been made on determining the location.

Questions: Anne Price of Route 37 South was looking for clarification in the exact location that was under consideration in the Town Center. Arthur Von Plachecki responded that the location was in the lower parking lot, to the left of Town Hall, set into the bank. The particular location in question provides a level of accessibility to seniors due to its centralized location to Town establishments.

Rolf Martin 1 Barlow Farm Road wondered what the range of people considered for input on the development. Mr. Plachecki responded that the development is in its infancy but input will reflect a large sample size.

Kris Fazzone of 10 Mary Bee Lane, who also serve on the Park & Rec Commission, respectfully commented that if any Park & Rec properties are being considered that the Committee be contacted so no conflicts arise in respect to future projects/developments.

Stan Greenbaum of 9 Peacepipe Lane wanted clarification as to the center's proximity to Mallory Trail. Selectman Kevin Keenan responded that the location in question splits the upper and lower parking lot of Mallory Town Hall. Mr. Greenbaum responded that 2 story structure can conceivably be erected for maximum usage.

**E) Citizens petition for a Town Meeting:** First Selectman Don Lowe led into the agenda item by explaining to those present that Connecticut has a state statute that if 20 individuals sign a petition in the Town that they reside in, they can law a petition for a Town meeting to be held. He further explained that the Board can deny such a meeting if the agenda items presented in the petition fall under the criteria of unlawful, improper, or frivolous. The petition in question addresses 3 items, 1) the petitioners request that the Board act on a previously proposed lease agreement with Aquarion in 2018 to install emergency equipment on the water tower in Timber Trails, 2) financial terms on the lease agreement, and 3) act upon a financial agreement with Aldo Pascarella. First Selectman Don Lowe, with the direction of the Town attorney, concluded that the Board could not consider/act upon something that is not there. The initial lease agreement was not solidified therefore there is no agreement in place. Selectman Bob Ostrosky commented a meeting cannot be held on a speculative agreement. Selectman Kevin Keenan also weighed in, citing the attorney's rebuttal to the petition, deeming the petition improper. He suggested waiting until the Siting Counsel finished their decision on the proposed cell tower. Selectman agreed that addressing the topic at a Town meeting would cause confusion with residents without a concrete formal agreement in place up for debate.

**Questions/Comments:** Peter Kuring of 5 Coote Hill Rd expressed frustration as to why viable emergency equipment is sitting dormant in storage if the safety of residents is the perceived conclusion. He questioned why the Board was unwilling to revisit the lease agreement with Aquarion and cited that the initial easement that was needed to make the project move forward was revisited and granted by Mr. Pascerela. He was dismayed that the argument over holding a Town meeting revolved around the validity of a document and not the safety of the residents.

The discussion prompted improper exchanges from the public in which Selectman Bob Ostrosky reminded those present that individuals speaking address the Board without further public engagement. First Selectman Don Lowe added that the equipment would not go up immediately and waiting for all information.

Collette Schulman of 109 Route 39 North she concluded that everyone's goal is to provide safety and service to all residents in Sherman. She doesn't see the harm in entertaining a special to further the dialogue and allow for more voices to express their concerns either for or against the petitioner's requests.

Rolf Martin of 1 Barlow Farm Road questioned how many lives would be saved by taking the opportunity to exhaust all options for cell coverage. First Selectman Don Lowe interjected that the question posed by Mr. Martin does not address the petition in question.

Fire Marshal Dave Lathrop informed the public that the water tank in question has a large hole in a glass lined tank with no idea as to the process of fixing it. He stated it could take up to 4 years to fix it.

Stan Greenbaum of 9 Peacepipe Lane reiterated that the language in the petition in question is not the same as the initial petition presented in June. He stated the new petition changed to reflect the objection of the initial petition. He objected to the Town's handling of resident concerns. He concluded that the water tank was going to be in place regardless of the leak and that the leak bared no significance when speaking with Aquarion and re-engaging conversations about installing the equipment on the tower. There is an agreement in place and should be considered.

Aldo Pascerella of 199 Route 37 South presented a letter signed by his sisters and Jerry Greenberg to move forward with the easement. He regrets the decision to not grant the easement during the initial conversations conducted. He understands the frustration of all parties but has now changed his mind and would like a safe, southern Sherman. He feels there is nothing improper of asking for a Town meeting to air grievances.

Terri Hahn of 13 Pepper Pond Road explained her role, over many years playing an active role in Timber Trails committees, in hopes of securing an agreement to help bring service and connectivity to the southern end of Sherman. She understood the petitioners concerns but highlighted that she worked tirelessly to secure service to the area without any consideration from all negotiating parties. She further added that the Citing Counsel will provide a recommendation and that parties involved with this fight have their own agenda.

First Selectman Don Lowe interjected his observation that the petitioning group is opposed to the cell tower. He reiterated the hard work put in by multiple parties trying to negotiate a deal several years ago and he wondered why now with the proposed cell tower on Coote Hill there has been sudden interest revisiting the install of emergency equipment in Timber Trails. He also went on to explain his reasoning. Peter Kuring clarified that the petition presented is separate from the proposed cell tower on Coote Hill. The petitioners, according to Peter Kuring, are only looking for adequate service provided to the southern end of Town in a more expedited fashion.

Steve Caranto of 14 Coote Hill expressed the need for a backup to the cell tower in the event that the proposal falls through. What is the other alternative and he doesn't want to see the conversation dragged out for many more years.

The Selectman discussed what documents were needed to make an informed decision. They agreed that a copy of the lease agreement, a formal letter addressing the leak in the water

tower and the perspective repairs/viability of holding equipment, and an updated attorney's opinion.

Treasurer Eric Holub offered his opinion referring to the costs of installation of equipment and other potential costs that are not included in the lease agreement.

First Selectman Don Lowe asked again why there is some much interest in the emergency services equipment. Stan Greenbaum replied he wanted separation from the cell tower and the need for the emergency equipment.

Arthur Von Plachecki of 10 Sail Harbor Drive commented that several years ago there was a meeting to discussion the placing of towers with microwave equipment behind the Public works. The meeting was an opportunity for residents to put forth their thoughts. He suggested that the meeting not be warned as a Town Meeting with an actionable activity but rather a forum for discussion.

The Selectman listened to a lengthy back and forth exchange with residents and discussed amongst themselves on whether to warn a Town Meeting. Selectman The Selectman ultimately decided to vote on a motion.

**Motion:** Approve having a Town Meeting as proposed by the petition submitted by Loretta Caranto of 14 Coote Hill road.

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** First Selectman Don Lowe and  
Selectman Kevin Keenan

**Opposed by:** Selectman Bob Ostosky

**F) School roof bids to possibly bring to Town Meeting:** The Selectman were presented with the bid information. The school chose the bid submitted by Barret Construction for an amount of \$548,000. An extensive presentation will be presented at Town Meeting.

**Motion:** Move to bring to Town Meeting the school roof for a number not to exceed \$575,000 from the Capital Nonrecurring Fund.

**Motioned by:** Selectman Bob Ostrosky

**Seconded by:** Selectman Kevin Keenan

**All in Favor:** Unanimous

**G) Veterans Field soccer field bids to possibly bring to Town Meeting:** One bid was accepted by Park & Rec from Beatty Construction for \$74,600.

**Motion:** The BOS accepts the bid from Beatty Construction.

**Motioned by:** First selectman Don Lowe

**Seconded by:** Selectman Bob Ostrosky

**All in Favor:** Unanimous

**Motion:** To bring to Town Meeting the renovation and expansion of the Veterans Field soccer field for a number not to exceed \$80,000 from the Capital Nonrecurring Fund.

**Motioned by:** Selectman Bob Ostrosky

**Seconded by:** First Selectman Don Lowe

**All in Favor:** Unanimous

**H) Storage units for Town organizations:** First Selectman Don Lowe informed the residents that the price per unit increased. The original quoted price was \$5000 for a unit with a door and \$3500 without a door. The new updated price per unit is \$6500 with a door and \$5000 without a door. He commented that he reached out to the company into honoring the original quote. The potential is there to have another Town Meeting and re-adjust the plan.

**I) Generators- Town Hall and Public Work:** Fire Marshal Dave Lathrop provided confirmation that the Town's generators will be in the second week of August, Wright Electric followed up with Mr. Lathrop. All aspects of the projects are in progress.

**J) Traffic safety-solar speed indicators:** The Town was given 2 speed indicators through WESCOG and will be stored at Public Works. The indicators are movable and will be place strategically around Town where speeding is a factor. Public Works is working to get them up and running.

**K) Tax relief for Sherman disabled military veterans:** Selectman are in agreement to bring to Town Meeting.

**Motion:** Bring Sherman ordinance for tax relief for disabled military veterans to Town Meeting.

**Motioned by:** First Selectman Don Lowe

**Seconded by:** Selectman Kevin Keenan

**All in Favor:** Unanimous

**Other Business:** Selectman Kevin Keenan would like an update on the air study as a result of Cricket Valley. First Selectman Don Lowe commented that he had received information that Cricket Valley was planning on moving to a greener operation model.

**Public Comment:** Rolf Martin of 1 Barlow Farm Road discouraged the Board to not pay any more money towards air study. Results are deemed inconclusive and weighing the contents of the air does not translate into whether particles are toxic.

Terri Hahn of 13 pepper Pond Road offered a point of information that the proposed cell tower will hold the latest and approved equipment that would be of no cost to Sherman taxpayers. She encouraged those opposed to the tower to read through the lengthy proposal. She also raised the question as to whether the fire department has a timeline of addressing the leak in the tower. She reiterated that there is more issues than a simple install of the equipment and the lack of cooperation in the past should cause concern as to the new motives.

Stan Greenbaum of 9 Peacepipe Lane responded that people can change their minds and that a decision made in years past doesn't necessarily reflect the opinion/decision of the present.

Selectman Bob Ostrosky moved to adjourn the meeting at 9:05pm.

**Motioned by:** Selectman Bob Ostrosky

**Seconded by:** Selectman Kevin Keenan

**All in Favor:** Unanimous

Notes respectfully submitted by Margaret Beatty on July 29, 2021.