

TOWN OF DURHAM



Office of the First Selectman

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BOARD OF SELECTMEN'S MEETING

January 3, 1991

Maryann P. Boord
First Selectman

The meeting was called to order at 7:00 p.m. by First Selectman Maryann P. Boord; Board members present: Gladys B. Lavine, Francis E. Korn.

Lyman Golf Course Expansion

Robert Bascom, Land Surveyor, presented maps and explanations regarding the Lyman Golf Course Expansion plans. The proposed course expansion is in Middlefield, but abuts the Durham Town line. He mentioned that the town's open space area at Woodland Manor is already in the 100 yr. flood area. Although 40 acres of land are involved in the expansion, only 7 acres will be filled in or considered "lost." The snow melt in the spring is not considered in any of the flooding calculations. He stressed there would be no impact on Route 68 or Route 147; the roads are higher than the floodplain. The ponds created by the expansion will be used as "retention basins." He stressed that in a storm, drainoff naturally flows away from the river and Route 147 anyway and then back into their own ponds. Flooding would rise 3" over the present 100 yr. storm level. In answer to pesticide concerns, he said the golf course is presently tested and no problems are detected. Mrs. Boord will sign a certification of Durham approval that Bascom/Magnotta must submit to FEMA by the end of the month.

In conclusion, Mrs. Boord stated that as far as she can see, the Lyman are making very sure every "i" is dotted. Mrs. Lavine reported the EPA has said this is the biggest application in the area.

Public Comments

Road House Cafe Concerns

Residents and cafe personnel (attendance sheet attached) discussed the continuing problems with the cafe. The noise level appears to be the unresolved major concern. Solutions will be pursued.

Legislative Initiatives

As reported by G. Lavine:

1. Legislation re noise has been proposed to be considered in the General Law Committee. Use noise standards are set by DEP and make

-continued-

1-3-91.BSM

-2-

them enforceable by the state or municipality or by private action of an individual. For the first offense, business will be closed for 1 day; second offense, closed for 5 days; third offense, closed for 14 days. If another complaint comes during the appeal of this decision, the business is closed for the appeal process. Another section of the proposed legislation makes parking areas considered part of the premises for purposes of the Act.

2. Would set up a new standard more serious than the first administrative standard for removing liquor license in cases of public nuisance or problems. Would allow the Liquor Control Commission to close the premises during the appeal process.

3. Presently, the Liquor Control Commission can accept payment in lieu of disciplinary closings; the bill would end that.

Mrs. Boord said that the town will indicate its support as soon as numbers are attached to the proposed bills.

Special Town Meeting

The Board agreed to cancel the previously set meeting for January 7th. re the CRRA contract.

MOTION M. BOORD, SECOND G. LAVINE TO HOLD A SPECIAL TOWN MEETING ON JANUARY 22, 1991, 8:00 P.M. IN THE HIGH SCHOOL TO APPROVE THE CRRA CONTRACT; 3 AYES.

Joint Chiefs of Staff Meeting

MOTION M. BOORD, SECOND F. KORN, TO HOLD THE JOINT CHIEFS OF STAFF MEETING AT THE LIBRARY ON FEBRUARY 4, 1991, 7:30 P.M. IF THE LIBRARY CALENDAR IS CLEAR; 3 AYES. (P.S. it wasn't)

Appointments

MOTION M. BOORD, SECOND F. KORN, TO REAPPOINT GAETANO PUGLISI TO A 5 YR. TERM TO EXPIRE 12/31/95 ON THE BUILDING CODE BOARD OF APPEALS; 3 AYES.

MOTION M. BOORD, SECOND G. LAVINE, TO REAPPOINT PATRICIA PAGANETTI AND JAMES KOWOLENKO TO 2 YR. TERMS TO EXPIRE 12/31/92 ON THE ECONOMIC DEVELOPMENT COMMISSION; 3 AYES.

MOTION M. BOORD, SECOND G. LAVINE, TO REAPPOINT JOHN S. DONADIO, ADELA FRENCH, LYNN JOHNSON, DONALD TERRY TO 3 YR. TERMS TO EXPIRE 12/31/93 ON THE CONSERVATION COMMISSION; 3 AYES.

MOTION M. BOORD, SECOND G. LAVINE, TO REAPPOINT GEORGE ZEEB TO A 5 YR. TERM TO EXPIRE 1/1/96 ON THE HISTORIC DISTRICT COMMISSION; 3 AYES.

-continued-

1-3-91.BSM

-3-

MOTION M. BOORD, SECOND F. KORN, TO REAPPOINT PATRICIA WALLACE TO A 5 YR. ALTERNATE TERM TO EXPIRE 1/1/96 ON THE HISTORIC DISTRICT COMMISSION; 3 AYES.

MOTION M. BOORD, SECOND F. KORN, TO REAPPOINT ALOIS PETRZEL TO A 3 YR. TERM TO EXPIRE 12/31/93 ON THE INLAND WETLANDS AND WATERCOURSES AGENCY; 3 AYES.

Minutes

MOTION M. BOORD, SECOND F. KORN, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING OF DECEMBER 20, 1990; 3 AYES.

Correspondence

1. Discussion again of the letter from Mr. Lucas, First Selectman/Killingworth about a regional police force. G. Lavine said she saw it as an enormously complicated arrangement; M. Boord said it seems no different than the present patrol system; F. Korn said the community would never support it.

2. Letter from Sam Gedensen re supporting the establishment of the Montreal train on a permanent basis from Willimantic. G. Lavine felt the Board should respond in the affirmative.

3. Discussion of the DPUC decision for CL&P surcharge increase of 1.133%

4. Mrs. Boord noted an anonymous letter, which she and former First Selectmen have not usually acknowledged, re mulching Christmas trees. She noted that DMIAAB is mulching the trees and she asked the reporter to mention it in an article.

5. Noted she will attend the State of Connecticut's (General Assembly sponsored) CT Economic Summit 1991 on Jan. 31st and Feb. 1st.

6. Noted that Sue Dvorak-Levy, formerly with the Chamber, is now on her own doing media relations, photography, etc.

7. Still seeking nominations for the Distinguished Citizen Awards for the Chamber and CT Valley Tourism.

Amend the Agenda

MOTION M. BOORD, SECOND F. KORN, TO AMEND THE AGENDA TO DISCUSS A PERSONNEL MATTER; 3 AYES.

Personnel Matter

MOTION M. BOORD, SECOND G. LAVINE, TO ALLOW MARY DIMELLA TO USE HER
-continued-

1-3-91.BSM

-4-

ACCUMULATED 108+ SICK DAYS TO CARE FOR HER HUSBAND; 3 AYES.

Selectmen's Concerns

none

Update From The First Selectman

1. Thanked F. Korn and D. Abdella for hosting the Agency's Holiday Party in her absence.

2. Noted she has checked with Bob Melvin, Chairman of the Conservation Commission, about the CCBM subdivision; he favors the state's purchase of the land. Mrs. Boord will call Andy Petracca, who is with the state agency involved. Basically, the state is waiting to see if the new administration is willing to co-purchase the land. Representative Lavine will be asked to look into it.

3. Noted the Winter Ordinances are in effect and E. Mauro, Administrative Coordinator, will have them published.

4. Reported that two DEP personnel, Ms. Saliby and Ms. Wilson, visited her, asking about the appliances supposedly buried at the landfill. Joe Carney has found 5 ballasts from overhead lights, but no capacitors. The batch will be labeled and Schiavone, Inc. will test further. Ms. Saliby and Ms. Wilson assured Mrs. Boord the DMIAAB is above most operations in the state and they are very satisfied with the site visit.

5. Re request from Brian Curtis, Chairman of the Planning and Zoning Commission, for a letter about the expansion of the Landfill Water Co. in time for the PZC meeting of January 16th: after discussion, it was agreed that Mrs. Boord will send a letter of philosophical intent to the Commission.

6. Attorney Lang, representing James Bailey, advised Mrs. Boord that the Bailey family would not be interested in donating the 14 acres to the town. After an appraisal is done, the Town of Durham can consider the purchase of the property.

Adjourn

MOTION M. BOORD, SECOND F. KORN, TO ADJOURN THE MEETING AT 9:02 P.M.; 3 AYES.

WINTER ORDINANCES

Special Town Meeting, June 24, 1974

Ordinance: An Ordinance Related to Parking on Town Streets and Highways During Winter Months and Winter Storms, to be effective July 8, 1974.

Purpose: It is the intent and purpose of this Ordinance to facilitate snow removal from Town Streets and Highways during winter months.

Regulations: From November 1st of each year to April 1st of the following year, inclusive, it shall be unlawful to park on Durham streets and highways as follows:

- a) During the hours from 11:00 P.M. to 7:00 A.M. inclusive, or,
- b) During any winter snow emergency declared by the First Selectman.

Penalty: The violation of this ordinance shall subject the registered owner of, or person responsible for, such illegally parked vehicle to a penalty of not more than ten (\$10.00) dollars for each violation plus the cost of towing.

January 22, 1962

Voted, "all owners or occupants of property adjoining sidewalks shall remove the snow from same 24 hours after the cessation of a snowstorm. If the said snow is not removed within 24 hours after the cessation of a snowstorm; the Board of Selectmen may order the removal of same; the cost of which shall be charged against the owner or occupant of the property adjoining said sidewalk, and the cost of removal of snow shall be collected from the party responsible by the Board of Selectmen for the use of the Town of Durham, together with a fine of \$5.00."

Attendance sheet / Selectmens Mtg Jan. 3, 1991

<u>Name</u>	<u>Affiliation</u>
Jowlinge Bros Ltd	resident
William MAGRUDER	resident
Robert Eerto	Resident
Jim (last name) ...	Resident
Kare ...	Resident
George ...	Resident
Frank ...	Resident
Jim Surprenant	Resident
Jim ...	Middletown Press
TIM HANORAN	Resident
Bill BENSON	Road House
Don GREGG	// //
Barb ...	Resident
Pamela R Pruitt	Res.