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TOWN OF DURHAM

Office of the First Selectman

P. O. Box H

Durham, Connecticut 06422



BOARD OF SELECTMEN'S MEETING

April 7, 1988

The meeting was called to order at 7:11 P.M.; present: Maryann P. Boord, Francis Korn, Hugh Curley; also Curtis Kopf (Middletown Press), Kurt Bober, Attorney Ed Lang, Lila Kowalski, Mike and Mike Siena, Mary Jane Jewczyn (briefly).

Motion H. Curley, second F. Korn, to approve the MINUTES OF MARCH 17, 1988; 3 ayes.

Discussion COMMUNITY SEWAGE AGREEMENT, LEXINGTON PLACE. M. Boord said this Agreement is similar to the Hill Hollow Agreement which provided for the amount of money that was put into reserve by the engineer, to be determined annually; this Lexington Place Agreement, however, provides for a lump sum divided equally over a 20 year period. Town Counsel Ken Antin prefers the Hill Hollow arrangement and Nick Pomeranz, Developer, has no problem with the change. Mr. Antin has requested from Ed Burns, Road Improvement Officer, as to what PZC was requesting for approval...Mr. Antin wants to compare these first. Leo Willett would like to include a regular pumping schedule and also a mechanism for each owner to insure that their system was taken care of. Each owner would be guaranteed that it would be taken care of. Attorney Lang reminded the Board that Lexington Place was approved by the PZC with a DPUC regulated community water and sewage system. This Agreement was wanted by the PZC and Sanitarian because they were concerned that the Town could become liable. The Association and Town Agreement will state that the Association will always be responsible via an escrow account. The developer starts the account and the Association members add to it so there would be enough money in case the Association failed. He disagrees with Dr. Willett's idea that each owner be responsible. The condo laws of the State of Connecticut can not be changed. M. Boord explained that Dr. Willett was just looking toward providing for the individual's rights. Attorney Lang said the PZC wants to know that the Board of Selectmen is at least agreeable with the Agreement wording.

Public Comments:

M. Boord advised Mrs. Kowalski that there will be a DURHAM HEIGHTS MEETING Tuesday, May 24th. Mrs. Kowalski questioned the sanitarian's methods of taking water samples as Mr. Jacobson's instructions were much more stringent. Discussion of G. Colegrove's statement that fecal matter is running into Durham Heights storm drains. M. Boord had discussed a similar question with him, but will again talk to him about the drains, specifically. M. Boord advised she has asked B. Milardo to send a memo to those Durham Heights homeowners who have not done so already, to have their well caps raised.

-continued-

Board of Selectmen's Meeting
April 7, 1988

-2-

M. Boord further reported that the SMALL CITIES GRANT APPLICATION, some funds of which are to be applied to finding a solution to the Durham Heights question, has been sent off; its prime direction, however, is for testing on the White's Farm as that would impact the whole town.

L. Kowalski questioned a change in the Board of Tax Review's tax reduction of 20% last year and only 5% this year. F. Korn said he will contact Jack Stahl.

M. Siena joined the meeting and a recap of the previous discussion ensued. A main point raised was that the "Town" allowed a house to be built on bedrock behind Lila's house and Mr. Siena added that the curtain drains from that house do not hook up; systems just run into the ledge. K. Kowalski confided that a former employee of the Royal Oak developer told her all that was done erroneously in the Royal Oak Development that adversely affected Durham Heights. Mr. Siena noted there used to be a natural pond between Evergreen and Hemlock--with a fecal count; the Royal Oak Developer has denied there was a pond there and he's the one who was responsible for removing it. K. Bober verified that he, too, has heard and seen the same concerns as expressed by Mr. Siena and Mrs. Kowalski.

Mr. Bober also wanted the Board to look into correcting some roads that go off at a 45° angle, creating DANGEROUS SITE LINES. He also feels CUL-DE-SACS should be smaller for ease in plowing; school buses don't use them anyway any more.

H. Curley added that the Board should institute a study of NEEDED STREET LIGHTS at intersections such as Haddam Quarter Road/Arbutus Street, Haddam Quarter Road/Johnson Lane, and the cul-de-sacs.

Motion M. Boord, second F. Korn, to reappoint JOYCE PHIPPS as the town's representative to the REGIONAL MENTAL HEALTH COUNCIL CATCHMENT AREA 10, for a two-year term to expire April 30, 1990; 3 ayes.

Motion M. Boord, second F. Korn, to reappoint CARL & SHEILA HECK as the MUNICIPAL AGENTS FOR THE ELDERLY; said terms to be for two years; 3 ayes.

Correspondence:

- 1) Letter from Joanne Bugai commending Bruce Rau's handling of his job of DOG WARDEN.
- 2) M. Boord reported on today's COUNCIL OF GOVERNMENT'S MEETING. They met with the new director of MAT:
 - a. they propose an advertizing flyer;
 - b. the public's use in Durham has increased;
 - c. Council of Government's gave the MAT people input on marketing.
- 3) April 1, 1989 will be a Hazardous Waste Collection Day; Ona McLaughlin and M.J. Jewczyn are our representatives; cost: \$1,200.
- 4) MRRRA
 - a. is screening criteria for site selection;
 - b. CEO will have meeting re possible sites;
 - c. There will be a meeting with Town Attorneys re the 1.5-2.25 million dollar debt to CRRA.

Board of Selectmen's Meeting
April 7, 1988

-3-

- d. Towns have received letter, with CRRA copies, from MRRRA president re reimbursement to CRRA. Attorneys Silverstone and Koontz conclude we don't have legal obligation except to use diligence in each municipality to pay; they recommend an accounting firm be hired to determine exactly how much to pay. It is estimated that \$145,000 will be due from Durham. Council of Governments consensus and recommendation is that the CEO's refer the president's letter to their Town Counsels and the joint meeting of counsels can take place.

H. Curley reported he received correspondence from a Colorado firm looking to go towards 100% recycling, they would have 10 months to get going. They put all the money up front. Board thought the concept interesting.

Motion M. Boord, second H. Curley, to declare April 21st as LATIN DAY IN DURHAM; 3 ayes. On April 15th, M. Boord will attend the CRHS Latin Banquet.

5) Neighborhood Assistance Act letter re programs has been received. F. Korn requested a copy.

6) An analysis of 1986 Grand Lists of CT was received.

7) Copy noted of E. Schwartz's letter to PZC re suggested changes in elderly housing regulations.

8) Reported that the Page Property has been sold to CT Equity Finance co., a subsidiary of Farmers & Mechanics.

9) Letter from MRPA re instructions for Mike Caltibiano digging up Stagecoach Road to lay utility lines under the road for his new house.

Discussion of closing Caltibiano Farm. F. Korn said we should help the tenants relocate. Reference Sect. 124 State Building Code... spells out exactly what needs to be done. The Building Inspector has to post it as unsafe and then tell Mr. Caltibiano.

10) Bill Boynton: Special Olympics Golf Tournament will be held this year in New Britain, next year maybe at Lyman's. M. Boord suggested he call Janet Moore.

M. Boord reported she has discussed the subject of the status of RIDGE ROAD with Counsel; he suggested the residents should talk to Chet Fudge (Developer) to see if he will deed the road to the Town. F. Korn said we should find out who owns the road and we shouldn't even plow it as it is now.

The Board called a SPECIAL BOARD OF SELECTMEN'S MEETING at Lila's house for April 11th, 5 p.m., to look at video and walk the properties in the Durham Heights area.

H. Curley asked for COUNSEL'S OPINION on JACOBSON'S REPORT i.e., what is the town's responsibility. M. Boord will ask counsel.

-continued-

Board of Selectmen's Meeting
April 7, 1988

-4-

Mary Jane Jewczyn, Chairman, Board of Finance, joined the meeting to discuss a recent NU letter about STREET LIGHTING: she had agreed, as First Selectman, that the Town would put street lights in Royal Oak Park so she advised M. Boord to sign their letter of Agreement; to be paid for from Street Lighting Budget line item. Motion H. Curley, second F. Korn, to agree to do the street lights in Royal Oak Park; 3 ayes:

Discussion of Counsel's opinion re Town's responsibility to provide towing for abandoned vehicles. Salg's of Northford has agreed to take any vehicles worth \$100 or less for \$15 or less; Lt. Morse will have the junk cars red tagged and call Salg's. For cars worth more than \$100, the police will call one of the other three wrecker companies who are on the rotation schedule.

F. Korn reminded the First Selectman to send the road crew to Royal Oak to do the lawn repairs; rip-rap area on Evergreen; sod needed and maintenance also of detention pond, as soon as possible. M. Boord responded the Road Foreman has a list about where repairs are needed.

F. Korn noted areas needing the review of the Tree Warden and/or Traffic Commission/Road Foreman, etc:

1. Doug Stender, Old Washington Trail;
2. Gortons, 114 Main Street;
3. Parmelee Hill/William Drive area requests stop sign; seek State's traffic count. We should ask the Commission what their procedures are;
4. Said the firehouse gravel removal item could be removed from the road foreman's list;
5. noted trash problem on some roadsides; can we sponsor a Clean-Up Day?
6. Development going on in Barbara Road area without permits. M. Boord will check with the BHE Dept.
7. Tree at town garage;
8. When is Tony Satagaj, Building Inspector, going to inspect town buildings?

Concerns from H. Curley:

1. Tree questions:
 - a. Oak Terrace/Haddam Quarter Road (three trees at the former Neumann house)
 - b. in front of Wilkinson's house;
 - c. Dogwood Acres tree--has it come down?

M. Boord questions:

1. Resident's request for removal of stop sign at Pent Rd: Board had previously agreed not to remove it.
2. Letter going to Bristol from First Selectman of Middlefield and herself requesting a meeting with them about a short-term solution to take our garbage.

STREET NUMBERING FOR ROYAL OAK was discussed. Residents have requested it not be renumbered. Motion F. Korn, second H. Curley, to continue with the renumbering of Royal Oak; 3 ayes.

BUDGETS: 1001 (Board of Finance); 4001 (Civil Preparedness); and 1015(Board of Tax Review) no copies available to review.

Meeting adjourned at 10:10 P.M.

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