RECD 7-23-1992 AT 3:50 AM PM
TOWN CLERK

TOWN OF DURHAM

Office of the First Selectman
P. O. Box 428
Durham, Connecticut 06422
(203) 349-3625

Maryann P. Boord
First Selectman

BOARD OF SELECTMEN'S MEETING
Thursday, July 16, 1992

Called to order: 3:50 p.m.
Present: Maryann P. Boord, First Selectman
Francis E. Korn, Selectman
Robert F. Hall, Selectman

Resignation and Appointments

1. MOTION M. BOORD, SECOND F. KORN, TO ACCEPT, WITH APPRECIATION OF HER YEARS OF SERVICE, THE RESIGNATION OF DONNA THOMASSON, WHO HAS MOVED FROM TOWN, FROM THE BOARD OF LIBRARY DIRECTORS AND AS A JUSTICE OF THE PEACE; 3 AYES.

2. MOTION M. BOORD, SECOND F. KORN, TO APPOINT LEONARD J. BAGINSKI TO A NEW TOURISM COMMISSION BEING FORMED, EFFECTIVE DATE JULY 1, 1993; 3 AYES.

3. MOTION F. KORN, SECOND M. BOORD, TO APPOINT RICHARD ERIKSEN TO AN ALTERNATE POSITION ON THE INLAND WETLANDS AND WATERCOURSES AGENCY; 3 AYES.

Carryovers

No action ready.

Minutes

1. MOTION M. BOORD, SECOND F. KORN, TO APPROVE THE MINUTES OF THE SITE VISIT ON 6/25/92; 3 AYES.

2. MOTION M. BOORD, SECOND F. KORN, TO APPROVE THE MINUTES OF THE SELECTMEN'S MEETING ON 6/25/92; 3 AYES.

3. MOTION M. BOORD, SECOND F. KORN, TO APPROVE THE MINUTES OF THE SELECTMEN'S MEETING OF 7/13/92; 3 AYES.

Correspondence

1. Annual request from the Middlesex County 4-H Fair Committee for use of White's Farm for parking for the 4-H fair scheduled for August 1 and 2, 1992. The procedure has been to give approval and send to the Conservation Commission for formal approval. MOTION M. BOORD, SECOND F. KORN, TO FORWARD THE REQUEST, WITH THE SELECTMEN'S

APPROVAL, TO THE CONSERVATION COMMISSION FOR THEIR ACTION; 3 AYES.

2. Information received from the DPUC re the purchase of Coginchaug Valley Water Company (which in 1990 purchased the Amston and Beseck Water Co.) by Aqua Treatment.

3. Letter from Barbara Warner of the Rockfall Corp. advising the town that in observation of the Corp.'s 50th Anniversary, seedlings of the Great White Oak (estimated planting date in 1775), which lived on Wadsworth Street in Middletown, would be distributed to interested towns in Middlesex County.

4. Correspondence from the Town Clerk, with official notification to the Selectmen of the results of the Referendum of 7/15/92. The question failed by a 30 vote margin.

5. A thank you to M. Boord received from the Rushford Center for her part in a recent discussion on substance abuse and offer of services to the town.

6. Advisory from the March of Dimes and Kelly Temporary Services who are hosting the first annual BLUE JEANS FOR BABIES DAY on November 10th. For a $2.00 donation, employees purchase a button and on Nov. 10th, the employee can wear blue jeans to work.

7. Request from Michael Algiere requesting a posted speed limit sign or other type of traffic sign that warns drivers that children are at play, etc., for Woodland Drive.

8. Letter from Frank K. Guodace, thanking M. Boord for handling his complaint about The New Haven Register vendor boxes.

9. Letter from Madelyn R. Waters, Assistant Vice President of Fleet Bank, thanking the Town of Durham for returning its General Fund account to Fleet Bank N.A.

10. Letter from Rosa L. DeLauro, House of Representatives, advising M. Boord that a request has been made to the Small Business Administration for low-income loans (businesses: up to $500,000 4-8% maximum repayment period of 30 yrs.; homeowners: up to $224,000; and renters: up to $20,000) to be made available for damages incurred as a result of the severe flooding which occurred June 5-8. The information has been forwarded to local people and the news media.

11. Letter from Walter H. Coughlin, P.E., Manager of Traffic Engineering, Bureau of Engineering and Highway Operations, Department of Transportation, replying to requests for traffic signalization on Route 17 at 17/Maple/Fowler, 17/Pickett Lane, 17/Haddam Quarter Road and 17/68.

12. Unemployment May 1992 6.4%

13. Notice from the estate of Joseph Ravitch via Town Counsel that $1,000 has been donated to the Durham Volunteer Ambulance Corps. The check will be forwarded to the Ambulance Corps.

Public Concerns

none

Selectmen's Concerns

none

Update From The First Selectman

1. Bob Esposito, Principal of Strong School, and Liz Welch, in charge of health services, will make application to the Office of Policy and Management for a grant. Joan Lombardo (Middlefield Social Services Director) will not be applying for the grant.

Discussion of the Results of the Referendum of July 15, 1992

Notice from the Town Clerk that the vote failed by 30 votes; 780 votes were cast.

A letter has been received from Clay Howe, questioning the results of the referendum since the wording reflected the original amount of $35,000. M. Boord advised that she has returned the $10,000 check to the Howe's; he told her he'd write another letter. Maryann explained the words of the Referendum could not be changed so the Board of Selectmen made every effort to publicize the new funding. The Board of Selectmen agreed they had taken the proper steps and that there were avenues for the private citizens to pursue to call a special town meeting or referendum if they wished to do so.

Discussion of Harvey Road

M. Boord stated the Board of Selectmen, Town Planner Geoff Colegrove, Town Engineer Tom Fenton, and Bascom/Magnotta conducted site visits to roads receiving minimal or no town maintenance. Also, the proposed discontinuance of several of these roads was voted down at the town meeting. Cream Pot Road and Harvey Road are two such roads minimally maintained in the past.

Tom Fenton reviewed information including the length of the road maintained by the town, the number of houses serviced, the proposed additional road length to be maintained and number of houses

affected, and the level of maintenance proposed. Minimal road maintenance includes regular plowing, grading, and reshaping.

Tom also explained how town aid road money is distributed. For the proposed .94 miles of additional length for Cream Pot and Harvey Roads, an estimated amount of $2,068 would be received if the roads are left unimproved, (amount based on # miles/# state miles). If the roads are classified as improved, the amount would be determined by a different formula and the town would receive less money.

$3,200 in improvements are estimated; other costs include but are not limited to grader rental and winter plowing. Short term improvements, i.e. selective widening, could be funded from the maintenance budget.

Maryann said Atty. Ken Antin considers minimal maintenance to be defined as maintenance to the condition of reasonable safety; the degree of care is determined by the degree of road use. She also noted that upon a resident's request, a deduction of 10% depreciation off the lot value can be taken for those residents living on a dirt road. With improvements, the assessment of only the lot could be increased by 10%.

Sandi Kalinowski stated she never had a tax deduction although she requested one. She favors any improvements and cited a need especially in the swamp area.

James Lynch supports any improvements on the section not classified as a town road and questioned why there are no plans to upgrade the town road portion. Maryann replied there is not a policy to bring all town roads up to class I road status; also, since Harvey Road is a "dead-end" its use in minimal. She also said that instead of spending money in legal fees to determine town road status, the responsibility of maintaining a road can by established by putting the road on the unimproved road list after the desired degree of responsibility is determined.

Bruce Kruh questioned the degree of maintenance involved. Tom said maintenance would include plowing, sanding, and grading.

<u>Discussion of Cream Pot Road</u>
Tom Fenton discussed information similar to that of Harvey Road. The situation at Cream Pot Road differs, however, due to the increased activity from subdivision development. Steep grade and ledge areas present improvement difficulties. Presently contractors participate in road improvements for lots adjacent to the paved portions of the road.

Al Kostuk has been maintaining the road himself and doesn't want it to become a town road. His property deed warrants a right of way. For safety reasons, he wants speed bumps to be installed every 50'.

Barbara Skriletz favors Cream Pot Road not becoming a town road. She commented that the "improved" part of the dirt road is worse than the dirt road itself.

Sandi and Ray Kalinowski support Cream Pot Road being added to TR37. Ray questioned if proposed improvements to Harvey Road will affect the status of the road beyond their home, possibly reverting it to an abandoned road status. Maryann replied Town Counsel would have to be consulted for an answer.

Sam Garigliano noted his failure in the past to be granted a building permit because Cream Pot Road was not a town road. Geoff Colegrove said that since P&Z regulations have changed, he would expect a permit could be granted at this time.

Maryann has received numerous call regarding road problems since lot development has increased. She stated that the Board of Selectmen has to determine if the road meets minimum safety standards for people using the road.

Geoff Colegrove explained that in the 1970's, if a road wasn't maintained, it was not classed as a town road. Also, subdivision approvals were not granted for roads other that town roads. When thousands of dollars were spent to determine the status of David Road, policy changes were made and subdivision permits were granted for unimproved roads.

Tom Boothroyd questioned when and if Cream Pot Road is added to TR37, will lot assessments be increased? The Assessor's office can answer this question.

Geoff Deville questioned widening the road if it may not be maintained. He is in favor of maintaining only up to where it is widened.

Geoff commented there are numerous maps to define right-of-ways along Cream Pot Road, but there is not a comprehensive set of maps. When Cream Pot Road was recognized, easements were also filed. He recommends that the Board of Selectmen define the road boundaries per statute; the right-of-ways can be established using surveyor's data.

The board will consult Atty. Ken Antin for a recommendation about

setting road boundaries prior to making a formal acceptance as town roads. This will be on the next meeting's agenda.

Adjournment

The meeting adjourned at 5:45 p.m.

In attendance:

Arthur Kruh	Harvey Road
Ray and Sandi Kalinowski	166 Harvey Road
Dion Arrigoni	Cream Pot Road
James W. Lynch	48R Harvey Road
Susan White	110 Maple Ave.
Gene Brown	277 Maple Ave.
Alex Kostuk	125R Cream Pot Road
Judith Duncan	Gazette
Carolyn Martin	Partridge Lane
Tom Boothroyd	Cream Pot Road
Barb Skriletz	Cream Pot Road
Janice Melnick	Higganum Road
Sam and Muriel Garigliano	Killingworth
Geoff Deville	Cream Pot Road