

**Town of Sherman
Board of Selectmen Monthly Meeting
Mallory Town Hall and Zoom
July, 24 2025 at 7pm**

Present: First Selectman Don Lowe; Selectman Joel Bruzinski; Selectman Bob Ostrosky; Treasurer Andrea Maloney

Absent: Chris Fuchs

Invited & Audience: Business Manager Liz LaVia; PW Supervisor Kris Fazzzone; Jean Robbins; Jared Bonner; Sarah Wiggins; Audrey Wiggins; Kerry Merkel; Dave Adam; Tim Laughlin; Sal Bellino; Roy; Sue Seeger; Kasey Diotte; Shane Foy; Tom Quinn; Mr. and Mrs. Meenan; Craig Bell; Roland Hanley

Clerk: Nicole Zegley

Call to Order: First Selectman Don Lowe called the meeting to order at 7:03pm followed by the Pledge of Allegiance and a request that public comment be limited to 3 minutes to give everyone an opportunity to speak.

First Selectman Don Lowe made a motion to adjust the order of the meeting by moving #5 Information & Discussions item M (School Renovation Update) to item B1. Public Comments will then follow.

Motioned By: First Selectman Don Lowe

Seconded By: Selectman Bob Ostrosky

All in Favor: Unanimous

First Selectman Don Lowe made a motion to add Basketball Court to agenda item I (Park & Rec).

Motioned By: First Selectman Don Lowe

Seconded By: Selectman Bob Ostrosky

All in Favor: Unanimous

Public Comment: None

Correspondence: First Selectman Don Lowe read a letter from John Wrenn of Sherman Park & Rec and Merialis Lewis.

To the Board of Selectmen,

On behalf of the Park and Rec Department and our entire Summer Camp staff, I would like to commend Kris Fazzzone and the whole Public Works Department for their excellent work this month helping us move the Park and Rec office to Town Hall and for helping the camps prepare for some new summer surroundings. They moved all of my office equipment to Town Hall. They supervised the assembly of our tent at the Town

Park to be used in inclement weather by the Camps. They did yeoman's work in preparing the trail from the Town Park over the hill to Cedar Lane so that the Junior Camp Extended Hours' campers will have a safe pathway to get to the beach. They constructed a new fence at the Town Park to protect the senior Campers and to keep Cars off of the grassy area and the playground at Town Park. They constructed a driveway at the back side of the Jewish Community Center so that traffic could flow smoothly at drop off and pickup at the Junior Camp while also supplying us with traffic cones to use at the JCC.

I would be more than happy to come to a Board of Selectmen's meeting to present this letter of commendation at any further meeting. The townspeople should be proud to know that we have such a dedicated staff working for the betterment of the town. In closing, thank you so much to the Public Works Department and their leader, Kris Fazzone for helping us get through a stressful transition.

*Respectfully Submitted,
John Wrenn 06/27/2025*

*To: Sherman Board of Selectman
Town of Sherman, CT.
Attn: Don Lowe, First Selectperson*

I am writing to call your attention to the current exterior lighting on the upper level at the Sherman Town Hall, walkways and parking spaces After dark the lighting is very poor with limited illuminations from the existing lights. In the Fall and Winter it is particularly evident. This creates possible tripping hazards and the danger of falls. It is common on leaving a meeting to have to use a cellphone as a light when walking to and unlocking a parked car. The phone flashlight is a poor substitute for adequate area illumination.

I am requesting an assessment of the areas lighting needs be made by person(s) qualified to make lighting recommendations to the town. And that the proposal to improve the situation be considered by the Select persons and brought forward for Town approval to pay for and implement the changes.

Thank you for your consideration in this matter,

*Merialis Lewis
25 Big Trail
Sherman, CT 06784
07/01/2025*

Administrative Items:

- a. Approval of June 26, 2025 Minutes**
Motioned By: Selectman Joel Bruzinski

Seconded By: Selectman Bob Ostrosky
All in Favor: Unanimous

- b. Financial Review:** Business Manager Liz LaVia updated the board on the 2024/2025 and 2025/2026 expense summaries. For 2024/2025, the Town will be better than budget for approximately \$61,000. The Board of Ed will be better than budget for approximately \$37,000. These Totals are not finalized yet. The audit will begin in the next 3-4 weeks. For 2025/2026, it's only the first month of the fiscal year, there is nothing to report. Treasurer Andrea Maloney added that 2024/2025 revenue was better than budget due to building permit fees, different fees and taxes collected. She does not yet have final figures.

- c. Tax Refunds:** One tax refund up for approval.

A Motion was made to approve a tax refund of \$153.85

Motioned By: First Selectman Don Lowe

Seconded By: Selectman Joel Bruzinski

All in Favor: Unanimous

- d. Acknowledgments/Appointments:** None

Information & Discussion:

- a. SVFD:** Unavailable due to an emergency call. First Selectman Don Lowe added a reminder that the Firemen's Ball is August 2nd at 4:30 PM and children 12 and under are free of charge.
- b. Public Works:** PW Supervisor Kris Fazzone updated the board on the completed patching jobs on Cedar, Leach, Wanzer, Holiday Point and the walkway by the pickleball courts. Pickleball courts and softball fields have been getting an increased amount of use. The excavator has proven to be a good investment with well over 200 hours on it. The mower arm attachment has been used in more difficult areas/intersections as it can reach beyond the guardrails. Tree work will be starting next week, working at 3 feet off the road and 14-16 feet high.

b1. Sherman School Renovation Project Update: First Selectman Don Lowe explained that bids have been coming in higher than anticipated, putting the project approximately \$8,000,000.00 over budget. The floor was turned over to Tim Laughlin who updated the audience on the details of a "Special Meeting" held by the Sherman Building Committee earlier that day. During the SBC meeting two recommendations were discussed. The first, was to increase the total project cost not to exceed \$49.6 million and to request an additional tax payer cost of \$2.5 million. The second request was to transmit a guaranteed maximum price for an amount not to exceed \$4,300,632.00. There are unique factors that are creating a very challenging bidding environment for the Sherman

School project and other municipal projects. The architectural team is engaged in value engineering effort to look for ways to reduce costs without impacting the program. The other, modify the program and shrink the footprint to see if cost could be driven down. Currently, the value engineering proved the current footprint was more economical. To Date, with value engineering the \$8 million overage has been cut by \$2 million and efforts are on going. The request is to proceed with the project as proposed. The value engineering changes won't impact the program, but will impact cost. Colleagues at the Department of Administrative Services have been contacted and briefed. They requested submission of form 1049R, which is authorization for a change. To date, the authorized amount of \$32,572,787.00 and if the project proceeds the amount of \$34,998,037.47, not to exceed \$35 million.

Selectman Bob Ostrosky clarified that basically there is a \$7 million gag, \$2 million is value engineering, \$2.5 million is increased rebate from the state filing form 1049R and \$2.5 million is on the town. Contingency is not being touched.

Treasurer Andrea Maloney added that it would need to go to referendum and her recommendation would be to add it to the bond. First Selectman Don Lowe was in agreement.

Roland Hanley of Hillside Drive asked if both the SBC meeting and BOS meeting did not contain any financial documents, but do the town officials making these decisions have those numbers? Or are they making a decision based solely on what was told to them?

First Selectman Don Lowe confirmed that those documents were made available to them and will be shared at the official Town Meeting.

Tim Laughlin clarified that the recording of that meeting will be posted for the public. He further explained the importance of the 19% contingency was accurate. Those contingencies are part of a design estimating process that is now completed. It was all rolled up into a guaranteed maximum price that is achieved. The only contingency moving forward is for construction which is part of the construction cost. Newfield carries 2 1/2% of the trade cost and the town carries 5% of the construction value. Bids expired in September.

Roland Hanley inquired what percentage of the cost is guaranteed and what portion is not?

Tim Laughlin replied gmp is \$4,300,632.00. This is the set guaranteed price. The balance has not been contracted yet, so a price can't be guaranteed.

Selectman Bob Ostrosky asked for clarification that the final construction cost of \$42,986,925 is the final gmp as long as the bids are taken?

Tim Laughlin confirmed.

First Selectman Don Lowe added that there is a deadline on the bids of September 15th.

Sal Bellino of 7 Oak Drive expressed his concern that value engineering is removing scope.

Tim Laughlin expressed that no one could have anticipated the economic impact of this scale. Scope reduction and modification could be targeted and is ongoing. Work inside the school has been ongoing to stick to the schedule. At this point, you cannot reverse and go in a different direction.

Sal Bellino asked why the entire voted amount wasn't being released and not only \$4.3 million exposing the town to an open ended contract? Don't come back to the taxpayers for \$2 million before the project even starts.

Tim Laughlin the gmp is the max bid price. This is the point when we lock in.

Roland Hanley asked, will the late Autumn 2026 deadline still be hit? K wing demo was to be done during summer, will demo be done during the school year?

First Selectman Don Lowe expressed that this is a disappointing situation, but a decision must be made. If bids expire, there is a risk that they will come in even higher and the town wasn't willing to gamble with that.

Tim Laughlin explained that everyone will run on schedule as demolition. The partial gmp is needed for the abatement to begin in the K wing. The demo in the building will be taking place during the school year, but it is considered a "clean .demo" and the students will not be in that area.

Shane Foy asked if you are going to be on schedule when you are already behind schedule? How much does the abatement cost?

Tim Laughlin added that the abatement is approximately \$1.8 million and general demolition. It is included in the gmp \$4.3 million being asked for. Progress inside the school has not stopped.

Sal Bellino claimed that the abatement was \$1.2 million and is now \$1.8 million and holds a \$600,000 overage.

First Selectman Don Lowe stated that there will be a Referendum in August and a Town Meeting two weeks before that. The Town Meeting will be a chance to ask questions, express thoughts and receive handouts.

Roland Hanley asked for clarification that tonight there will be a referendum and town meeting date set and a release of \$4.3 million to start the project without the approval of the \$2.5 million?

Selectman Bob Ostrosky explained that a request was made by the Building Committee to the Board of Selectmen acting as the Board of Finance to consider the release of funds and it will be discussed.

Kasey Diotte of Hubble Mountain Road expressed concern that during the SBC Special Meeting, although she did join the meeting late, most folks didn't have their cameras on, and questioned the validity of the vote. Was there a quorum? Was there a rollcall, as she didn't hear one?

First Selectman Don Lowe assured that quorum was assessed and met at the beginning of the meeting. A rollcall was taken

Selectman Joel Bruzinski clarified that any member present that did not have access to a camera identified themselves when voting.

First Selectman Don Lowe moved the discussion to the possible referendum date of August 23rd and a Town Meeting date of August 9th. Absentee ballots will also be available.

Selectman Bob Ostrosky expressed concerns about releasing money before the extra money request goes to referendum. What happens if the money is released and the \$2.5 million referendum does not pass?

Selectman Joel Bruzinski expressed the same concern and requested a discussion.

Tim Laughlin explained that essentially the full contingency would be utilized. The gmp is needed to get the abatement done during the summer, get the temporary buildings heat, and a temporary boiler. The Facility Director leaving for a new position has posed a challenge with moving forward. The school is deconstructed and the temporary school needs to be constructed.

Selectman Bob Ostrosky looking at the overall risk, if we go ahead with the \$4.3 million and don't get the \$2.5 million, is the 1049R now in jeopardy?

Tim Laughlin explained the town would have to appropriate the larger amount for the reimbursement to kick in. Funding authorization would need to be shown.

Selectman Bob Ostrosky asked what the latest date was that the gmp could be voted on if not decided on at the current meeting?

Tim Laughlin explained that it really was needed tonight and it was pushed as far out as it could go.

Selectman Joel Bruzinski this authorization for this work needs to happen whatever the final project is. The only alternative path would be stalling the school year, possible higher costs, or stalling the project. The only practical option is releasing.

Sal Bellino asked where the \$4.3 million line up with the project costs? Was the project over-scoped?

Tim Laughlin explained the demo contractor is ready to go. The exact breakdown isn't available tonight, but will be available at the Town Meeting.

Kasey Diotte asked when bids came in over budget, was the scope of the project looked at? Maybe not move the largest areas of the building (gym, cafeteria, MPR)?

Tim Laughlin stated that the project couldn't move backwards.

Selectman Joel Bruzinski stated two things needed to happen, a decision needed to be made on the referendum and the gmp.

Roland Hanley just to clarify tonight is to release \$4.3 million, before getting approval from town referendum for 2.5 million approval, so the project can move forward.

Tim Laughlin clarified that the resolution needs to be developed before the referendum date can be set.

A Motion was made to release the GMP \$4,300,632.00.

Motioned By: Selectman Bob Ostrosky

Seconded By: Selectman Joel Bruzinski

All in Favor: Unanimous

- c. **Income Threshold for Tax Relief for Elderly & Disabled:** First Selectman Don Lowe and Treasure Andrea Maloney have recommended that the town's income threshold be increased as it is outdated. Currently, a single person would need to make less than \$32,500.00 and a married couple would need to be under \$42,900.00 in the Town of Sherman. It was stated that most Social Security benefits alone put residents over that threshold. Treasurer Andrea Maloney recommended the use of state numbers that follow inflation and cost of living adjustments annually. The idea is to either meet those numbers or meet plus \$10,000.00.

A Motion was made to bring the ordinance that states the threshold tax relief for elderly and disabled to Town Meeting as recommended.

Motioned By: First Selectman Don Lowe

Seconded By: Selectman Bob Ostrosky
All in Favor: Unanimous

d. Property Tax Exemption for Veterans with 100% Disability: First Selectman Don Lowe educated the board on a state exemption for Veterans that are 100% disabled. The 100% disability is determined by the federal government and their rating system. Treasurer Andrea Maloney added clarification on the recent legislation which consisted of three options available

1. You can decide as a municipality to include up to two acres of land, in addition to the dwelling
2. You can allow the benefits to carry on to a spouse
3. You can cap the exemption amount at the assessed value

It was the recommendation of Treasurer Andrea Maloney to implement options #1 and #2 and not add a capped amount. The Board agreed to keep this item on the agenda until the proper wording was available to move it to Town Meeting

e. Cedar Lane: Statue Report: First Selectman Don Lowe read a letter from Matthew J. Willis of Halloran & Sage LLP on the ownership of the southerly end of Cedar Lane.

Dear Mr. Lowe:

You have asked me to review the status of the southerly end of Cedar Lane in Sherman. On March 23, 1956, a town meeting closed the southerly end of what was then Cedar Lane. Closure at that time was also considered being discontinued.

The common law roads in Connecticut holds that the presumption is that the Town had a right to travel over the road and once it is extinguished, then it passes to the abutting landowners and both private and public rights of access are terminated. Antenucci v. Hartford Roman Catholic Diocesan Corporation, 142 Conn. 356 (1955). After 1959, the possible right of others adjacent to the road to pass and repass was created but the statute has not been applied retroactively. Rudewicz v. Gagne, 22 Conn. App. 285 (1990). Since the discontinuance was done prior to 1959, then there is no right in others to pass or repass, when CGS Section 13a-55 was adopted it created certain rights to pass and repass.

Having reviewed the Sherman land records since the early 1800s, there are no conveyances by landowners to the Town that appeared to have become Cedar Lane. Also, the Town of Sherman did not convey any property to abutters. The discontinuance in 1956 followed the common law rule at the time.

Based upon my review and the evidence provided to me, the abutting property owners own to the middle of the road where Cedar Lane discontinued. The area beyond the paved area on the south end of Cedar Lane has long been abandoned as it has not been maintained by the Town of Sherman.

*Very Truly Yours,
Matthew J. Willis*

First Selectman Don Lowe continued by stating that the letter proves that the town owns less of Cedar Lane than originally thought. According to the town attorney land owners, whose property abuts that section of road, own from their property to the center of the road in question. The Town of Sherman requires no further action in this matter, per the town attorney. Private landowners may pursue the matter further amongst themselves, but it is no longer a town matter.

Mr. Craig Bell expressed his concerns about notification procedures and voting on the aforementioned section of land.

Selectman Joel Bruzinski explained that those procedures did not apply in that situation, as the discontinuance of that land occurred in 1956 at a Town Meeting.

Selectman Bob Ostrosky suggested that Mr. Bell bring his concern to zoning, especially if current maps are showing it as a town road.

- f. **Bidding Ordinance Review:** First Selectman Don Lowe is looking to change the bidding ordinance threshold. Currently in town, anything over \$10,000 must go out to bid. The state, under new legislation, allows up to \$35,000 before going out to bid. Selectman Bob Ostrosky added that it doesn't prevent the town from going out to bid, that flexibility will still be available. First Selectman Don Low clarified that three quotes are still required, but they could still put it out to bid even with the higher threshold. Business Manager Liz LaVia reminded the board of the "no quotes up to \$1500", as that may be changed as well.

A motion was to take a change to the Bidding Ordinance, as discussed at the Boards of Selectmen meeting, to a Town Meeting.

Motioned By: First Selectman Don Lowe

Seconded By: Selectman Bob Ostrosky

All in Favor: Unanimous

- g. **Zoning Regulation Review:** First Selectman Don Lowe explained that Planning and Zoning regulations have been non-descript and would like to bring in a proposal to the next meeting. Selectman Bob Ostrosky expressed that P&Z is one of the hardest boards to be on and supported the idea. Selectman Joel Bruzinski was also in agreement.
- h. **Emergency Expense of A/C Condenser and Related Wiring/Hardware in Charter Hall Radio Room:** First Selectman Don Lowe explained that a check was already written for an emergency expense to fix the A/C condenser and related wiring and hardware in Charter Hall in the amount of \$7,264.66 and needs to be approved retroactively in a Town Meeting.

A motion was to bring to Town Meeting the emergency expense already paid for of \$7,264.66 for a/c condenser and related wiring and hardware in Charter Hall radio room.

Motioned By: Selectman Bob Ostrosky

Seconded By: Selectman Joel Bruzinski

All in Favor: Unanimous

- i. **Park and Rec: Veterans Field Gazebo Roof/Summer Office Roof (added Basketball Courts):** First Selectman Don Lowe discussed the gazebo roof and invited P.W. Supervisor Kris Fazzone to weigh in, as he and John Wrenn (Park and Rec) received two quotes. Kris Fazzone clarified that a third quote was requested from Affordable Roofing, but was not received at the time of the meeting.

A motion was made to move to Town Meeting, from the capital non-recurring fund, a number not to exceed \$11,000.00, for the replacement of the gazebo roof at Veterans Field.

Motioned By: Selectman Bob Ostrosky

Seconded By: Selectman Joel Bruzinski

All in Favor: Unanimous

A motion was made to move to Town Meeting, a number not to exceed \$5,500.00 from the capital non-recurring fund, for the Park and Recs Summer Office roof, flashing and fascia boards at the town beach.

Motioned By: Selectman Bob Ostrosky

Seconded By: First Selectman Don Lowe

All in Favor: Unanimous

First Selectman Don Lowe moved the meeting to discuss the Veterans Field Basketball Courts as they are part of the Anderson Road paving quote. Selectman Bob Ostrosky clarified for the public that the basketball courts are needed due to the school renovation. P.W. Supervisor Kris Fazzone updated that the basketball court needs to be ripped up. Public Works will be removing the old asphalt to save money, 3 sides of the fence will be removed leaving the side separating the soccer field, fine grade, pitched and two courses of asphalt for \$33,725.00 plus fence removal, but no lines. Unfortunately, lines are an additional \$18,000.

A motion was to move to Town Meeting, a number not to exceed \$38,000.00 for the basketball courts resurfacing and fence removal (does not include painted lines).

Motioned By: Selectman Bob Ostrosky

Seconded By: First Selectman Don Lowe

All in Favor: Unanimous

- j. **Scout House Update:** First Selectman Don Lowe updated the board on the progress of the Scout House. Joe Beatty is doing a great job and the town is waiting on a state grant.
 - k. **Hometown Heroes Project:** First Selectman Don Lowe explained that he met with Lee Teicholz and Todd Lobraico about a program where residents can purchase signs honoring Veterans to be hung in town. The signs are approximately \$200 and would hang for 2 years before needing renewal. The funds collected would be handled by the Sherman Veterans Association. Selectman Joel Bruzinski expressed his concern on wear and re-tensioning and location. Selectman Bob Ostrosky was open to the idea. First Selectman Don Lowe will reconnect with Todd Lobraico and express their interest and request further information
 - l. **Town Entity Email and Social Media Account Policy Review:** Selectman Joel Bruzinski updated that all emails have been transferred over from .org to .gov. The website is in the process of moving to .gov, both are running currently. Business Manager Liz LaLia inquired as to when the transition will work in a Google search. Selectman Joe Bruzinski explained that it is an organic search and will take time before Google will catch up with the .gov.
 - m. **Sherman School Renovation Project Update**
****This item was moved up to item B1****
- Susan Seeger requested better nixel notifications of town meetings.
- n. **Proposed Sherman Senior Center Update:** First Selectman Don Lowe updated everyone on the progress and mentioned very little outreach has been made to the public. On August 2nd, materials will be made available on the town website. Selectman Bob Ostrosky pointed out the benefits to the community of having this new building not just for the seniors, but freeing up the firehouse for voting. On Tuesday July 29th at 7PM at Mallory Town Hall is the next meeting.
 - o. **Town Beach Dock Addition and Redesign Work Update:** No updates at this time.

Other Business: Selectman Joel Bruzinski added a public awareness message on a tick borne illness called Babesiosis. This illness causes flu-like symptoms and attacks red blood cells in the body. If affected, an individual can no longer donate blood.

Public Comment: None

Adjournment:

Motioned By: Bob Ostrosky

Seconded: Joel Bruzinski

Time: 9:14pm

Respectfully Submitted By Nicole Zegley