

**BOARD OF SELECTMEN  
REGULAR MEETING  
May 4, 2016**

**Present:** Norman M. Needleman, First Selectman  
Stacia R. Libby, Selectman  
Bruce M. Glowac, Selectman

Norman Needleman called the meeting to order at 5:07 p.m.

**Approval of Agenda:**

**Motion** was made by Norman Needleman to approve the Agenda. Stacia Libby seconded the motion. All in favor.

**Approval of Minutes:**

**Motion** was made by Norman Needleman to approve the April 20th Minutes. Bruce Glowac seconded the motion. All in favor.

**Informational Items, Communications and Correspondence:**

Mr. Needleman reported:

This year's regional telecommunications service credit of \$1,983.60 for Coordinated Medical Emergency Direction (CDED) services will be designation to Valley Shore ECC.

A thank you letter was received for responding to a street light request on Park Road.

A thank you came from the Essex Historical Society to the Public Works Department for all their help with loading of top soil.

The Town Planner, John Guskowski, was awarded the National Council Member of the Year.

The 2014 Equalized Net Grant List for Essex net assessment is \$1,037,007,170 and equalized \$1,561,401,317.

**Public Announcements / Comment:** None

**OLD BUSINESS:**

**Capital Committee**

Bruce Glowac reported that the renovations at the Essex Town Hall have started. The framework was done today in the auditorium. The air conditioning is complete at the school. The air conditioning at the Town Hall is forthcoming.

**Evans Lane Dispute – "Pending Litigation" for FOIA Purposes**

There was discussion on whether there is any resolution regarding Evan's Lane. Mr. Needleman reported there is a question of whether Evans Lane is a Town Road and how far Evan's Lane extends. Mr. Needleman reported that the Town would like to obtain all the facts pertaining to the road.

There was discussion on the options that are available in order to move forward since the parties have not been able to come to a resolution. One option is the Town could go for an opinion from the court, which is called a Declaratory Judgement. Attorney Royston stated the second option is to discontinue Evans Lane as a public highway as a whole or in part. Attorney Royston stated there are various records that do show there was a public highway that went straight through to the Wildwood Property, which at one time was a public highway. Another option is to claim that it is not a public highway anywhere beyond the pillars just beyond the easterly boundary line by the trustees properties.

Attorney Diane Whitney's position offers that it be considered a public road up to the pillars. Attorney Whitney stated her clients would give a permanent right-of-way to the rear lot. Attorney Whitney questioned why the Town would use its resources to defend a road to a private lot and she stated that she believed this to be a dispute between neighbors.

First Selectman Needleman stated that, as a member of the Board of Selectmen, they have a responsibility to protect everyone equally and the Town has an obligation to maintain all Town Roads, but at the moment there is a dispute of whether the end of Evan's Lane is or is not a Town Road. The Board of Selectmen were hoping the parties would come to an understanding or a compromise.

**Motion** was made by Norman Needleman to table this item until the June 1st meeting. Bruce Glowac seconded the motion. All in favor.

### **NEW BUSINESS:**

#### **Permit Fees – Small Cities Grant for Septic System Replacement**

Essex Court is doing some modifications to the property located at 16 Main Street in Centerbrook.

**Motion** was made by Stacia Libby to waive all of the Town of Essex Permit Application Fees for the septic system modifications at Essex Court. Norman Needleman seconded the motion and it was unanimously approved. Motion carried.

#### **Permit Fees – Small Cities Grant for Kitchen and Bathroom Replacement**

**Motion** was made by Stacia Libby to waive all of the Town of Essex Permit Application Fees for the kitchen and bathroom modifications at Essex Court. Norman Needleman seconded the motion and it was unanimously approved. Motion carried.

#### **Appointments and Resignations Board and Commissions**

**Motion** was made by Bruce Glowac to accept the resignation of Dawn Boulanger from the Essex Housing Authority with gratitude for her service. Stacia Libby seconded the motion and it was unanimously approved. Motion carried.

**Motion** was made by Bruce Glowac to accept the resignation of Carl Ellison from the Retirement Board with gratitude for his service. Stacia Libby seconded the motion and it was unanimously approved. Motion carried.

First Selectman Norman Needleman appointed Mary Louise Polo to the Retirement Board with term to end November, 2018.

**Public Comment:** Glenn Penkofflidbeck mentioned that the Route 9 bridges look great with the new paint job.

**SELECTMEN GENERAL DISCUSSION:**

**EXECUTIVE SESSION**

**Motion** was made by Norman Needleman to go into Executive Session at 5:35 pm for the purpose of discussion of pending litigation and land acquisition. Bruce Glowac seconded the motion, it was unanimously approved. Motion carried.

Present:

Selectmen Members: Norman M. Needleman, Bruce M. Glowac, and Stacia R. Libby

Others: Attorney David M. Royston and Selectmen's Assistant Maria P. Lucarelli

**Motion** was made by Norman Needleman to exit the Executive Session at 6:12 pm. Stacia Libby seconded the motion, it was unanimously approved. Motion carried.

**Re-open the Regular Meeting:**

The regular meeting resumed at 6:13 pm.

**Motion** was made by Norman Needleman to table the pending litigation item until the June 1st meeting. Bruce Glowac seconded the motion. All in favor.

**Motion** was made by Norman Needleman to adjourn the meeting at 6:17 p.m. Bruce Glowac seconded the motion. All in favor.

Respectfully submitted,  
Maria P. Lucarelli