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**BOARD OF SELECTMEN
REGULAR MEETING
January 19, 2011
Meeting Room A**

Present: Philip J. Miller, First Selectman
Joel B. Marzi, Selectman
Norman M. Needleman, Selectman

Philip Miller called the meeting to order at 7:03 p.m.

Approval of Agenda:

Motion was made by Philip Miller to approve the Agenda with one correction to the Special Meeting of December 30th. It should read the 20th. Joel Marzi seconded the motion and it was unanimously approved. Motion carried.

Approval of Minutes:

Motion was made by Philip Miller to approve the January 5, 2011 Meeting Minutes. Joel Marzi seconded the motion and it was approved. Norman Needleman abstained. Motion carried.

Motion was made by Philip Miller to approve the December 20, 2010 Special Meeting Minutes. Norman Needleman seconded the motion and it was approved. Joel Marzi abstained. Motion carried.

Communications and Correspondence: None

PUBLIC COMMENT: None

INFORMATIONAL ITEMS

Probate Court

Mr. Miller reported on the District of Saybrook #33 Probate Court. The towns served are Chester, Clinton, Deep River, Essex, Haddam, Killingworth, Lyme, Old Saybrook, and Westbrook.

The judge is Terrance D. Lomme. The clerks are Valerie Shickel, Margorie Callthorp, Sharon Tiezzi, Stella Beaudoin, Gloria Amatrudo, Heather Graves, Margaret Schroeder, Helene Yates, and Jacqueline Craco.

The address is 302 Main Street, 2nd Floor, Old Saybrook, CT 06475.

Phone # (860) 510-5028. Fax # (860) 388-3734.

Hours of Operation are 8:30 to 4:30 daily and by appointment.

Web site is www.oldsaybrookct.org or www.jud.state.ct.us/probate

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The new Probate Court is willing to come to individual town halls if necessary and the Town of Essex has appropriate meeting space to accommodate the courts. Mr. Needleman inquired if all files have been moved out of Essex. Mr. Miller said yes.

Mr. Miller stated there is an Agreement for the Provision of Consolidated Probate Court Facilities and Services. Mr. Marzi inquired about item number 7 on the agreement and whether this agreement needed to go to a Town Meeting. Mr. Needleman suggested that we look into whether or not a town meeting is required.

Recent Snowstorm

Mr. Miller reported the town crew has been working hard due to the snowstorm and they have done a great job. Mr. Miller stated that he has been receiving calls from residents complaining about the piles of snow blocking views and the visibility issues. The town crew has been working on each issue.

Mr. Miller reported that the fire hydrants have been dug out. The town crew has been digging up drainage swales and catch basins. As of today the public works department has just about caught up, but there are some snow banks that are big and are in need of being taken care of, and the public works department is working on these areas.

Mr. Marzi inquired about how many men and equipment are out. Mr. Miller stated we have about 12 men out. Mr. Marzi inquired about the costs incurred from this type of storm. Mr. Needleman and Mr. Miller stated that is what contingency is for, emergencies such as this.

CRERPA Representative

Mr. Miller reported that we are in need of a Board of Selectmen CRERPA representative. Mr. Needleman suggested Mr. Marzi. Mr. Miller stated this could be either a republican or democrat and anyone interested should contact him.

OLD BUSINESS:

A. Model Illicit Discharge and Connection Storm Water Ordinance

Mr. Miller reported that he has been given a shorter version of the Storm water Ordinance than was handed out at a prior selectmen's meeting

Norman Needleman suggested the selectmen set a public hearing and to post the ordinance on the Town of Essex website.

Mr. Marzi suggested holding a public hearing on Wednesday, March 2nd at 7:30 p.m. for both the Storm Water Ordinance and the Toby Hill Road issue.

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NEW BUSINESS:

A. Budget Workshops

Philip Miller reported that the Board of Selectmen budget workshops have been set for

- Wednesday February 2nd immediately following the regular meeting
- Wednesday February 16th at 5:00 p.m
- Wednesday, March 2nd immediately following the regular meeting, if necessary.

Motion was made by Philip Miller to approve the Board of Selectmen budget workshops. Joel Marzi seconded the motion and it was unanimously approved. Motion carried.

B. Toby Hill Road

Mr. Miller reported on the issue of whether the Town of Essex would discontinue ownership of Toby Hill Road. He stated that this discontinuance is coming from a strong recommendation from the Planning Commission. They recommended this discontinuance to the Board of Selectmen, but the Selectmen stated that this decision should go to a public hearing and a town meeting.

Mr. Marzi stated that he had spoken to Mr. John Guskowski. Mr. Marzi stated this decision should be done at a town meeting. Mr. Miller stated we could schedule a public hearing with a town meeting immediately following the public hearing.

Mr. Marzi stated that if we discontinue Toby Hill Road, they would still have access rights and the land would go to the resident. Mr. Marzi stated that he spoke to the Town of Westbrook's Town Planner, and there is an approved subdivision in Westbrook and that this road is the access to that subdivision.

Mr. Needleman stated that the Planning Commission should attend the public hearing and propose their recommendation and let the public decide. Mr. Needleman suggested that we send the Notice of the Public Hearing to Westbrook.

Motion was made by Philip Miller to schedule a Public Hearing on Wednesday, March 2nd at 7:30 for the Toby Hill Road and Storm water Ordinance. Norman Needleman seconded the motion and it was unanimously approved. Motion carried.

C. Hearing Re: Police Grievances

EXECUTIVE SESSION

Motion was made by Philip Miller to go into executive session at 7:32 p.m. for the purpose of discussing the Police Grievances. Norman Needleman seconded the motion and it was unanimously approved. Motion carried.

Present: Board of Selectmen Members: Philip Miller, Joel Marzi, Norman Needleman.
Invited Guests: Marc Piscioti, David Hebert

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Motion was made by Philip Miller to exit Executive Session at 7:45 p.m. Norman Needleman seconded the motion and it was unanimously approved. Motion carried.

TRAFFIC AUTHORITY

Motion was made by Norman Needleman to enter Traffic Authority. Philip Miller seconded the motion and it was unanimously approved. Motion carried.

Motion was made by Philip Miller to approve no parking on both sides of Scholes Lane. Norman Needleman seconded the motion and it was unanimously approved. Motion carried.

Mr. Marzi inquired of the two indented parking areas in front of a home, in particular the Tenney residence. There was discussion about cars that are completely off the road and on the homeowner's property in their indented space, and whether parking in those existing spots would be allowed? Mr. Marzi asked that we research this and discuss at the next Board of Selectmen meeting.

Motion was made by Norman Needleman to exit Traffic Authority. Philip Miller seconded the motion

Public Comment:

Melanie Phoenix inquired about the Executive Session and she wanted to know why you cannot have that kind of a meeting open to the public. Mr. Miller stated that because it was a personnel issue and also that the claimant is a union member. The way the police union works is if there is an issue or anything to do with personnel issues, they can come to the first Selectmen for an answer, if they don't like the answer, they can choose whether to go into executive session to be heard by all three selectmen. Also by going into Executive Session it protects a delicate situation.

Mr. Needleman stated there are very specific rules of what can and cannot go into executive session.

SELECTMEN GENERAL DISCUSSION: None

Motion was made by Philip miller to adjourn the regular meeting at 7:58 p.m. Joel Marzi seconded the motion and it was unanimously approved. Motion carried.

Respectfully submitted,
Maria Lucarelli