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**BOARD OF SELECTMEN
REGULAR MEETING
March 16, 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 7:00 p.m.

Approval of Agenda:

Motion was made by Norman Needleman to approve the Agenda. Joel Marzi seconded the motion and it was unanimously approved. Motion carried.

Approval of Minutes:

Motion was made by Philip Miller to approve the March 2, 2011 Meeting Minutes. Norman Needleman seconded the motion and it was unanimously approved. Motion carried.

Motion was made by Philip Miller to approve the March 2, 2011 Budget Workshop Meeting Minutes. Joel Marzi seconded the motion and it was unanimously approved. Motion carried.

Communications and Correspondence:

Grove Street Speeding Issues

Mr. Miller reported receiving five pieces of correspondence from the residents of Grove Street who are very concerned with the speeding on this road. Mr. Miller reported that speeding enforcement is being implemented in the entire neighborhood. Mr. Miller stated that Grove Street is a cut through, and has a 25 MPH speed limit.

Letters were received from Susan Malan, Patrick Tedesco, Elizabeth Brennan, Ruth Schumacher and Bruce Weiss regarding speeding on Grove Street, North Main and River Road. Mr. Miller stated there would be more spot enforcement throughout Essex and more effort will be made to educate and enforce slower driving behavior.

Mr. Marzi inquired about speeding statistics. Mr. Miller stated that he has presented these reports at earlier selectmen meetings. Mr. Marzi stated that he is not in favor of giving and getting tickets, but he is in favor if we have to enforce the law by giving tickets if people are speeding. Mr. Needleman stated we should set out the speed dolly, and put it to use. There was discussion about installing speed bumps and / or lowering the speed limit to 15 mph and it was determined that speed bumps were not feasible.

Mr. Paul Goodwin made an inquiry regarding Lieutenant Kenefick. Mr. Miller stated he is the commander of Troop F and he oversees our law enforcement.

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Emergency Management Generator Grant.

Mr. Miller reported that we have just completed a grant application to purchase a large generator for the Essex Elementary School. It would improve our emergency response capability. Mr. William Buckridge, Mr. Tom Fitzgerald, and Maria Lucarelli worked on it.

PUBLIC COMMENT:

Susan Malan also stated that she was opposed to speed bumps.

Mr. John Orr, Mr. Paul Goodwin, and First Selectman Miller discussed hiring procedures. Mr. Marzi inquired who had the hiring authority of the police. Mr. Miller stated he has the hiring authority.

The Town of Essex used a service for the hiring of the police officer called Law Enforcement Council (LEC) out of Norwich. LEC narrowed down the 39 applications who met the POST certified requirement. LEC held the written exam early March and the oral interviews mid March. The scoring results were then given to Mr. Miller.

Ms. Phoenix inquired about the hiring process as well. Mr. Needleman stated that is why you get to vote in the selectmen and there is a process for hiring. The selectmen's job is to make the best decisions for the town's people.

INFORMATIONAL ITEMS: None

OLD BUSINESS: None

NEW BUSINESS:

Viney Hill Brook – Beaver Discussion

Philip Miller reported that beavers have dammed up under the culvert at Viney Hill Brook and the DEP has been trying to deal with them. DEP has authorized the removal of the beavers. Beavers cannot legally be relocated anymore, private trappers have been used.

Mr. Miller stated that when the beavers plug up the concrete culvert, that upsets some of the neighbors and the stream overflows and is flooding the trails. The neighbors received a permit from Inland Wetlands Commission to install a baffle to help with the flooding problem, but that did not work. The IWWC has decided to hire a trapper. The trapper has a license and a permit for this month. The conservation commission has stated they would put up signage. The traps are underwater traps and although the traps are not a large threat to dogs, owners of dogs are asked to keep them on a leash in this area.

Mr. Miller stated that if we don't take action, they will cause damage to that part of the park. They could possibly affect the swimming area. There is a parasite called giardia that humans should not come in contact with. It is a parasite that is tough to get rid of and could be dangerous to people, especially children who swim there.

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Gudrun Lelash concurred with all that Mr. Miller has reported. Ms. Lelash stated that the beavers are cutting trees 10 inches in diameter and they are damaging the trails.

Jim Richmond inquired clarification that we are talking about not removing, but exterminating the beavers. Then he read into the record a couple paragraphs from the Essex Web Site pamphlet on Viney Brook Park. Mr. Richmond also stated that he is opposed to trapping and killing the beavers.

VISITING THE PARK

You are welcome to walk in the passive recreation area of the park during daylight hours. Since this area is a nature preserve, there are posted guidelines to protect it. Prohibited activities include fires, camping, smoking, collecting flora, hunting, trapping or firearm use. The trails are maintained for foot traffic only, so motorized vehicles, bicycles and horses are prohibited because of their impact on the trails. Leashed dogs are permitted. (Note: there are separate rules posted for the active recreation area.) Your cooperation is appreciated and helps to maintain the natural character of the area.

PASSIVE RECREATION

The passive recreation area of the park, managed by the Essex Conservation Commission, is open to the public for walking and hiking. It is not a playground, hunting area, bike path, or campground. This area is a place where people may enjoy native plants and animals without altering or disturbing their habitat. It is basically a wilderness -- a natural patch of earth that will, with your help, remain alive and intact.

Mr. Richmond felt that the signs were not put out early enough and there is only one sign at one of the entrances. He does not think you should kill the beavers, but if you must, you should put up more signs.

Carol Richmond stated that she is more concerned about the process and her not being informed. Her dog loves to swim in this pond. Her neighbors were aware of the trapping because their property abuts this pond. She felt that people should have been informed. She stated that a certified trapper has been hired to remove beaver from the pond, and it is not a Have-a-Heart trap. We should be honest of what we are going to do. She also stated that giardia is in every pond. She stated that the traps were laid out 10 days ago, and neighbors were only just notified. She also stated that the beavers have not been a problem with the dogs. Ms. Lelash inquired about leash laws for the dogs. Mr. Miller stated there is no leash law in town, but there is one at the parks. Mr. Miller stated that the quarry pond is where the dogs should be swimming.

Mr. Marzi stated he was out there with Dennis Robida and got a tour of the area. Mr. Marzi inquired if there was a plan. Goody stated there was a plan. There are dozens of pages from DEP and there are about 10 beavers and they have two offspring a year. The trapping season ends on March 31st.

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Mr. Marzi stated that the water is over the pipe. Mr. Marzi stated why not try a grate over the pipe. Ms. Lelash stated that they have tried that and there is a lot of beaver debris that clogs up the pipe quickly. She stated it is amazing what debris and tree damage beavers produce.

Mr. Ackerman asked if this trapping would be repeated every year. Ms. Lelash stated the trapping season is from December to March. Mr. Miller said yes, this would be ongoing. The trapper is not charging Essex, but he will take the pelts.

Susan Malan inquired if this is a nature preserve, why were only abutters notified. She suggested this should have been published so that more people were notified.

Mr. Miller stated that the conservation commission has the authority to make decisions because they are the conservators. Mr. Needleman stated that hunting season for deer is extended to slim down the deer population is another example. Mr. Needleman stated that we all hate to remove or exterminate animals, even those in our homes like mice.

Mr. Miller stated there are well over 20 deer per square mile in Connecticut. There are starvation issues, and deforestation of the forest.

Mr. Marzi asked for more information. Goody stated she would provide that for Mr. Marzi.

Mr. Ackerman asked if we had other options. Mr. Miller talked with DEP and by law we cannot relocate them, so there are not many options.

Ms. Lelash spoke regarding biological capacity and cultural capacity. She stated that this pond is at the end of Viney Brook and is an urban area and this is not an isolated spot and her concern is the swimming area and the beavers moving there.

Mr. Ackerman stated that we have made it a park and now people swim there and the previous owners probably took measures of their own. Mr. Needleman stated we have a commission that has been appointed to handle these types of issues and concerns regarding the parks.

Ms. Richmond stated that she felt this beaver trapping was done in a questionable manner and she would probably not be here today if people hadn't stumble upon the trapper. Ms. Richmond was concerned about a dog getting caught in the trap

Mr. Needleman stated that yes, communication could have been better. We have a lot of commission members that are not coordinated through the selectmen.

Mr. Neil Nichols stated that it was legislated that certain animals could not be relocated. Relocation for some animals is no longer allowed in the state of Connecticut. Although relocation of beavers might be something that could be investigated, maybe there are areas where beavers are valued. Perhaps we could find another alternative but it may come at a cost.

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Modifications to Board of Selectmen Proposed FY 2011/2012 Budget

Motion was made by Philip Miller to recommend to the Board of Finance to modify the Selectmen's Budget for 2011-2012 the Open Space Sinking Fund to the original budget request of \$15,000. Norman Needleman seconded the motion. All in favor.

There was discussion regarding Park & Recreation is doing a 10 year plan on the parks. The Grove Street Park playground proposal replacement cost is approximately \$168,000.

Motion was made by Philip Miller to recommend to the Board of Finance to modify the Selectmen's Budget for 2011-2012 the Park and Recreation Sinking Fund to the original budget request of \$13,000. Norman Needleman seconded the motion. All in favor.

Sinking Funds

Motion was made by Philip Miller to recommend to the Board of Finance the Septic Lagoon Sinking Fund be closed and the balance of \$38,408.88 be transferred into the General Fund. Norman Needleman seconded the motion. All in favor.

Motion was made by Philip Miller to recommend to the Board of Finance the partial capping of the Landfill Sinking Fund be closed and the balance of \$12,488.43 be transferred into the General Fund. Norman Needleman seconded the motion. All in favor.

Set Town Meeting

Motion was made by Philip Miller to set a Special Town Meeting on Wednesday, April 6th, 2011 at 4:45 p.m. Norman Needleman seconded the motion and it was unanimously approved. All in favor.

Town Hall Window Replacement – Permit Fees

Motion was made by Philip Miller to waive the Town Hall Window Replacement permit fees. Norman Needleman seconded the motion. All in favor.

Safe Routes to School Engineering Design Costs

Mr. Miller reported that the planners are finishing up our \$150,000 planning study and there are a number of suggestions that have been given to us. One suggestion is to improve the end of Dennison road and make it a "T" for better visibility.

Mr. Miller stated that we have to have the engineering work done in order to get the costs to do these modifications. We need to get about \$10,000 worth of engineering work and unfortunately the grant does not include the engineering fees.

Motion was made by Philip Miller to recommend to the Board of Finance to request funds in an amount not to exceed \$10,000 for Safe Routes to School Engineering Design Costs.

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Norman Needleman seconded the motion. Joel opposed at this time, and he suggested placing the \$10,000 into the budget for next year. Motion passed.

Highway Department - Season Payroll Budget Line Overrun

Mr. Miller reported that due to the extraordinary snow storms this year we have run over in the contracted / seasonal payroll budget line.

Motion was made by Philip Miller to recommend to the Board of Finance to request funds not to exceed \$41,911.30 for the contracted / seasonal payroll (10450-501250) overrun. Norman Needleman seconded the motion. All in favor.

Public Comment:

There was discussion regarding a problem with the roof at the elementary school. Mr. Miller stated that the new roof is the most problematic in the 6th grade wing.

There was discussion as to why the roofs were not built pitched. Mr. Miller stated it is very costly to do a pitched roof. Mr. Marzi stated there are several other reasons, and one of them was the consideration to not move the students as well as the costs for the roofs at that time. Mr. Marzi stated that the roofs are leaking and that it would be approximately a million and a half to replace the roofs. Mr. Marzi stated you cannot do a flat roof today, due to the West Nile Virus. Mr. Marzi stated that if we did modular classrooms, that would have had significant costs.

Susan Malan wanted further clarification on the Safe Routes to School grant and whether the intersections that were being reviewed were within a mile of the school. Mr. Miller stated that the intersections were within a mile as well as the connector 154 and 153. The study is looking at closing that off completely and making a parking lot.

Mr. Goodwin once again expressed his concerns about the police hiring.

SELECTMEN GENERAL DISCUSSION: None

Motion was made by Philip Miller to adjourn the regular meeting at 8:09 p.m. Joel Marzi seconded the motion. All in favor.

Respectfully submitted,
Maria Lucarelli