

Disclaimer. Please note, these Minutes have yet to be approved. Check with the department or Town Clerk for updated versions.

**BOARD OF SELECTMEN
REGULAR MEETING
May 16, 2012**

Present: Norman M. Needleman, First Selectman
Stacia R. Libby, Selectman
Joel B. Marzi, Selectman

Norman Needleman called the meeting to order at 7:02 p.m.

Approval of Agenda:

Motion was made by Stacia Libby to approve the Agenda with the removal of Traffic Authority. Joel Marzi seconded the motion, it was unanimously approved. Motion carried.

Approval of Minutes:

Motion was made by Joel Marzi to approve the May 2, 2012 Regular Meeting Minutes. Stacia Libby seconded the motion, it was unanimously approved. Motion carried.

Communications and Correspondence: None

Public Announcements:

Walter Schieferdecker inquired as to the status of the transfer station. Mr. Needleman stated they are still negotiating the contract.

INFORMATIONAL ITEMS: None

OLD BUSINESS:

Resubdivision Rosewood Lane

Mr. Needleman tabled this item to the next Board of Selectmen meeting.

Sinking Fund Ordinance

Mr. Needleman reported that the Tree Committee Sinking Fund Ordinance has been redefined. This will now go to a public hearing and a town meeting. Mr. Marzi noted a couple of minor corrections to the ordinance for better clarification.

Motion was made by Joel Marzi to approve the changes and to move forward (see attached). Stacia Libby seconded the motion, it was unanimously approved. Motion carried.

Retirement Plan

Mr. Needleman reported his proposed modification to the threshold for hours of annual credited service needed in order to participate in the town retirement plan. There is a desire to bring the eligibility requirements for this benefit to the same level as other fringe benefits afforded full time employees. There was discussion moving from a defined benefit to a defined contribution pension plan and what the process would be to transitioning existing employees from defined benefit to defined contribution. Mr. Needleman requested the Retirement Board officially review and come up with ways to implement these changes.

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Motion was made by Joel Marzi to recommend to the Retirement Committee:

1. Change on Page 5 in the Town of Essex Retirement Plan both Sections 1.23 & 1.24 from one thousand hours (1,000) to one thousand five hundred (1,500) hours with necessary exceptions and exclusions.
2. Research migrating the plan from a defined benefit to a defined contribution. Stacia Libby seconded the motion and it was unanimously approved. Motion carried.

Kelly Sterner stated that the Retirement Board requested clarification as to who would be affected with the change from the 1,000 to 1,500 hours. Mr. Needleman stated for the record that existing employees would be grandfathered into the current plan. Current permanent employees who meet the 1,000 hours per year threshold and continue to meet that threshold, will be grandfathered under the original plan. Mr. Needleman stated that the new plan will apply to any new hires. In the future, the Selectmen reserve the right to revisit this, but not at this time. An exclusion is if an employee is currently working less than 1,000 hours and in the future they get bumped up to 1,000 hours, they will not qualify under the old plan. Essex Elementary School Board of Education employee covered by the Town plan that by contract work only during the academic year will be an exception to the 1,500 hour minimum if they work at least 30 hours per week for the full academic year. Mr. Needleman suggested that our attorneys prepare an employment agreement for all new hires that there is a new plan and the new employee will fall under the new 1,500 hour plan.

There was discussion regarding moving to a defined contribution plan for all new employees. Mr. Marzi stated the benefit of a defined contribution plan is that plan is portable.

NEW BUSINESS:

2012 Small Cities Grant

Norman Needleman reported that each year the Board is required to approve a Title VI Equal Opportunity Statement, a Fair Housing Resolution, a Fair Housing Policy Statement, Affirmative Action Policy Statement, ADA Municipal Grievance Procedure and a Fair Housing Discrimination Policy (U.S. Department of Housing and Urban Development policy to be adopted as the Town of Essex's Policy). This is under the guidance of the community and in conjunction with the CDBG funding.

Motion was made by Stacia Libby to approve the Title VI Equal Opportunity Statement, a Fair Housing Resolution, a Fair Housing Policy Statement, and a Fair Housing Discrimination Policy. Joel Marzi seconded the motion, it was unanimously approved. Motion carried.

Set Public Hearing

Motion was made by Stacia Libby to set a Public Hearing for Wednesday, June 6, 2012 at 4:45 p.m. for the purpose of the Budget Fund Designation Ordinance and Amendment to the Open Space Sinking Fund Ordinance and the Tree Committee Sinking Fund Ordinance. Norman Needleman seconded the motion, it was unanimously approved. Motion carried.

Set Town Meeting:

Motion was made by Joel Marzi to set a Special Town Meeting for Wednesday, June 6th, 2012 at 4:50 p.m. for the purpose of Budget Fund Designation Ordinance and Amendment to the Open Space Sinking Fund Ordinance and the Tree Committee Sinking Fund Ordinance. Norman Needleman seconded the motion, it was unanimously approved. Motion carried.

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Job Description

Motion was made by Joel Marzi to approve the Part Time Police Officer job description (see attached). Norman Needleman seconded the motion, it was unanimously approved. Motion carried.

Public Comment: None

SELECTMEN GENERAL DISCUSSION:

Mr. Needleman discussed the list of Motions that was compiled of all Board and Commission meetings in the past month (see attached).

Mr. Needleman reported that the budget for next year passed on Monday, May 14th, 2012.

Mr. Needleman reported that the maintenance of the Town Hall Building will be overseen by Mr. Tom Fitzgerald, who is currently the Building Superintendent of the Essex Elementary School. The cleaning service will no longer be used. Two part time custodians will be hired.

Mr. Needleman reported that Ms. Ellen Wexler-Whaley has been working on the Town of Essex Personnel Manual.

Mr. Needleman reported that there will be a full review of the Town Ordinances.

There was discussion on the Liquor Ordinance. This will be placed on the next Board of Selectmen Agenda.

Mr. Needleman reported that Mr. Marzi has volunteered to spearhead appointing a subcommittee to look into a capital improvement plan with the possibility of bonding the school roof and other major capital projects. This will be discussed at the next Board of Selectmen meeting.

Mr. Needleman reported that recently Southern Connecticut Gas (SCG) presented a project to bring a pipe line to Essex. SCG will cover all expenses as long as there is a commitment. The pipeline is proposed to go up Route 153 by the Shoreline Clinic, past IGA, to Essex Meadows, into the Industrial Park, past the Elementary School, up to the Essex Fire House and Town Hall. To covert to gas is estimated as a 50% reduction in costs because natural gas is a much cheaper option.

Motion was made by Norman Needleman to adjourn the meeting at 8:02 p.m. Joel Marzi seconded the motion, it was unanimously approved. Motion carried.

Respectfully submitted,
Maria P. Lucarelli

DRAFT-APRIL 18, 2012
BUDGET FUND DESIGNATION ORDINANCE AND AMENDMENT TO THE
OPEN SPACE SINKING FUND ORDINANCE AND THE TREE COMMITTEE
SINKING FUND ORDINANCE

BE IT ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF ESSEX IN
LAWFUL TOWN MEETING DULY ASSEMBLED, THAT THE FOLLOWING
ORDINANCE BE ESTABLISHED BY THE TOWN OF ESSEX:

Section 1

Pursuant to Connecticut General Statutes §7-148(c) (2) (K), the Town of Essex may “create a sinking fund or funds or a trust fund or funds or other special funds, including funds which do not lapse at the end of the municipal year” and the Town of Essex has created and maintains an Open Space Sinking Fund by Ordinance adopted April 26, 1993 and a Tree Committee Sinking Fund by Ordinance adopted December 6, 1995.

The Town of Essex is required to comply with the standards of the Government Accounting Standards Board (“GASB”) for municipal accounting and budgetary matters, including the Open Space Sinking Fund and Tree Committee Sinking Fund, and other funds within the Town of Essex Budget. Due to amendments to the GASB standards in 2010, certain budgetary funds have been given different designations and classifications. The purpose of this Ordinance is to rectify any discrepancy between a fund name and its classification or designation under GASB.

An additional purpose of this Ordinance is to simplify and make consistent the Open Space Sinking Fund and Tree Committee Sinking Fund Ordinances.

Section 2

The Open Space Sinking Fund and Tree Committee Sinking Fund were created pursuant Connecticut General Statutes §7-148(c) (2) (K) so as to establish funds in the Town of Essex budget system which would have a perpetual existence and which also would be available for monetary gifts to the Town of Essex for the stated purpose of each Fund under the applicable Ordinance creating it. The Town Treasurer, or any other Board or Department, which now has or may hereafter have jurisdiction, shall designate said Sinking Funds in the manner prescribed by GASB, or as prescribed by any other Federal or State law, rule or regulation applicable to said Sinking Funds, or any like funds that may be established in the future.

Section 3

The Town Treasurer, or any other Board or Department, which now has or may hereafter have jurisdiction, shall designate all other funds in the manner prescribed by GASB, or as prescribed by any other Federal or State law, rule or regulation applicable to said funds, or any like funds that may be established in the future.

Section 4

Paragraph 5 (b) and Paragraph 5 (c) of the Open Space Sinking Fund Ordinance adopted April 26, 1993 are repealed and the following are substituted in lieu thereof:

5. (b) The acquisition of the any parcel and the sum to be expended for the acquisition shall be approved by an affirmative vote of the Essex Planning Commission.

(c) If the sum to be expended for the acquisition of any parcel shall be equal to or in excess of \$20,000.00, the sum to be expended for the acquisition shall be approved by an affirmative vote of the Essex Planning Commission not more than 90 days prior to the Town Meeting at which the expenditure is considered.

(d) Any expenditure equal to or in excess of \$20,000.00 shall be approved by a Town Meeting duly called for this purpose.

Section 5

Paragraph 4 (b) of the Tree Committee Sinking Fund Ordinance adopted December 6, 1995 is repealed and the following are substituted in lieu thereof:

4. (b) The expenditure shall be approved by affirmative vote of the Essex Tree Committee.

(c) If the sum to be expended shall be equal to or in excess of \$20,000.00, the sum to be expended shall be approved by vote of the Essex Tree Committee not more than 90 days prior to the Town Meeting at which the expenditure is considered.

(d) Any expenditure equal to or in excess of \$20,000.00 shall be approved by a Town Meeting duly called for this purpose.

This ordinance shall become effective fifteen days after publication hereof in a newspaper having circulation in the Town of Essex.

TOWN OF ESSEX POSITION DESCRIPTION

Title:	POLICE OFFICER (Part Time)
Department:	Police Services and Harbor Patrol
Classification:	Hourly Staff, Non-Exempt
Position Definition:	Performs patrol, investigative, office administrative and special duties in enforcing local, state and federal laws; provides information to prevent criminal activities and to maintain public safety; may supervise special and temporary security officers.
Supervision Received:	Receives general and task supervision from the Resident State Trooper and State Police Sergeants; works independently within assignment.
Supervision Exercised:	May supervise special and temporary security officers or special constables.
Examples of Essential Duties:	<p>Patrols Town of Essex in patrol car or police bicycle to deter crime or disturbances of peace, and to enforce criminal and motor vehicle laws. Studies assigned patrol area. Learns of special security needs, vehicle and roadway conditions, and potential trouble spots. Notes suspicious persons and establishments. Performs traffic and crowd control services at special Town events.</p> <p>Directs traffic at scene of accidents, fire or other disturbances. Renders first aid at accidents and investigates causes and results of accidents. Photographs and/or diagrams an accident or crime scene as necessary to complete investigation.</p> <p>Carries out investigations to prevent crimes or to solve criminal cases. Examines scenes of crimes to secure clues and gather evidence. Investigates suspicious persons and questions witnesses. Arrests or assists in arrests of criminals or suspects. Searches prisoners for weapons, contraband, illegal drugs, or other harmful materials. Transports prisoners to detention facilities or to court.</p> <p>Prepares assigned cases for court presentation according to established procedures. May appear before court and/or grand jury. Prepares information for warrants. Serves warrants as necessary. Coordinates activities with court personnel, including prosecutor's office and administrative clerks.</p> <p>Prepares incidence reports, establishes and maintains files on patrol, investigation and administrative matters. Prepares narrative and statistical reports for supervisor and for reporting jurisdictions.</p> <p>Must immediately report any incidence of suspected child or elderly abuse or neglect. Coordinates activities with Department of Children and families, school, health, social service agencies or Town departments in neglect or abuse cases.</p> <p>Prepares periodic narrative and statistical reports for supervisors. Attends Town board or Commission meetings as necessary to report on police activities or to respond to community concerns.</p> <p>Must possess the ability to provide a high-level of customer service to the public and to effectively interact with co-workers.</p>
Examples of Incidental Duties:	<p>May be assigned to bicycle patrol and/or marine patrol if certified. Enforces laws regarding boating and other marine activities.</p> <p>Coordinates activities with other Town departments, including Animal Control, Public Works, Board of Education, and Public Health; works closely with Police personnel in surrounding towns.</p> <p>Provides travel directions and assists members of the public in any manner possible. Assists members of beach patrols or other security services.</p>

TOWN OF ESSEX POSITION DESCRIPTION

Minimum Qualifications Required:	Graduation from High School or equivalent. An Associate's or Bachelor's degree in Criminal Justice, Police or Public Administration or a related field is desirable. Must be able to possess and maintain a valid Connecticut Motor Vehicle Operator's license. Must meet rigorous physical, legal and ethical standards, including a personal history devoid of any drug related conviction, felony conviction, conviction for any Class A or Class B misdemeanor or any conviction for domestic violence.
Knowledge, Skills, and Abilities:	Must have the ability to acquire a working knowledge of criminal law and procedures. The ability to apply principles of logical or police investigation techniques to define problems, collect data and information. The ability to establish facts and draw valid conclusions must be initially acquired during a working test period and continue throughout employment. Must be able to interpret a variety of instructions in written, oral or diagrammatic form. Must be able to condense a variety of information into concise and clear written reports. The ability to speak before a group of people with poise, voice, control and confidence is desirable. For Marine Patrol assignment must have a working knowledge of boating laws. Previous maritime experience, including small boat operation, is desirable.
License or Certification:	Connecticut Motor Vehicle Operator's license. For permanent appointment must be Connecticut P.O.S.T.C. certified. For Marine Patrol assignment must possess valid safe boating certificate.
Physical, Mental Exertion/Environmental Conditions:	Exposure to high level of stress related to duties involved in a public safety program including criminal investigations, highway patrol, and public contact. Physical exertion related to visits to crime scenes, foot and vehicle pursuits, shift patrols, and intermittent exposure to computer screen. Exposed to blood and/or bodily fluids, which may present a threat to physical health. Must exercise extreme caution at all times due to the hazardous nature of the job.
Note:	The above tasks and responsibilities are illustrative only. It is not meant to include every task or responsibility.

Motions

Conservation Commission – March 8, 2012

Motion made Doug Demarest that the fallen Tulip Poplar Tree wood in Canfield Meadow Woods Nature Preserve is available to anyone who obtains permission from the Conservation Commission to remove the tree, providing there is no risk of damage to the trails or surrounding land and there will be no liability to the Town of Essex for injury incurred during the process of removing the wood.

Motion seconded by Maryann Pleva. In favor, Maryann Pleva, Ron Skinner and Doug Demarest. Kay Tucker in opposition. Motion carried 3/1/0.

Motion made by Ron Skinner to approve the All Habitat Services contract in the amount of \$3050 with \$350 retainer for the removal of the Phragmite and Japanese Knotweed.

Motion seconded by Doug Demarest and passed unanimously 4/0/0.

Motion made by Maryann Pleva to hire Shirley Malcarne to update the 2011/2012 inventory of conservation easements within the Town of Essex.

Motion seconded by Doug Demarest and passed unanimously 4/0/0.

Conservation Commission – April 12, 2012

Motion made by Maryann Pleva to appoint Jeff Lovelace to serve as the IWWC liaison.

Motion seconded by Pam Bernardini and passed unanimously.

Motion made by Doug Demarest to pay Shirley Malcarne \$60 for her services and reimburse Rich Helmecki \$26.75 for materials. **Motion** seconded by Pam Bernardini and passed unanimously.

Motion made by Pam Bernardini to respond to the request from the Essex Planning Commission dated March 20, 2012 to read: "In response to your request for input from the Essex Conservation Commission which is dated March 20, 2012 regarding the Foxboro Point subdivision application, the Conservation Commission agrees with the plan as proposed and shown on *Map Drawing SDP-1 of the site development plan Foxboro Point Subdivision, 1 Foxboro Road (a.k.a. Foxboro Point) Property ID 16 012 and dated December 28, 2011*, the Essex Conservation Commission respectfully requests a 150-foot easement with public access to the CT River North Cove from Riverview Street and from Foxboro Road."

Motion seconded by Doug Demarest and passed unanimously.

Economic Development Commission – February 8, 2012, March 14, and April 11th

No motions except approval of the agenda, etc.

Harbor Management Commission – February 23rd, 2012 and March 22, 2012

Motion – Walter Wiegert moved to offer a credit for the harbor dredging project to the waterfront business partners as detailed in his proposal (attached hereto). A copy of the proposal, a final accounting and final invoice reflecting the credit will be mailed to each business partner, Wally Schieferdecker seconded
4-0-0 motion approved unanimously

Motions

**Motion – Wally Schieferdecker moved to have Jeff Going send a letter to DEEP regarding the Carlisle application asking for minimizing the impact on the neighbors and the look of the neighborhood, Walter Wiegert seconded
4-0-0 motion approved unanimously**

Invoices – Clerk's invoice

**Motion – Walter Wiegert moved to pay the Clerk's invoice, Joe Zaraschi seconded
4-0-0 motion approved unanimously**

The Treasurer has one invoice for payment. - The clerk for \$ 281.10

**Motion – Walter Wiegert moved to pay the clerk, John Senning seconded;
5-0-0 motion approved unanimously**

**Motion – John Senning moved that the harbor Commission prepare a letter to the Zoning and Planning Commissions regarding the shared dock concept, Wally Schieferdecker seconded;
5-0-0 motion approved unanimously**

Inland Wetlands –March 8, 2012

**Motion by Carla Feroni and seconded by Linda Herman to use Halloran & Sage as legal assistance for River Sound Subdivision.
Motion carried unanimously.**

**Motion by Linda Herman to deny the Peterson re-subdivision. Seconded by Carla Feroni.
Motion carried unanimously.**

**Motion by Alan Kerr to add the Zoning referral for proposed text change to the agenda. Seconded by Ralph Monaco.
Motion carried unanimously.**

Motion by Alan Kerr to recommend approval of the proposed text change to the Zoning regulations. Seconded by Carla Feroni. Voting in favor of the motion were Tom Danyliw, Alan Kerr, Ralph Monaco, and Carla Feroni. Linda Herman was opposed. The motion carried.

**Motion by Ralph Monaco and seconded by Carla Feroni to approve the changes.
Motion carried unanimously.**

Motion by Linda Herman and seconded by Carla Feroni to refer the accessory apartment language to the Zoning Commission. Motion carried unanimously.

Motions

Inland Wetlands –March 13, 2012

Motion made by Nancy Arnold to grant a Permit for **Application 12-2 Sunset Pond, Essex, Assessor's Map 32 Lot 73, Zoning District LI. The owner of record is the Paul Foundation and the applicant is the Town of Essex Park and Recreation Department.** This is an application to seek an approval for the revitalization of Sunset Pond on West Avenue. The regulated activity is for the drag line dredging of Sunset Pond, the removal of dead vegetation around the pond, to construct a berm and to re-seed the area with grass. **Motion** seconded by Fred Szufnarowski and passed unanimously 5/0/0.

Motion made by Fred Szufnarowski to conduct a site inspection on Tuesday, March 20, 2012 at 6:00 p.m. on behalf of **Application 12-4, property located at Rosewood Lane, Assessor's Map 39 Lot 1-25, Zoning District RU. The owner of Record is Donald Meyers.** This is an application to construct a 1,252 s/f single family dwelling at the southwest corner of the lot, a location that would place the structure approximately 64 feet from the wetland area. **Motion** seconded by Claire Tiernan and passed unanimously 5/0/0.

Motion by Larry Shipman to table to the April 10, 2012 meeting **Application 12-4, property located at Rosewood Lane, Assessor's Map 39 Lot 1-25, Zoning District RU. The owner of record is Donald Meyers** **Motion** seconded by Nancy Arnold and passed unanimously 5/0/0.

Motion made by Fred Szufnarowski to conduct a site inspection on Saturday, April 7, 2012 at 9:00 a.m. on behalf of **Application 12-5 on behalf of River Sound Development, LLC c/o Doane-Collins Engineering Associates, Assessor's Map 93 Lot 1, Zoning District RU.** This property is situated at the end of Ingham Hill Road and proposes an open space subdivision. **Motion** seconded by Claire Tiernan and passed unanimously 5/0/0.

Motion made by Claire Tiernan to schedule a public hearing on April 10, 2012 behalf of **Application 12-5 on behalf of River Sound Development, LLC c/o Doane-Collins Engineering Associates, Assessor's Map 93 Lot 1, Zoning District RU.** This property is situated at the end of Ingham Hill Road and proposes an open space subdivision. **Motion** seconded by Fred Szufnarowski with Nancy Arnold, Chuck Corson and Claire Tiernan in favor. Larry Shipman abstained. Motion carried 4/0/1.

Motion made by Nancy Arnold to schedule a site inspection on Tuesday, March 20, 2012 at 6:30 p.m. on behalf of **Application 12-6 for property at 10 Heron Pond Road and Peter Sarner is the applicant.** **Motion** seconded by Larry Shipman and passed unanimously 5/0/0.

Motion made by Nancy Arnold to approve the Invoice from Hudson and Kilby, PC in the amount of \$1,410.00. **Motion** seconded by Chuck Corson and passed unanimously 5/0/0.

Motion made by Nancy Arnold that an administrative Permit is required for **Michael Crivelli, property located at 54 Main Street, Ivoryton, Map 56 Lot 10-1.** The property owner clear cut this property in October 2011. Mr. Budrow will advise the property owner to allow the landscape to grow back naturally. Any other activity related to this property must come before the Commission. **Motion** seconded by Larry Shipman and passed unanimously 5/0/0.

Motions

Inland Wetlands –April 10, 2012

Motion made by Nancy Arnold table **Application 12-5 Ingham Hill Road, 6-lot Open Space Subdivision, Applicant, River Sound Development, LLC** until such time that the jurisdictional issue is resolved, before the May 15, 2012 IWWC regularly scheduled meeting.

Motion seconded by Claire Tiernan and passed unanimously 6/0/0.

Motion made by Fred Szufnarowski to approve a Permit for **Application 12-6, property at 10 Heron Pond Road, Map 71 Lot 4, RU District, Applicant: Peter Sarner**. This is an application for an in-ground swimming pool to be located in the rear yard. **Motion** seconded by Stephen Knauth with Nancy Arnold in opposition. Motion carried 5/1/0. Essex IWWC ROV Page 2 of 2 April 10, 2012

Motion made by Nancy Arnold to approve a Permit for **Application 12-7, property located on Westbrook Road, Assessor's Map 54, Lot 16-1, LI District, Applicant: Westbrook Road Properties, LLC**. This is an application to clear the lot of unruly vegetation that exists and to replace with more attractive trees, grass and plants. **Motion** seconded by Stephen Knauth and unanimously approved 6/0/0.

Motion made by Nancy Arnold to approve the field change with the crushed stone as a modification to the previously approved Permit for **Application 10-15, property located at 12 Rackett Lane, Assessor's Map 51, Lot 12, property owned by Andrew Guziewicz and Kelly Rock**. **Motion** seconded by Claire Tiernan and passed unanimously

Park & Recreation – February 13, 2012

Motion made by Nancy Arnold to approve the field change with the crushed stone as a modification to the previously approved Permit for **Application 10-15, property located at 12 Rackett Lane, Assessor's Map 51, Lot 12, property owned by Andrew Guziewicz and Kelly Rock**. **Motion** seconded by Claire Tiernan and passed unanimously

Motion made by Nancy Arnold to approve the field change with the crushed stone as a modification to the previously approved Permit for **Application 10-15, property located at 12 Rackett Lane, Assessor's Map 51, Lot 12, property owned by Andrew Guziewicz and Kelly Rock**. **Motion** seconded by Claire Tiernan and passed unanimously

Park & Recreation – March 7, 2012

Motion was made by Tony Mosa that in the interest of selecting an appropriate basketball site for the young people of Essex, and at this time recognizing the concerns expressed by some residents moves that the existing basketball court located at Hubbard Park be repaired to provide families and kids a basketball court in Essex, in accordance with the long standing commitment by the Park and Recreation Commission. The motion was open for discussion

Motion was made by Tony Mosa that in the interest of selecting an appropriate basketball site for the young people of Essex, and at this time recognizing the concerns expressed by some residents moves that the existing basketball court located at Hubbard Park be repaired to provide families and kids a basketball court in Essex, in accordance with the long standing commitment by the Park and Recreation Commission. James Rawn seconded the motion and it was unanimously approved. Motion carried.

Motions

Park & Recreation – April 5, 2012

No motions except approval of the agenda, etc.

Planning Commission – March 8, 2012

Motion by Carla Feroni and seconded by Linda Herman to use Halloran & Sage as legal assistance for River Sound Subdivision.

Motion carried unanimously.

Motion by Linda Herman to deny the Peterson re-subdivision. Seconded by Carla Feroni.

Motion carried unanimously.

Motion by Alan Kerr to add the Zoning referral for proposed text change to the agenda. Seconded by Ralph Monaco.

Motion carried unanimously.

Motion by Alan Kerr to recommend approval of the proposed text change to the Zoning regulations. Seconded by Carla Feroni. Voting in favor of the motion were Tom Danyliw, Alan Kerr, Ralph Monaco, and Carla Feroni. Linda Herman was opposed. The motion carried.

Motion by Ralph Monaco and seconded by Carla Feroni to approve the changes. Motion carried unanimously.

Motion by Linda Herman and seconded by Carla Feroni to refer the accessory apartment language to the Zoning Commission. Motion carried unanimously.

Planning Commission – April 17, 2012

Attorney Brian Smith of Robinson & Cole representing River Sound Development LLC submitted a letter to the Commission explaining a perceived procedural error in filing subdivision application prior to filing a wetlands application (as opposed to simultaneous filing) for this project has led to the decision to withdraw the pending application scheduled for a Public Hearing this evening and immediately resubmit. Applicant's representative Bob Doane, PE of Doane-Collins has resubmitted the subdivision application to Planner John Guskowski.

Motion to accept the application withdrawal and the new application for subdivision and schedule a Public Hearing to begin on May 10, 2012 by Carla Feroni, seconded by Linda Herman.

Motion carried unanimously

Motion to hold a site visit of the Foxboro Road property on Friday, April 20 at 6:00 p.m. to see the visual corridor alternative locations by Carla Feroni, seconded by Linda Herman

Motion passed unanimously

Motions

Sanitary Waste Commission – February 13, 2012

Motion made to go into Executive Session at 5:43pm. Motion made by Al Wolfgram and seconded by Mark Reeves. The Executive Session was closed at 6:00pm

Sanitary Waste Commission –March 12, 2012

Motion made to go into Executive Session at 5:43pm. Motion made by Mark Reeves and seconded by Leigh Rankin. The Executive Session was adjourned at 6:06pm. Motion made by Mark Reeves and seconded by Leigh Rankin.

Sanitary Waste Commission –April 9, 2012

Executive Session: Motion was made by Susan Malan at 5:30 to go into Executive Session. Motion was seconded by Randel Osbourne and unanimously approved. Motion carried.

Motion was made by Robert VanHouten at 5:55 pm to exit the Executive Session. Motion was seconded by Randel Osbourne and unanimously approved. Motion carried.

Water Pollution Control Authority – February 13, 2012

No motions except approval of the agenda, etc.

Water Pollution Control Authority –March 12, 2012

Review Operating Statement and Income Statement: Statements have been received.

Motion to approve Operating Statement and Income Statements by Susan Malan, the motion was unanimously approved.

Water Pollution Control Authority –April 9, 2012

No motions except approval of the agenda, etc.

Zoning Board of Appeals – December 20, 2011

Motion made by Stu Ingersoll to add to this evening's Agenda, Consideration of the location for an auto repair business and the business name change . The business is located at **153 Westbrook Road, Assessor's Map 79 Lot 15, Commercial Zone. The applicant is Anthony Bianca and the Owner is Hydration, LLC.** Motion seconded by Michael Noto and passed unanimously. (5/0/0)

Motion made by Stu Ingersoll to add to the agenda the approval of the 2012 meeting schedule. Motion seconded by Doug Demarest and passed unanimously. (5/0/0)

Motion made by Michael Noto to grant a Variance to **Application #11-24 on behalf of Jane Capellini, property located at 11 Riverview Street,Essex, CT, Assessor's Map 28 Lot 35, VR District** requesting a Variance of Section 60B of the Essex Zoning Regulations. This is an application to add a 4' x 5' addition to the front of a single family dwelling and to add a detached garage onto the property thus increasing the lot coverage to 16.6% where 7.5% is the maximum allowed. The portion of this application that addresses the addition of a detached garage has been **withdrawn. The variance for the 4' x 5' addition to the front of a single family dwelling is granted** on the basis that this is a very small violation of the zoning regulation. The hardship is that this is a preexisting dwelling and it conformed with the zoning regulations prior to their

Motions

amendment. This Variance is granted in accordance with the plans as received by the Essex Zoning Office on November 09, 2011. **Motion** seconded by Doug Demarest and passed unanimously. (5-0-0)

Motion made by Stu Ingersoll to grant a Variance to **Application #11-25 on behalf of Charlene Patrick, property located at 23 Rosewood Lane, Ivoryton, CT, Assessor's Map 39, Lot 1-18, RU District** requesting **Variances of Sections 40C, 40D, 40E, 40I.1, 450D.3 and 61B of the Essex Zoning Regulations**. This is an application to allow an addition to a single family dwelling to be located 20 feet from a side property line where 30 feet is required. This application is also to allow a single family dwelling with 1,976 square feet of total floor area to have an accessory apartment when 2,000 s/f minimum is required. **A Variance is granted for the proposed accessory apartment which is to be 22' x 30' only and to include one occupied floor.** The ridge line of this addition will be below the existing ridge line of the garage. The hardship is that this is the only location on which the addition can be constructed due to the location of the well, the location of the septic system and the large amount of ledge on the property. This variance is granted based in accordance with the drawings as received by the Essex Zoning Office November 2011. **Motion** seconded by and passed unanimously. (5-0-0)

Zoning Board of Appeals – February 21, 2012

Motion made by Stu Ingersoll to approve a Variance for **Application #12-1 on behalf of Charlene Patrick, property located at 23 Rosewood Lane, Ivoryton, CT Assessor's Map 39 Lot 1-18, RU District** requesting a Variance of Sections 61B of the Essex Zoning Regulations. This is an application to allow an accessory apartment to be located on a property that needs an additional 80,000 square feet to add another family dwelling. The Variance is based on the hardship which is the error of the Town of Essex in issuing permits that allowed substantial construction of the accessory apartment to be done. **Motion** seconded by Al Daddona and passed unanimously 5/0/0.

Motion made Stu Ingersoll to continue to the March 20, 2012 regularly scheduled meeting **Application #12-2 on behalf of Jason Bloom, property located at 7 Hickory Lane, Ivoryton, CT Assessor's Tax Map 82 Lot 14, RU District**, requesting a variance of Section 40I.2 of the Essex Zoning Regulations. This is an application to allow an accessory building that is 16 feet, 8 inches in height to be located 5 feet from the rear property line where 15 feet is the maximum allowed height for such building. **Motion** seconded by Doug Demarest and passed unanimously 5/0/0.

Zoning Board of Appeals – April 17, 2012

Motion made by Stu Ingersoll to open the public hearing on application **Application #12-10 on behalf of Mark Edwards, property located at 5 Gates Road, Essex, CT Assessor's Map 69 Lot 13 RU District. This application will be heard at the May 22, 2012 meeting.** **Motion** seconded by Doug Demarest and passed unanimously 5/0/0.

Motion made by Stu Ingersoll to open the public hearing on **Application #12-11 on behalf of Nicolas Libert, property located at 38 Main Street, Ivoryton, ct, Assessor's Map 56 Lot 12, VR district,** **Motion** seconded by Doug Demarest and passed unanimously 5/0/0.

Motions

Motion made by Michael Noto to approve a Variance for **Application #12-6 on behalf of Melissa Burch, property located at 10 Carol Drive, Ivoryton, CT Assessor's Tax Map 81 Lot 4-18, RU District** requesting a variance of Section 61B of the Essex Zoning Regulations. This is an application to allow a storage shed on the property that would increase lot coverage to 9% where 7.5 is the maximum allowed. The hardship is that the property predates zoning regulations. The variance is granted in accordance with the plans as submitted. **Motion** seconded by Paul Greenberg and passed unanimously 5/0/0.

Consideration of **Application #12-8 on behalf of James L. Kerr, property located at 133 Saybrook Road, Essex, ct Assessor's Map 71 Lot 20, RU District**, requesting a variance of sections 40D, 40E, 40I.1, 50D and 61B of the Essex Zoning Regulations. This is an application to allow a house addition to be located up to 22 feet from a side property line where 30 feet is required and to increase the lot coverage to 8.9% where 7.5% is the maximum allowed. Mr. Ingersoll asked if anyone wished to speak in favor or in opposition to this application.

Motion made by Doug Demarest to grant a variance to **Application #12-8 on behalf of James L. Kerr, property located at 133 Saybrook Road, Essex, ct Assessor's Map 71 Lot 20, RU District** for the expansion of the kitchen. The applicant has withdrawn the application for a variance for a side setback and the area coverage and the applicant is asking only to retain the request for the kitchen which is a front yard setback. The hardship is the preexisting building which was constructed long before zoning and any modification of the building would require a variance as it is entirely located within the front setback. The addition will be constructed in accordance with the drawings submitted by the applicant related to the front setback. **Motion** seconded by Al Daddona and passed unanimously 5/0/0.

Zoning Commission – January 23, 2012

Motion was made by Larry Shipman and **seconded** by Jeff Lovelace to go to New Business item -appointment of alternate member to fill a regular member vacancy. **Motion carried.**

Motion by Jim Hill and **seconded** by Jeff Lovelace to appoint Bill Reichenbach to the vacant regular member position. **Motion carried.**

Motion by Larry Shipman to approve Application 11-6 – Application for a special exception for the conversion of a single family dwelling to a two-family dwelling at 65 North Main St., Ivoryton, in conformance with Section 130 and 131 of the Zoning Regulations and to expedite the signing of the Memorandum of Decision. **Seconded** by Bill Reichenbach. **Motion carried.**

Motion by Larry Shipman to accept Applications 11-7 and 11-8 and schedule them for a Public Hearing on March 19th. **Seconded** by Jim Hill. **Motion carried.**

Motions

Zoning Commission - February 27, 2012

Motion by Larry Shipman and **seconded** by Bill Reichenbach to accept Application 21 – 2 and set it for a Public Hearing on March 19, 2012. **Motion carried unanimously.**

Motion by Robert Connelly to accept application 12-3 and set it for a Public Hearing on March 19, 2012. Larry Shipman **amended the motion** to add waiver request on the certification on the attached map and that the ZEO check the files for anything more up to date. Bill Reichenbach **seconded** the motion. **Motion carried unanimously.**

Motion by Larry Shipman to approve **Application 12-2**, for an accessory apartment at 23 Rosewood Lane, Ivoryton. The application is consistent with Sections 45, 130 and 120 of the Zoning regulations. **Seconded** by Susan Uihlein. **Motion carried unanimously.**

Motion by Susan Uihlein and **seconded** by Larry Shipman to approve the application with the stipulation that it is 2 chairs and consistent with Sections 120G and 130 A of the Zoning Regulations. **Motion carried unanimously.**

Motion by Susan Uihlein authorizing Chair Al Wolfram to sign the Memorandum of Decision as soon as available. **Seconded** by Larry Shipman. **Motion carried unanimously.**

Motion by Larry Shipman to approve the Memorandum of Decision for Application 11-6. **Seconded** by Jim Hill. **Motion carried unanimously**

Retirement Committee – March 8, 2011

The latest available minutes posted are March 8, 2011. Not sure why recent minutes are not posted.

Board of Assessment Appeals – March 14, 2012

Discusson at this meeting – no motions made

Board of Assessment Appeals – March 21, 2012

Decisions of appeals hear on March 14, 2012. All appeals concerned assessments of real estate. Anne Dougherty abstained from the decision regarding Godsman at 11 West Avenue, otherwise all decisions were approved 3-0. NAME

	LOCATION	DECISION	MISC.
Janet A. Irving	25A Prospect St, Essex	Reduce to \$215,300	Adjust land condition factor to .7
James G. & Elizabeth Godsman	11 West Ave., Essex	No Change	Value is appropriate and consistent area.
K Brothers	55 Main St., Centerbrook	No Change	Value is appropriate
Elizabeth Pendleton	3 New City St., Essex	Reduce to \$567,600	Adjust external obs. to 6%

Motions

Pamela S. Kolp, Tr	20 Deer Lane, Ivoryton	No change	for proximity
Robert J. & Pamela S. Kolp	24 Cove Rest Pentway, Esx	No Change	Matter resolved at hearing.
Janet Duncan	88 Main St., Ivoryton	Reduce to \$598,200	Adjustments made at previous appeal
Samuel Bowles	36 Fordham Rd., Essex	No Change,	Add 3% to current 2% functional obs
Kenneth Barre & Mary F. Conserva-Barre	6 Captains Walk, Essex	No Change	Site superior to comps submitted
Michael C. Picard	141 Saybrook Road, Essex	No Change	Value is appropriate.
Rev. Tr			Assessor correctly assessed for earlier
Kevin Duggan	11 Main St., Ivoryton		Owner cancelled
Daniel E. Medeiros	28 Hickory Ln. Ivoryton	No Change	Review of comps reveals age and condition
Linda S. Corrigan	25 Carol Dr., Ivoryton		referred to Assessor
Charlotte H. Walters	17 Dickenson Ln., Essex		referred to Assessor

Board of Finance – February 16, 2012

Motions for agenda & minutes only.

Board of Finance - March 15, 2012

Motion was made by Keith Crehan to recommend to Town Meeting a supplemental appropriation in an amount not to exceed \$50,000 for Phase 3 of the Emergency Management Operations improvements. Jeffrey Woods seconded the motion and it was unanimously approved. Motion carried.

Motion was made by Campbell Hudson to recommend to Town Meeting the Payment in Lieu of Taxes (PILOT) request by the Essex Housing Authority for 2011-2012 in the amount of \$12,204 and for 2012-2013 in the amount of \$9,330; and to also recommend to Town Meeting (in a separate Town Meeting resolution) the Payment in Lieu of Taxes (PILOT) request by the Essex Housing Authority for 2010-2011, 2009-2010, 2008-2009, 2008-2007 (with the amounts to be filled in). Keith Crehan seconded the motion and it was unanimously approved. Motion carried.

Motion was made by Keith Crehan to recommend to Town Meeting an appropriation not to exceed \$4,000 from the Park and Recreation Sinking fund for the purpose of repairs to the Grove Street Park tennis courts. Campbell Hudson seconded the motion and it was unanimously approved. Motion carried

Board of Finance - March 22, 2012

Motion was made by Keith Crehan to recommend to Town Meeting an appropriation not to exceed \$109,711.81 from the Elementary School Capital Improvements Sinking Fund. Jeffrey Woods seconded the motion.

Motions

Motion was made by Keith Crehan to recommend to Town Meeting an appropriation not to exceed \$3,050 from the Tree Committee Sinking Fund. Campbell Hudson seconded the motion and it was unanimously approved. Motion carried.

Motion was made by Campbell Hudson to recommend to Town Meeting the waiver of the Essex Housing Authority Payment in Lieu of Taxes (PILOT) for fiscal year 2011-2012 in the amount of \$9,330. Keith Crehan seconded the motion and it was unanimously approved. Motion carried.
Motion was made by Campbell Hudson to recommend to Town Meeting the waiver of the Essex Housing Authority Payment in Lieu of Taxes (PILOT) for fiscal years 2010-2011 in the amount of \$12,204, 2009-2010 in the amount of \$11,360, 2008-2009 in the amount of \$9,703 and 2007-2008 in the amount of \$7,696. Keith Crehan seconded the motion and it was unanimously approved. Motion carried.

Worksite Safety Meeting – March 1, 2012

Approval of agenda and minutes only motions.