

TOWN OF OLD SAYBROOK
SELECTMEN'S OFFICE

CARL P. FORTUNA JR., FIRST SELECTMAN

SCOTT M. GIEGERICH, SELECTMAN

MATTHEW PUGLIESE, SELECTMAN

302 Main Street • Old Saybrook, Connecticut 06475-2384
Telephone (860) 395-3123 • Fax (860) 395-3125

REGULAR MEETING AGENDA

Tuesday, April 12, 2022

8:30 a.m.

Old Saybrook Town Hall – First Floor Conference Room

Public Zoom Link:

<https://zoom.us/j/97813035481?pwd=QkE1OVFXZlhIRTVTaGhMdjZKMkNOQT09>

Dial In: 929-436-2866

Meeting ID: 978 1303 5481

Passcode: 302302

One Tap Mobile: <tel://9294362866,,97813035481#>

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. COMMENTS FROM THE PUBLIC

IV. COMMENTS FROM THE SELECTMEN: The KATE Tix, OSPD

V. APPROVAL OF MINUTES: Board of Selectmen Meeting March 22, 2022

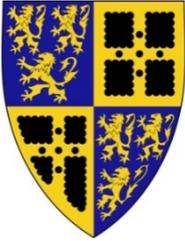
VI. BUSINESS BEFORE THE BOARD

- A. Greetings to Ms. President USA – Old Saybrook.
- B. Presentation by Robert Friedmann, Chairman, Zoning Commission, “Opting Out of Accessory Dwelling Unit”.
- C. Discussion and possible action on Deferred Compensation Investment Policy Statement for the management of the Town’s 457b and 401a plans.
- D. Discussion and possible action on a provision for repeal of Section 209-10 of the Ferry Road Waterfront Regulations, and recommend to town meeting.
- E. Discussion and possible action to approve a budget appropriation in the amount of \$55 thousand to the town’s fiscal 2022 General Fund Engineering budget line item 430500, and recommend to town meeting.
- F. Discussion and possible action on the Town of Old Saybrook Whistleblower Policy.
- G. Discussion and possible action on Call of Annual Budget Meeting.
- H. Discussion and possible action on Call of Special Town Meeting.
- I. Appointments
 1. CT River Area Health District. Term expiration. Re-appointment Michael Dunne, M.D. This is a three-year term due to expire 5/2025.
 2. Economic Development Commission. Resignation vacancy. Elevation alternate member Kacie Costello Hand. This appointment is for the unexpired portion of a five-year term due to expire 06/2023.

Board of Selectmen
Agenda
April 12, 2022

3. Economic Development Commission. Elevation vacancy. This appointment is for the unexpired portion of a two-year term due to expire 12/2023. (*Erica Cosenza*)
4. Oversight Committee. Term expiration. Re-appointment Matthew Pugliese. This is a three-year term due to expire 5/2025.
5. Pension and Employee Benefits Board. Vacancy. This appointment is for the unexpired portion of a five-year term due to expire 01/2027. (*Susan Quish*)
6. Zoning Board of Appeals. Resignation vacancy. This appointment is for the unexpired portion of a four-year term due to expire 11/18/2025. (*Mary Delmonico*)

VII. ADJOURNMENT



TOWN OF OLD SAYBROOK
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BOARD OF SELECTMEN MEETING
MINUTES

Tuesday, March 22, 2022

4:00 p.m.

Direct link to the recording: <https://youtu.be/Lg-2Ww63S9Y>

It is also included in the following playlists:

Board of Selectmen Meetings: _

<https://www.youtube.com/playlist?list=PLKX0JMf1KPP9SQAHOQUQR3yLtNYxKOWK>

- I. CALL TO ORDER** – All members present
- II. PLEDGE OF ALLEGIANCE** - Recited
- III. COMMENTS FROM THE PUBLIC** – Chloe Carlson requested that the town enlist Sustainable CT to provide equity coaching. She further stated that there is statistical, empirical and anecdotal evidence of an equity crisis in Old Saybrook.
- IV. COMMENTS FROM THE SELECTMEN:** Mr. Pugliese noted the steps the town has taken from an equity standpoint: Training in 2021 for all town employees, funds for an interpreter for Youth & Family Services in the budget and other actions. He stated that ARPA has a decidedly diversity, equity and inclusion bent and future grant funds coming from the federal government will likely have that directive.
Mr. Fortuna commented on the various job opportunities in town hall due to resignations and retirements and that he believes there is a tentative agreement with the support union on a new contract, which will have to be ratified by the Board of Selectmen at a later date.
- V. APPROVAL OF MINUTES:** Board of Selectmen Meeting March 8, 2022.
FORTUNA /PUGLIESE
MOTION CARRIED UNANIMOUSLY
- VI. BUSINESS BEFORE THE BOARD**
 - A.** Report on the 9 Town Transit District.
Charlie Norz gave a thorough update on 9 town transit and the merger with MAT, including funding for the merger, a new maintenance building, a possible new shoreline facility, a fare, human resources and marketing study, bus driver labor status, a public media event and the schedule for the operating budget to be set. He said ridership is still down but is recovering nicely.
 - B.** Building Permit Fee Release – 57 Atlantic Drive
Motion made to approve fee release.
FORTUNA /GIEGERICH
MOTION CARRIED UNANIMOUSLY
 - C.** Building Permit Fee Release – 115 Springbrook Road
Motion made to approve fee release.
FORTUNA /PUGLIESE
MOTION CARRIED UNANIMOUSLY

D. Building Permit Fee Release – 50 Church Street
Motion made to approve fee release.

FORTUNA /GIEGERICH
MOTION CARRIED UNANIMOUSLY

E. Discussion on an EV Charger opportunity.

Mr. Fortuna mentioned that he brought before the Board of Finance an opportunity to put in 4 chargers at a town cost of \$11k. He also attended a webinar with Eversource today on opportunities for EV chargers.

F. Discussion and possible action requesting that the Board of Finance appropriate \$1650.00 from the town’s capital and non-recurring account, and recommend to town meeting, for the purposes of acquiring a permanent easement at 685 Boston Post Road. Said permanent easement is located at the Southwest corner of the intersection of Route 1 and Elm Street and the Northeasterly corner of the subject property and is depicted on a certain map entitled, “Easement to be granted to the Town of Old Saybrook by K Brothers LLC Boston Post Road and Elm Street Old Saybrook, CT date: November 2021 Scale 1” = 10’ Easement Map. Said proposed Permanent Easement is triangular and consists of 291 square feet.

This is part of the Connectivity Grant which has been discussed at multiple Board of Selectmen Meetings. Motion to approve.

FORTUNA /PUGLIESE
MOTION CARRIED UNANIMOUSLY

Appointments

1. Tax Collector. Retirement vacancy. This appointment is until the next municipal election November 2023 at which time it will be placed on the ballot for a term until 11/18/2025.

Carol Rzasa was nominated and unanimously approved.

FORTUNA /GIEGERICH
MOTION CARRIED UNANIMOUSLY

2. Signatory in the absence of the Finance Director.

This item was amended to read: “To be able to delegate the authority to approve expenditures to another elector of the town”. It was noted that this rarely happens and usually only when the First Selectman or Finance Director are unavailable. The newly appointed tax collector was nominated and approved with Mr. Fortuna noting that Barry Maynard currently serves this purpose.

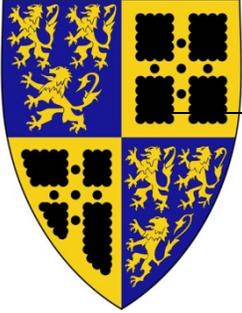
FORTUNA /PUGLIESE
MOTION CARRIED UNANIMOUSLY

VII. ADJOURNMENT - Motion to adjourn at 4:52 p.m.

FORTUNA /PUGLIESE
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Carl P. Fortuna Jr., First Selectman



TOWN OF OLD SAYBROOK

302 Main Street • Old Saybrook, Connecticut 06475
Telephone (860) 395-3123 • FAX (860) 395-3125

The Deferred Compensation Plans

Investment Policy Statement

Approved on

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I. INTRODUCTION

The Deferred Compensation Plan (the “Plan”) is a retirement savings plan sponsored by The Town of Old Saybrook. The Plan is a qualified employee benefit plan intended to comply with all applicable federal laws and regulations, including the Internal Revenue Code of 1986, as amended. This plan is a governmental plan and is not subject to the Employee Retirement Income Security Act of 1974 (ERISA)

The Town of Old Saybrook presently offers deferred compensation plans.

Type of Plans:	457 and 401 (a)
Plan Sponsor	Town of Old Saybrook
Name of Plans	Town of Old Saybrook Deferred Compensation
Investment Structure	Participant Directed
Plan Oversight	Pension and Employee Benefit Board

The Plan provides eligible employees with a convenient way to save on a regular and long-term basis for retirement through a combination of employee and employer contributions to individual participant accounts. Employee contributions are made through payroll deductions each payroll period and remitted to the trustee or custodian for investment into the investment options designated by the participant. The Town provides a matching contribution as set forth in the 401a Plan document.

The Plan’s participants are expected to have different investment objectives, time horizons and risk tolerances. To meet these varying investment needs, participants will be able to direct their account balances among a range of investment options that span the risk/return spectrum. Participants alone bear the risk of investment results from the options and asset mixes that they select.

II. PURPOSE

The purpose of this Deferred Compensation Investment Policy Statement (“IPS”) is to assist The Town of Old Saybrook Pension and Employee Benefit Board (“PBB”) in effectively supervising, monitoring and evaluating the investments of the Town’s Deferred Compensation Retirement Plans. The PBB has the authority to oversee the investment options of the Plan. The PBB will discharge its responsibilities under the Plan solely in the interests of Plan participants and their beneficiaries. This statement is set forth by the PBB in order to:

1. State in a written document the ~~PBB’s~~ expectations, objectives and guidelines for the investment of all Plan assets.

2. Set forth an investment option structure for ~~overseeing~~^{managing} all Plan assets.
3. Encourage effective communications between the PBB, the investment ~~consultant~~^{advisor} (if utilized), custodian/record keeper, and plan participants.
4. As recommended by the investment advisor, ~~e~~Establish the number and characteristics of offered investment options. Provide return and risk characteristics for each asset class represented by various investment options.
5. Establish procedures for selecting, monitoring, evaluating, and, if appropriate, replacing investment options.
6. Identify the qualified default investment alternative (“QDIA”) selected by the Plan’s PBB as the default investment option for participants who do not direct the investment of their plan account.

III. DUTIES AND RESPONSIBILITIES

Delegation of Authority

The Town of Old Saybrook Board of Selectmen is the fiduciary of the Town’s retirement plans. Specifically, the Town of Old Saybrook Board of Selectmen (“BOS”) receives advice and recommendations from the PBB. The Board of Selectmen is ultimately responsible for actions of the PBB as a result of acceptance or denial of the PBB deferred compensation plan recommendations. The BOS and PBB are authorized to delegate certain responsibilities to professional experts in various fields. These include, but are not limited to:

1. The Town of Old Saybrook Pension and Benefits Board

The primary responsibilities of the PBB with respect to the oversight of the investment portfolio culminate in recommendations to the Board of Selectmen. The responsibilities of the Pension and Benefit Board are:

- Once approved by the Board of Selectmen, maintain this investment policy statement. Reviewing investment objectives, policies and guidelines.
- Provide sufficient asset classes with different and distinct risk/return profiles so each participant can prudently diversify his/her account.
- Utilizing recommendations from the Investment Advisor, ~~p~~Prudently select investment options. Developing and enacting proper ~~oversight~~^{control} procedures.
- Oversee the Custodian/Record Keeper to ensure proper control and accounting for all investment, record keeping and administrative expenses associated with the Plan.
- Monitor and supervise all professional experts, service vendors and investment options.

- Review and deal prudently with conflicts of interest.

2. Investment ~~Consultant~~ Advisor

The investment ~~consultant~~ advisor may assist the PBB in recommending investment policy, objectives, and guidelines; selecting investment options; reviewing such options over time; measuring and evaluating investment performance; and other tasks as deemed appropriate. The ~~Consultant~~ Advisor will be responsible for guiding the PBB through a disciplined and rigorous investment offering process to enable the BoS to meet the fiduciary responsibilities.

1. Assisting in the development and periodic review of investment policy.
2. Conducting investment offering searches when requested by the PBB.
3. Providing due diligence on the investment options.
4. Monitoring the performance of the investment options to provide the PBB with the ability to determine the progress toward the investment objectives.
5. Communicating matters of policy, manager research, and investment option performance to the PBB.

3. Custodian/Record Keeper

The Plans' custodian is responsible for holding the Plan's assets in accordance with the terms of the trust agreement. The record keeper is responsible for maintaining and updating individual account balances as well as information regarding plan contributions, withdrawals, and distributions in accordance with the terms of the service agreement.

4. Additional specialists

Attorneys, auditors, actuaries, retirement plan consultants, and others may be employed by the BoS to assist in meeting its responsibilities and obligations to administer Plan assets prudently. All expenses for such experts must be customary and reasonable and will be borne by the Plan as deemed appropriate and necessary.

IV. INVESTMENT OPTION MONITORING

1. Review of Investment Objectives

This IPS describes the investment process to be utilized in the management of the Deferred

Compensation plans. This prudent investment process includes offering various asset classes and investment management styles that, in total, are expected to offer participants a sufficient level of overall diversification and total investment return over the long-term. The objectives of the Participant Directed Investment Options are to:

1. Provide participants with multiple investment options that have different risk/return characteristics and will allow participants to construct portfolios commensurate with their risk tolerance and time horizon.
2. Provide participants with sufficient information so the participant can make an informed decision about his or her selection of investment options.
3. Control costs of administering the plan and managing the investment options.
4. Permit participants to change investment options as needed. Each plan participant shall make investment contribution and allocation decisions, the PBB shall refrain from giving what could be construed as investment advice.

Attached as Exhibit A are the current investment option choices.

2. Investment Option Selection

The PBB's selection of investment options must be based on a prudent due diligence procedure. The PBB will apply the following due diligence criteria in selecting each investment option.

1. **Regulatory oversight** - Each investment option should be managed by a regulated bank, an insurance company, a mutual fund organization, or a registered investment adviser.
2. **Correlation to style or peer group** - The investment option should be highly correlated to the performance of the asset class.
3. **Performance relative to a peer group** - The investment option performance should be evaluated against the peer group's median manager return, for 1-, 3- and 5-year cumulative periods. The performance should be within 100 basis points from the peer group averages to be considered acceptable.
4. **Performance relative to assumed risk** - The investment option risk-adjusted performance (Sharpe Ratio) should be evaluated against the peer group's median manager's risk-adjusted performance.
5. **Minimum track record** - The investment option inception date should be greater than three years.
6. **Assets under management** - The investment option should have at least \$75 million under management.
7. **Expense ratios/fees** - The investment option fees should not be in the bottom quartile (most expensive) of their peer group. On an annual basis all fees should be disclosed and reviewed by the PBB.
8. **Stability of the organization** - There should be no perceived organizational problems of the investment manager.
9. **Multi-Assets Class Investments** – For multi-asset investment options, such as target date funds, the asset allocation and glide path will be evaluated taking into account factors such as generally accepted investment theories and prevailing investment industry practices. Target dated funds will be offered considering the participants retirement goals.

If a participant does not make an investment offering selection, a target dated fund associated with the participant's age and normal retirement will be the default investment option.

3. Investment Option Performance Evaluation

The investment advisor will provide quarterly performance measurement reports and the PBB should monitor the Deferred Compensation investment option line up on an annual basis. The PBB will evaluate the Plans' success in achieving the investment objectives outlined in this IPS over a three- to five-year time horizon and a full market cycle.

The performance of each investment option and/or the glide path performance should closely track the benchmark. The returns should be compared to these appropriate market indexes for the most recent quarter and for annual and cumulative prior time periods.

Risk as measured by volatility, or standard deviation, should be evaluated after twelve months of performance history have accumulated.

When considering the termination of an investment option, the PBB may consider the following to support its decision:

1. Investment performance which is significantly less than anticipated given the discipline employed and the risk parameters established, or unacceptable justification of poor results.
2. Failure to adhere to any aspect of this statement of investment policy, including communication and reporting requirements.
3. Significant qualitative changes to the investment management organization.
4. Any legal, SEC and/or other regulatory agency proceedings affecting the investment option.

4. Measuring Costs

The PBB will review at least annually all costs associated with the management of the Plan's investment program, including:

1. Expense ratios of each investment option against the appropriate peer group.
2. Administrative Fees: Costs to administer the Plan, including record keeping, participant balance with that of fund, and allocation of assets and earnings, and (when applicable) the proper use of 12b-1 fees to offset these fees.
3. The Town will maintain an account with the custodian, which will hold unvested funds from an employee termination which occurs prior to full vesting. These funds may be used to pay for plan expenses or employer contributions.

5. Participant Investment Education

In developing a participant investment education program, the PBB will consider the following:

- Participants should be encouraged to participate in the plan.
- Participants should be encouraged to defer an amount commensurate with their long-term goals and objectives.
- The number of funds offered should be limited to promote participant understanding without sacrificing the objectives set forth in this policy.
- Participants should be encouraged to select an appropriate asset allocation based on their risk tolerance, their time until retirement and other factors.
- The Investment Advisor should educate participants on the relative risk and return of investing in different asset classes and how diversified investing can reduce the risk of investing.

V. INVESTMENT POLICY REVIEW

The PBB will review this IPS at least annually to determine whether stated investment objectives are still relevant and the continued feasibility of achieving the same. It is not expected that the IPS will change frequently. Short-term changes in the financial markets should not require adjustments to the IPS.

Prior to the approval of the IPS, the PBB should request the Town's investment advisor and any other professional that may be warranted to review to provide feedback prior to the consideration and approval of the IPS. Once approved by the PBB, the IPS should be forwarded to the Board of Selectmen for final approval and authorization.

By: _____
Chairperson of the PBB

Date



**TOWN OF OLD SAYBROOK
Harbor Management Commission**

302 Main Street • Old Saybrook, Connecticut 06475
Phone 860-395-3123 • Fax 860-395-3125
E-mail: oshmcclerk@oldsaybrookct.gov

March 30, 2022

Board of Selectmen
Town of Old Saybrook
302 Main Street
Old Saybrook, CT 06475

Dear Selectmen Fortuna, Giegerich and Pugliese:

At a special meeting of the Old Saybrook Harbor Management Commission on March 28, 2022, commissioners voted to recommend that Ordinance 209-10 Paragraph F of the Ferry Road Waterfront Regulations be repealed. The selected text reads: "The face of the main dock shall be kept clear. Except for loading and unloading not to exceed one hour, this space is not available for dockage. It shall be available to transient craft or for safety during a storm. In such cases the time limit shall be 24 hours for transient craft, or the duration of the storm for those seeking safety. Vessels in violation are subject to removal and to storage at the owner's expense."

The commission respectfully requests that this topic be discussed at the next convenient meeting of the Board of Selectmen.

Best regards,

A handwritten signature in cursive script that reads "Robert Murphy".

Robert Murphy
OSHMC Chair

displaying a current parking sticker, which shall be issued by the Harbor Management Commission. Parking stickers will be limited to residents and taxpayers of the Town of Old Saybrook, and to persons having a mooring at the North Cove mooring area, for the current boating season. Persons having moorings for the current boating season at North Cove will be limited to parking at the North Cove areas only.

- B. Overnight parking for owners of vessels moored in the North Cove mooring area, members of their families and guests shall be permitted only at the parking areas of the Old Saybrook Junior High School. Parking stickers will not be required for parking in this area.
- C. Parking in the areas designated "load zone" shall be limited to 15 minutes for the purposes of loading and unloading gear and supplies, and the picking up and discharging of passengers.
- D. All items, including boats, oars, lobster pots, lines, etc., left within the areas owned by the Town of Old Saybrook and used as waterfront facilities, except those areas designated for such use, may be removed at the direction of the Harbor Management Commission, and the owner thereof may reclaim the same only upon payment of the expense involved in the removal and storage of said items.
- E. All fishermen must withdraw lines when vessels are approaching Town docks, or underway from Town docks, and shall not interfere with normal vessel operation.
- F. The Harbor Management Commission is hereby authorized to place such signs as it deems sufficient and necessary to warn users of the Old Saybrook waterfront facilities of the regulations contained herein.
- G. Any person who violates any section of this article shall be subject to a fine not to exceed \$100.

§ 209-10. Ferry Road waterfront regulations.

The following rules and regulations shall govern the use of the Ferry Road waterfront facilities of the Town of Old Saybrook and the use of the parking areas at those facilities:

- A. All parking shall be by permit only and shall be limited to residents, to taxpayers, or to persons to whom boat slips have been assigned for the current season.
- B. All parking must be in the designated parking areas only.
- C. Access to the dock and to slips must be kept unobstructed at all times.
- D. Vehicles in violation of parking regulations are subject to towing and storage at the owner's expense.
- E. Fishing, lobstering, and boating gear and other equipment of whatever kind must be stored in the area designated for the purpose. Any equipment left on docks will be subject to removal without notice, and the owner thereof may reclaim the same only upon payment of the expense involved in the removal and storage of said items.
- F. The face of the main dock shall be kept clear. Except for loading and unloading not to exceed one hour, this space is not available for dockage. It shall be available to transient

craft or for safety during a storm. In such cases the time limit shall be 24 hours for transient craft, or the duration of the storm for those seeking safety. Vessels in violation are subject to removal and to storage at the owner's expense.

- G. No modifications are to be made to any part of the dock, pilings, stonework, concrete, or blacktop. No pipes bars, metal posts, or other devices are to be driven or in any way attached to any part of any construction on Town property.
- H. Fishermen and crabbers must withdraw lines when vessels are approaching and shall not interfere in any way with the operation of any vessel, nor with loading and unloading.
- I. Fish are not to be cleaned or gutted on the dock or on other Town property.
- J. All refuse must be placed in the refuse containers provided.
- K. Any person who violates any of the above regulations shall be subject to arrest and to a fine not to exceed \$100.

§ 209-11. Sheffield Street waterfront regulations.

The following rules and regulations shall govern the use of the Sheffield Street waterfront facilities of the Town of Old Saybrook and the use of parking areas at those facilities:

- A. All parking shall be by permit only and shall be limited to those vehicles displaying a current parking sticker, which shall be issued by the Harbor Management Commission. Parking stickers will be restricted to residents and taxpayers and to persons having a mooring at the North Cove mooring area for the current season.
- B. From 12:00 midnight to 5:00 a.m. there shall be no parking at the Sheffield Street waterfront facilities in the street or on Town-owned waterfront property.
- C. Overnight parking for owners of vessels moored in the North Cove mooring area and for members of their families and guests shall be permitted at the parking areas of the Old Saybrook Junior High School. Parking permits are not required for parking in this area.
- D. Stopping in the loading zone shall be limited to 15 minutes for the purpose of loading and unloading gear and supplies, and the picking up and discharging of passengers.
- E. Cars in violation of parking regulations are subject to towing at the owner's expense.
- F. No alcoholic beverages are to be opened or consumed on the dock complex or on adjacent Town property, including parking areas.
- G. Swimming from the dock and from adjacent Town property is prohibited at all times.
- H. No boats are to be left unattended at the dock.
- I. No boats are to remain at the dock for more than 20 minutes.
- J. Dinghies and prams must be stored in racks at the owner's risk, not left on the ground, on floats, or on the dock.
- K. No boats are to be left on Town property from November 1 to May 1.

Town of Old Saybrook Whistleblower Policy

Town of Old Saybrook requires all employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Town, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that Town can address and correct inappropriate conduct and actions. It is the responsibility of all employees and volunteers to report concerns about violations of the code of ethics or suspected violations of law or regulations.

No Retaliation

It is contrary to the values of Town for anyone to retaliate against any employee or volunteer who in good faith reports an ethics violation, a suspected violation of law, such as a complaint of discrimination, suspected fraud, or suspected violation of any regulation. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reporting Procedure

Town of Old Saybrook has an open-door policy and employees should share their questions, concerns, suggestions, or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the First Selectman. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the First Selectman, who has the responsibility to investigate all reported complaints.

Accounting and Auditing Matters

Any matters involving the misuse of funds the employee or volunteer shall immediately notify the Finance Director of any concerns or complaint regarding accounting practices or internal controls.

CALL OF ANNUAL BUDGET MEETING

Notice is hereby given that the Annual Budget Meeting and a Special Town Meeting of the electors and citizens qualified to vote in Town Meetings of the Town of Old Saybrook will be held at the Old Saybrook Middle School Auditorium, Sheffield Street, Old Saybrook, Connecticut, on Monday, May 2, 2022, 60 Sheffield Street, at 6:30 p.m. for the following purposes:

ITEM 1: To adopt the annual Budget for the Town of Old Saybrook for the fiscal year July 1, 2022 through June 30, 2023 as recommended by the Board of Finance in the amount of \$48,377,698 and to make appropriations for the schools, highways, bridges, sidewalks, library, cemeteries, fire protection, police department and all other necessary objects and purposes:

General Government:	\$20,904,357
Board of Education:	\$ 27,473,341

Pursuant to the provisions of Chapter 8, Section 4 of the Charter of the Town of Old Saybrook, and Section 7-344 of the General Statutes of Connecticut, as amended, to adjourn said Annual Budget Meeting at its conclusion and to submit the question of the adoption of said budget to vote, upon the voting machines of the Town of Old Saybrook, on Tuesday, May 10, 2022, between the hours of 12:00 noon and 8:00 p.m. Said referendum shall take place at the Old Saybrook Senior High School Gymnasium, 1111 Boston Post Road, Old Saybrook, Connecticut.

The adoption of said budget, as recommended by the Board of Finance shall be placed on the voting machines of the Town of Old Saybrook in two parts, the first part being for the budget of the General government, including the Bonded Indebtedness, in the amount of \$20,904,357 and the second part being for the budget of the Board of Education in the amount of \$27,473,341. Said questions will be placed on the voting machines under the following heading:

Question #1. SHALL THE TOWN ADOPT THE GENERAL GOVERNMENT PART OF THE ANNUAL BUDGET OF THE TOWN OF OLD SAYBROOK IN THE AMOUNT OF \$20,904,357 AS RECOMMENDED BY THE BOARD OF FINANCE IN ACCORDANCE WITH ITEM #1 OF THE CALL OF THE ANNUAL TOWN BUDGET MEETING OF MAY 2, 2022?

YES
NO

Question #2. SHALL THE TOWN ADOPT THE BOARD OF EDUCATION PART OF THE ANNUAL BUDGET OF THE TOWN OF OLD SAYBROOK IN THE AMOUNT OF \$ 27,473,341 AS RECOMMENDED BY THE BOARD OF FINANCE IN ACCORDANCE WITH ITEM #1 OF THE CALL OF THE ANNUAL TOWN BUDGET MEETING OF MAY 2, 2022?

YES
NO

ITEM #2. To adopt the following resolution: In accordance with the provisions of Section 12-142 of the General Statutes of Connecticut, as amended, that the property taxes assessed and levied by the Town of Old Saybrook on the Grand List of October 1, 2021 be paid in two semi-annual installments, the first being due and payable on July 1, 2022 and the second to be due and payable on January 1, 2023 with the exception of real property and personal property tax bills under \$100.00, payable in one payment on July 1, 2022; motor vehicle taxes due and payable in one installment on July 1, 2022; and Supplemental Motor Vehicle tax bills due and payable in one installment on January 1, 2023.

ITEM #3. To authorize and empower the Board of Selectmen to borrow such sums of money from the Town of Old Saybrook fund balances and/or from other sources as the Board may deem necessary, in anticipation of tax revenues, to pay the appropriations of the budget for the fiscal year July 1, 2022 to June 30, 2023.

ITEM #4.

As allowed under the provisions of Section 12-129n of the General Statutes of Connecticut, to act upon the recommendation of the Board of Finance to provide tax relief to certain homeowners of the Town of Old Saybrook aged 65 or over, or permanently and totally disabled, under the following conditions:

- a) That the homeowner meet the requirements for age and/or disability under the specific provisions of Section (1) and (2) of Section 12-129n (a) of the General Statutes of Connecticut.
- b) That the homeowner be a taxpayer of the Town of Old Saybrook for a period of one year next immediately preceding their receipt of tax benefits under this program.
- c) That the homeowner meet the income requirements for eligibility for tax relief under the provisions of Section 12-129b of the General Statutes of Connecticut.
- d) That the total amount of relief allowed to taxpayers under this program for the Town of Old Saybrook fiscal year beginning July 1, 2022 shall not exceed the sum of \$90,000.00.
- e) The relief provided under this program to a qualified taxpayer shall not exceed an amount which, when added to relief for such taxpayers, is eligible under the provisions of Section 12-129b to Section 12-129d, inclusive, or Section 12-170aa of the Connecticut General Statutes, which in the aggregate, exceed 75% of the property tax for which such taxpayers would be liable but for the benefits hereunder and under said above-referred to sections.
- f) That if deemed necessary by the Old Saybrook Tax Assessor and Tax Collector, by reason of time constraints, the property tax relief program for the tax year beginning July 1, 2022 may be implemented by Certificates of Correction (for the full amount of the relief) issued with respect to the installment of taxes due and payable January 1, 2023.

Signed by:

Carl P. Fortuna, Jr., First Selectman

Scott Giegerich, Selectman

Matthew Pugliese, Selectman

Dated at Old Saybrook, Connecticut, this 12th day of April, 2022.

ATTEST: _____
Sarah V. Becker, Town Clerk

CALL OF SPECIAL TOWN MEETING

Notice is hereby given that a Special Town Meeting of the electors and citizens qualified to vote in Town Meetings of the Town of Old Saybrook will be held at the Old Saybrook Town Hall, 302 Main Street, Old Saybrook, Connecticut, on Tuesday, April 26th, 2022 at 4:00 p.m. for the following purposes:

1. Based on the recommendation of the Planning Commission pursuant to Connecticut General Statutes section 8-24, and the Board of Selectmen, to acquire a permanent easement on property located at 685 Boston Post Road from K Brothers LLC for the purposes of constructing sidewalks with funds received from the State of Connecticut through Community Connectivity Grant Program. Said permanent easement is located at the Southwest corner of the intersection of Route 1 and Elm Street and the Northeasterly corner of the subject property and is depicted on a certain map entitled, "Easement to be granted to the Town of Old Saybrook by K Brothers LLC Boston Post Road and Elm Street Old Saybrook, CT date: November 2021 Scale 1" = 10' Easement Map. Said proposed Permanent Easement is triangular and consists of 291 square feet.
2. Based on the recommendation of the Board of Finance and the Board of Selectmen, to approve an appropriation in the amount of \$1650 for the purposes of acquiring the permanent easement as mentioned in action item #1, said funds to be taken from the town's capital and non-recurring account.
3. Based on the recommendation of the Board of Finance and the Board of Selectmen, to approve a budget appropriation in the amount of \$55 thousand to the town's fiscal 2022 General Fund Engineering budget line-item number 430500.

Carl P. Fortuna, Jr., First Selectman

Scott M. Giegerich, Selectman

Matthew Pugliese, Selectman

Dated at Old Saybrook, Connecticut this 12th day of April, 2022.

ATTEST:

Sarah V. Becker, Town Clerk

CONSERVATION EASEMENT AND USE RESTRICTIONS

WHEREAS, the Old Saybrook Zoning Board of Appeals granted a Variance to MICHAEL FEDELE AND CAROL ANN FEDELE (Grantors herein) on December 9, 2020 to construct a two-story garage building on their vacant lot at 35 Beach Road East Old Saybrook, CT as an accessory use to the dwelling house of the Grantors located at 36 Beach Road East Old Saybrook, CT, all of which appears in the Motion for said Variance dated December 9, 2020 and recorded in Old Saybrook Land Records on March 23, 2021 in Volume 661, Page 726 ; and

WHEREAS, the Zoning Board of Appeals may impose reasonable conditions to the Variance in order to be in harmony with the general purpose and intent of the zoning regulations; and

WHEREAS, the Grantors provided the Zoning Board of Appeals a draft Conservation Easement and Use Restrictions by letter dated November 12, 2020 and agreed that the use restrictions herein are “reasonable conditions to the Variances granting them relief and that the conditions are integral to the decision”; and

WHEREAS, the Zoning Board of Appeals approved the Variance with the condition that wording be added to the easement and use restriction presented clarifying Town acceptance by adding a signature line for that purpose as set forth in said Motion of approval.

NOW, THEREFORE, said Grantors, do hereby give, grant and confirm unto the TOWN OF OLD SAYBROOK, its successors and assigns forever, (the Grantee herein) the right, privilege and authority to perpetually preserve, protect, limit, conserve and maintain the "The Conservation Easement Area" land hereinafter described in its present natural condition; and said Grantors, do hereby give, grant and confirm unto the TOWN OF OLD SAYBROOK, its successors and assigns forever, (the Grantee herein) the right, privilege and authority to perpetually enforce the use covenants and restrictions hereinafter set forth.

The land subject to this Conservation Easement is called "The Conservation Easement Area (shaded)" as shown and delineated on the following map to be filed on the Old Saybrook Land Records:

“SITE PLAN – PROPOSED GARAGE/STORAGE BUILDING AND 2ND STORY ADDITION Fedele Property 35 & 36 Beach Road East Old Saybrook, Connecticut Scale 1” = 20’ Date September 3, 2020 prepared by Milone & MacBroom, Civil Engineers and Surveyors, with

revisions through 11/20/20. All the covenants and restrictions shall run with the land.

I. PROHIBITIONS

IN ADDITION TO THE ACTIVITIES PROHIBITED IN THE SPECIAL SETBACK FROM TIDAL WETLANDS SET FORTH IN SECTION 68.1.2B.8.*9 OF THE OLD SAYBROOK ZONING REGULATIONS AND STATE OF CONNECTICUT REGULATIONS GOVERNING TIDAL WETLANDS, GRANTORS FURTHER COVENANT AND AGREE TO PROHIBIT AND REFRAIN FROM THE FOLLOWING ACTIVITIES UNDER, OVER, OR UPON THE CONSERVATION EASEMENT AREA:

1. The construction or placing of buildings, roads, signs, billboards or other advertising, or other structures on or above ground.
2. The dumping or placing of soil or other substance or material as landfill, or dumping of trash, ashes, waste, rubbish, garbage, junk, or unsightly or offensive materials.
3. The excavation, dredging or removal of loam, peat, gravel, soil, rock or other substances in such a manner as to affect the surface or the quantity or quality of ground or surface waters.
4. The removal or destruction of trees, shrubs, or other vegetation, the destruction of wildlife or its habitat, the application of pesticides or herbicides, or any other activity or use which is or has the potential for being detrimental to drainage, flood control, water quality, erosion control, soil conservation, wildlife or the land and water areas in their natural condition.
5. The conduct of any of the foregoing activities in such proximity to the Conservation Easement Area that their result could be detrimental to drainage, flood control, water quality, erosion control, soil conservation or wildlife in the Conservation Easement Area.
6. The disturbance of the Conservation Easement Area prior to permanent marking with permanent iron pins or boundary markers or any other field identifications of the Conservation Easement Area boundaries approved by the Town.
7. The operation of snowmobiles, motorcycles, all-terrain vehicles, other motorized vehicles, bicycles, or loud or offensive recreational vehicles of any nature except necessary fire-fighting equipment and other emergency service vehicles or activities.

8. The parking of motor vehicles, snowmobiles, motorcycles, all-terrain vehicles, bicycles, boats, or the outside storage of any boats, equipment, or other materials within the sixteen foot (16') area immediately to the north and east of the garage/storage building.

II. EXCEPTIONS

NOTWITHSTANDING ANY OF THE FOREGOING PROVISIONS:

1. The Grantors shall have the right to mow the Conservation Easement Area up to the tidal wetlands boundary as shown on the map, so as to maintain it in a natural condition.
2. The Grantee, acting through its Zoning Board of Appeals, or its successor, shall upon written application of the Grantors, permit the removal of dead trees, dead brush and other invasive vegetation from said area in a manner acceptable to the Town.
3. The Grantee, acting through its Zoning Board of Appeals, or its successor, may upon written application of the Grantors, permit the pruning and thinning of live trees, brush and other vegetation within said area, or any other like activities consistent with the purposes of the conservation restriction and easement.

Application by the Grantors for any approval provided for hereunder shall be made to the Town Land Use Office, or its successor, and shall be in accord with the procedures established by the Town, in effect at that time for such requests.

The Grantors herein shall make use of the Conservation Easement Area only for purposes which are in keeping with the stated intent of this conservation easement and which shall in no way endanger the maintenance and conservation of the Conservation Easement Area in its natural state.

The Town acknowledges that the conveyance of this Conservation Easement is not intended, and shall not be construed, to grant any rights of access to the Conservation Easement Area to the general public nor to any person or persons.

III. IDENTIFICATION AND INSPECTION OF CONSERVATION EASEMENT AREA

GRANTORS FURTHER COVENANT AND AGREE AS FOLLOWS:

1. Before commencement of site work on the property which is adjacent to the Conservation Easement Area, the Conservation Easement boundaries shall be permanently marked by Grantor's licensed Land Surveyor with iron pins to be located at each change of boundary direction and at every 100-foot interval on straightaways. Said iron pins shall protrude from ground surface not more than one inch and shall not contain sharp edges.

2. The Grantors hereby agree to maintain markers identifying the boundaries of the Conservation Easement Area, such markers to be specified by the Old Saybrook Land Use Office.
3. The Grantors hereby grant to the Grantee the right to have a qualified representative of the Town inspect the Conservation Easement Area upon reasonable notice to the Grantors.

IV. USE RESTRICTIONS

GRANTORS FURTHER COVENANT AND AGREE AS FOLLOWS:

1. The premises known as 36 Beach Road East and 35 Beach Road East more particularly described in Schedule A attached hereto and made a part hereof shall remain in common ownership and shall be considered as a single piece for zoning compliance purposes.
2. The garage/storage building authorized by the Grant of Variance at 35 Beach Road East shall only be used as an accessory building and as an accessory use to the dwelling at 36 Beach Road East as defined in the Old Saybrook Zoning Regulations. No portion of the garage/storage building shall be used as a bedroom.
3. Any separation of the common ownership of the land at 35 Beach Road East with the land at 36 Beach Road East or use thereof other than as an accessory use to the dwelling at 36 Beach Road East shall constitute a violation of the terms and conditions of the Grant of Variance approved December 9, 2020 and recorded in Old Saybrook Land Records Volume 661, Page 776.

V. VIOLATION OF THE CONSERVATION EASEMENT OR USE RESTRICTIONS.

GRANTORS FURTHER COVENANT AND AGREE AS FOLLOWS:

1. If it is determined by the Town, acting through the Zoning Enforcement Officer, or any other official or agency having jurisdiction, that a violation of the Conservation Easement agreement or the Use Restrictions of Article IV exists, the Grantors may be ordered to cease and desist from and abate any activity which the Zoning Enforcement Officer or other official or agency having jurisdiction, deems a violation of the Conservation Easement agreement and/or the Use Restrictions of Article IV.
2. The property owner may appeal said decision or order to the Zoning Board of Appeals in the same manner as any order issued by the Zoning Enforcement Officer.
3. If the Grantors, or any other person acting with the knowledge and consent of the Grantors,

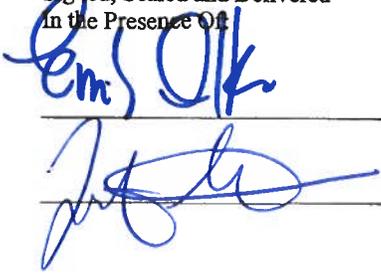
are found to have violated the Conservation Easement agreement or the Use Restrictions of Article IV, the Town may also pursue, without election, any available remedy at law or equity. In the event that the Town or any agency or official having jurisdiction shall bring legal action to enforce any provision of this Conservation Easement agreement and/or Use Restrictions of Article IV, the prevailing party shall be entitled to costs and attorneys' fees. Said Grantors further covenant and agree to provide notice by Certified Mail to the last known address of any person or entity who hereafter shall have any possessory interest in the subject property, including but not limited to any tenant, successor or assign, of a recorded copy of this Conservation Easement and Use Restrictions. Failure of said Grantor to provide such notice shall not constitute any waiver of the Town's rights herein.

The foregoing Conservation Easement and Use Restrictions shall be permanent, shall run with the land and shall be binding upon the Grantors and their heirs, successor and assigns as the owners of the property at 35 Beach Road East and 36 Beach Road East described in Schedule A, and shall inure to the benefit of Town, its successors and assigns.

TO HAVE AND TO HOLD the above granted rights, privilege or authority unto the said Town of Old Saybrook, its successors and assigns forever, to it and its own proper use and behoof.

IN WITNESS WHEREOF, the Grantors have hereunto set, or caused to be set, their hands and seals this day of March 2022.

Signed, Sealed and Delivered
In the Presence Of:



GRANTORS
 L.S.
MICHAEL FEDELE
 L.S.
CAROL ANN FEDELE

STATE OF CONNECTICUT:
COUNTY OF Fairfield : ss. Stamions March 23, 2022

Personally appeared, Michael Fedele and Carol Ann Fedele, signers and sealer of the foregoing Instrument and acknowledged the same to be their free act and deed, before me

Notary Public
My Commission Expires: _____

JOHN CORELLI
Notary Public, State of Connecticut
My Commission Expires February 28, 2024

Schedule A
Legal Description

all those two certain pieces or parcels of land, together with the buildings and improvements thereon, situated in the Town of Old Saybrook, County of Middlesex and State of Connecticut, more particularly bounded and described as follows:

First Piece: (36 Beach Road East)

a certain piece or parcel of land with cottage thereon, situated at Chalker Beach, Old Saybrook Connecticut, bounded and described as follows:

Beginning at a point on Long Island Sound, at the southwest corner of land now or formerly of Beach and Company, Inc., thence running westerly along the waters of Long Island Sound thirty-five (35) feet; to land of Barbara Tuckel, thence northerly in a straight line by land of said Tuckel one hundred and seventeen (117) feet to Beach Road East; thence easterly on said Beach Road East forty-seven (47) feet to land of said Beach and Company, Inc., thence southerly by land of said Beach and Company, Inc., one hundred and twenty (120) feet to said Long Island Sound at the point or place of beginning.

Said land is bounded North by highway (Beach Road East), East by land formerly of Beach and Company, Inc., South by Long Island Sound, and West by land of Barbara Tuckel.

Second Piece: (35 Beach Road East)

a certain tract or parcel of land situated in the Town of Old Saybrook, County of Middlesex and State of Connecticut, being lots numbered 138, 139 and 140 on a plan of building lots at Chalker Beach filed for reference with the Town Clerk of Old Saybrook and designated as Property of Chalker Shore Properties Incorporated and of Harry B. Barnes, Chalker Beach, Old Saybrook, Conn. Scale 1" = 50', November 1827, by The Holbrook Co., Engineers & Contractors, Westbrook, Conn., Clement H. Broderick, Civil Engineer.

Received for Record at Old Saybrook, Ct
On 04/25/2011 At 12:28:08 pm

Arthur G. Lane assf