
Special Town Meeting Minutes 03 06 2017

MINUTES of SPECIAL TOWN MEETING – March 6, 2017

MINUTES of Special Town Meeting held March 6, 2017 at 7:00 p.m. in the Old Saybrook Middle School auditorium, 60 Sheffield Street, Old Saybrook, Connecticut, with approximately 40 persons attending. Carl Fortuna, First Selectman, opened the meeting and led the Pledge of Allegiance. First Selectman Fortuna moved, seconded by Scott Giegerich and unanimously voted, that Grant Westerson serve as Moderator of the meeting. Moderator Westerson asked Sarah Becker, Town Clerk, to read the call of the meeting.

ITEM 1: To act upon the recommendation of the Board of Finance and the Board of Selectmen to appropriate a sum not to exceed \$585,000 (including principal and interest) for the purpose of purchasing the Town's street lights from their current owner, Eversource, and converting said streetlights to LED lights inclusive of a rebate incentive from Eversource for a sum no less than \$81,000. Also, in conjunction with the purchase, to authorize upon the recommendation of the Board of Finance and Board of Selectmen, to borrow a sum not to exceed \$470,000 by the execution of a promissory note or notes from a bank. The said promissory note or notes are to be paid back over a three to five year period. Said funds for purchase are to be taken from and paid out of, in whole or in part from the Municipal Reserve Fund (Capital Non-Recurring Fund).

It was duly moved and seconded to place this item on the agenda. Selectman Fortuna noted that he had been investigating this project for the last two years and as of this date 50 of the 169 Connecticut towns are participating in this change. He noted that our present budget is \$165,000 and by owning the streetlights will reduce Eversource bill by approximately \$75,000. Eversource will maintain the poles. LED lighting will mean a great reduction in payments to Eversource. Currently we have LED from Sheffield Street to Saybrook Point. If we finance the entire project the return on our investment would be 3.44 years and if we partially finance return would be 2.4 years. The Board of Selectmen will choose a vendor, audit and installation looking to a Fall completion.

The First Selectman called on Rick Davis, President of ESCO, assisted by the Vice President of the company, who did a power point presentation on the CCM approved vendor and street light conversion program. The power point included information on LED streetlight capabilities, qualitative benefits, conversion economics, analysis (energy savings, LED conversion project, streetlight maintenance, the five step process delivery and went into great detail outlining the process followed to complete the project.

The First Selectman thanked them for the information and presentation.

Following questions from the public, the Moderator called for a vote and ITEM 1 was ADOPTED unanimously.

ITEM 2: To amend Chapter 5 of the Town Code ("Bidding"), adding a new paragraph F to read as follows: "The provisions of this Section shall not apply to any project which is, in whole or in part, funded by a State or Federal Grant or Loan Program which by policy, regulation or statute prohibits bid preference for local vendors, such as set forth in this Section 5-4".

First Selectman Fortuna explained the need for this change.

On a motion duly made and seconded, ITEM 2 was unanimously ADOPTED.

ITEM 3: To approve an appropriation, as recommended by the Board of Selectmen and Board of Finance, of \$125,000 for the Saybrook Junction infrastructure Planning Project, a Connecticut Office of Policy and Management reimbursable grant, said funds to be initially taken from the Town's General Fund. Said Grant is also known as the Responsible Growth and Transit-Oriented Development (RG-TOD) Planning Grant.

First Selectman Fortuna explained this grant is to design streetscapes and sidewalks from Stage Road to the shopping plaza on Route 1. This is a very valuable grant.

On a motion duly made and seconded ITEM 3 was unanimously ADOPTED.

ITEM 4. To act upon the recommendation of the Board of Selectmen, and with the approval of the Old Saybrook Planning Commission, to implement an Agreement between the Town of Old Saybrook and John Horan and Gertrude Horan, the Agreement being summarized as follows:

- The Town of Old Saybrook will convey to John and Gertrude Horan an easement

Over that certain piece or parcel of land located at the end of Anchorage Lane

(formerly known as Ferry Point Cove Lane) in Old Saybrook, CT as more particularly described and attached to the Agreement;

- The Grantee agrees to pay the Town to reimburse expenses it may incur in evaluating

The effect upon the Town, including engineering and attorney's fees it may incur related to this transaction, and such other costs directly related to this transaction, such as staff time and publication for related meetings.

A copy of the Agreement and Plans referred to above are on file in the Old Saybrook Town Clerk's office.

First Selectman Fortuna explained the septage problem and this agreement will allow leaching fields to go under Town land to get to acceptable soil. Attorney David Royston spoke on behalf of the Horans.

On a motion duly made and seconded ITEM 4 was unanimously ADOPTED.

ITEM 5: To amend Chapter 128 of the Old Saybrook Town Code entitled "Flood Management". The purpose of the proposed amendments is to clarify current practices with regard to the implementation of the Code, and to avoid the need for a variance when the flood ordinance conflicts with the Town or State Codes. The proposal allows heat to be installed under certain circumstances below Base Flood Elevation (BFE), and to not require structures currently meeting BFE to elevate to meet freeboard requirements for new construction. The proposed change will require vents in breakaway walls which will avoid higher insurance premiums for property owners. The proposal will require critical facilities to meet 400-year flood elevation requirements. Examples of "critical facilities" include jails, hospitals, police stations, fire stations, nursing homes, wastewater treatment facilities, drinking water plants and gas/oil/propane facilities.

First Selectman Fortuna introduced Christina Costa, Old Saybrook Zoning Enforcement Officer, who is nationally certified regarding flood plains. Ms. Costa noted that the State Building Codes keep changing creating conflicts with our flood code. We are amending the current Ordinance to allow the State Building Code to be primary and the Flood Plain Ordinance secondary. Attorney Royston suggested that "low value items" should be defined. Following Ms. Costa's in depth explanations of FEMA, State and local regulations, a motion was made, seconded and unanimously voted to ADOPT ITEM 5.

The First Selectman thanked all who attended this meeting and for their input.

On a motion duly made and seconded, it was unanimously voted to adjourn at 8:15 p.m.

Respectfully submitted,

Sarah V. Becker, CCMC
TOWN CLERK

BULLET POINTS AMENDING CHAPTER 128 of OLD SAYBROOK CODE

- Amend the definition of Finished Living Space to limit the amount of floor area below the Base Flood Elevation (BFE) + 1 foot of freeboard constructed flood resistant materials to less than 25% of the floor area having the appearance of being finished. The purpose is to avoid the temptation to use the areas as finished living area.

- Amend the Ordinance so that when a conflict arises between State Building/Fire Safety Codes and the Flood Plain Management Ordinance (FPMO) that the State Building/Fire Safety Code will apply not the FPMO. This will eliminate the need for variance requests of the Flood Plain Management Ordinance for conflicts between codes.
- Amend the Ordinance so that an existing structure with a current elevation above the BFE will not be required to meet the one foot of freeboard required by the Town FPMO.
- The Town requires flood permits for the installation of swimming pools. Add text to clarify the existing process.
- Change oil tanks to fuel tanks throughout the Ordinance.
- The definition of finished living area currently prohibits the area below the BFE to be heated even if the heat source and mechanicals are located above the BFE. This Town standard is a higher standard than required by FEMA. The proposal is to allow heat below the BFE. The concern is that people use the area below the BFE for limited storage or garage space and are tempted to use kerosene or other heat sources installed without permits which may pose a safety hazard
- Amend the start time of the cumulative costs of repairs for structures built in compliance with the FPMO to the effective date of the subsequent FIRM/Ordinance amendments that render structure non-compliant. Example: A structure built compliant in 2012 and rendered non-compliant by a FEMA map change in 2013 is now subject to the 50% substantial improvement rule. The proposed new language will allow 10 years from the 2012 compliance date for 50% substantial improvement regulation to go in effect.
- ZEO and Building Official currently act as deputies to Town Engineer to administer FPMO. Amend text to allow current practice.
- Require all breakaway walls have flood venting.~ Breakaway walls have a higher flood insurance premium even though they meet coastal construction standards. Adding flood vents will help to reduce insurance for residents. This requirement is additionally identified in the next International Residential Code (IRC) revision that will likely be added to the next round of State Building Code updates.
- Require all critical facilities in 100 year flood zones be constructed to the 500 year flood zone elevations. Critical facilities include Town buildings, hospitals, convalescent homes and similar structures. Many critical facilities projects that receive money from the State of CT are required to meet the 500 year elevation in order to receive funding. Variances can be of this regulation can be granted by the Zoning Board of Appeals.
- Add language requiring that if a structure cantilevers into two or more flood zones, the most restrictive standard applies. This amendment was encouraged by Diane Ifkovic, State of CT Flood Plain Management Coordinator.
- Add text to warn that some construction practices allowed by FEMA and the FPMO are allowed but may result in higher insurance premiums. For example: breakaway enclosures of 300 s.f. or more in the coastal high hazard are permitted but result in higher flood insurance premiums.