

TOWN OF OLD SAYBROOK
BOARD OF SELECTMEN

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

MEETING AGENDA
Tuesday, May 14, 2024
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

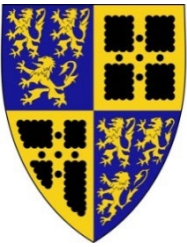
IV. COMMENTS FROM THE SELECTMEN

V. APPROVAL OF MINUTES: Special Board of Selectmen Meeting April 24, 2024

VI. BUSINESS BEFORE THE BOARD

- A. Based on the recommendation of the Board of Finance and Board of Selectmen to approve an appropriation in the amount of \$25,000 so the town can implement a grant from the Long Island Sound Futures Fund 2022 Proposal – Coastal Resiliency Plan for Westbrook Old Saybrook, Clinton and the Borough of Fenwick, said funds to be drawn from the capital non-recurring fund.
- B. Discussion and possible action to approve and set a public hearing and move to Town meeting the 2024 Connecticut Neighborhood Assistance Act Program (NAA) application for the Katharine Hepburn Cultural Arts Center.
- C. Discussion and possible action on Call of Special Town Meeting [May 28]
- D. Discussion and action to approve tax refunds
- E. Building Permit fee refund request: Trinity Solar - 16 Bayside Road
- F. Building Permit fee refund request: RLI Electric - 7 River Edge Road
- G. Encroachment Bond release request: John Kanaras – 2 Obed Trail
- H. Appointments
 - 1. Tree AdHoc Committee. Vacancy. This appointment is for the unexpired portion of a three-year term due to end 10/2026.
 - 2. Tree AdHoc Committee. This appointment is for the unexpired portion of a three-year term due to end 10/2025.
 - 3. Tree AdHoc Committee. Vacancy. This appointment is for the unexpired portion of a three-year term due to end 10/2024.
 - 4. Tree AdHoc Committee. Vacancy. This appointment is for the unexpired portion of a three-year term due to end 10/2024.
 - 5. Tree AdHoc Committee. Vacancy. This appointment is for the unexpired portion of a three-year term due to end 10/2024.

VII. ADJOURNMENT



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

SPECIAL MEETING MINUTES
Wednesday, April 24, 2024
6:00 p.m.

Old Saybrook Town Hall – First Floor Conference Room

Direct link to the recording:

<https://youtu.be/ZeAyEH-Mago?si=dqgavvvnvStzSNxJ9>

- I. **CALL TO ORDER** – All Members present.
- II. **PLEDGE OF ALLEGIANCE** - Recited
- III. **COMMENTS FROM THE PUBLIC** - None
- IV. **COMMENTS FROM THE SELECTMEN** – Mr. Giegerich commented on how well the Celebrate Saybrook Party is coming. Mr. Fortuna read the letter into the record from Tedd Levy proposing to name the police station after Edmund Mosca. Mr. Fortuna also commented on how well the street party is coming along, and spoke about the progress at Main Street Connection Park and the sidewalk continuation from Route 1 to Lynde on Elm Street. Mr. Pugliese asked to enter executive session to discuss real estate acquisition.
- V. **APPROVAL OF MINUTES:** Special Board of Selectmen Meeting April 5, 2024 – *A MOTION was made to approve April 5, 2024 meeting minutes.*
FORTUNA/PUGLIESE
MOTION CARRIED UNANIMOUSLY
- VI. **BUSINESS BEFORE THE BOARD**
 - A. Discussion and possible action to approve an appropriation in the amount of \$87,500 so that the Town may apply for a resiliency grant to investigate alternative strategies to enhance coastal resilience from Chapman Beach to Indiantown. Mr. Fortuna mentioned that the plan was to use ARPA funding for one-half the match but that, we learned, is not allowed. So therefore, the entire \$175,000 match will be town funds. This should not affect the timing of the project. *A MOTION was made to approve.* Further noted that should we not get this grant, there will be strong consideration to move these funds to an off-budget account for further resiliency efforts.
PUGLIESE/FORTUNA
MOTION CARRIED UNANIMOUSLY
 - B. Discussion and possible action to approve and consider at Town meeting revisions to Chapter 209 of the Town Code, Waterways. *A MOTION was made to approve with the clarification that fines mentioned in the chapter are levied “per day”.*
FORTUNA/PUGLIESE
MOTION CARRIED UNANIMOUSLY

Board of Selectmen
Minutes
April 24, 2024

- C. Discussion and possible action to set a public hearing on the 2024 Connecticut Neighborhood Assistance Act Program (NAA) application for the Connecticut Cancer Foundation. *A MOTION was made to approve to set a public hearing.*

FORTUNA/GIEGERICH

MOTION CARRIED UNANIMOUSLY

- D. Discussion and possible action to move to Town meeting the 2024 Connecticut Neighborhood Assistance Act Program (NAA) application for the Connecticut Cancer Foundation. *A MOTION was made to approve to move application to Town meeting.*

FORTUNA/GIEGERICH

MOTION CARRIED UNANIMOUSLY

- E. Building Permit fee refund request from Scott Ling: 54 Old Post Road. *A MOTION was made to approve the Building permit fee refund.*

FORTUNA/GIEGERICH

MOTION CARRIED UNANIMOUSLY

- F. Discussion and possible action on a Resolution of the Board of Selectmen adopting a Complete Streets Policy.

Mr. Fortuna stated that Sarah Makowicki has worked hard on keeping Old Saybrook's Sustainable CT status at silver and is hoping that we can get it to gold next year. Not only is Complete Streets a step in that direction but it is a good policy to promote different modes of transportation safely. Mr. Pugliese commented that this resolution is part of a long-term plan and it is not an end but should be a continuation of a town-wide plan for years to come. *A MOTION was made to approve the resolution adopting a Complete Streets Policy.*

FORTUNA/GIEGERICH

MOTION CARRIED UNANIMOUSLY

- G. Coordination of next Town meeting (May 20).

Mr. Fortuna explained that we may be expecting an NAA application from The Kate soon so he wanted to hold off on scheduling a special town meeting. A meeting could be held May 20.

A MOTION was made to add an Executive Session to the agenda to discuss the possible sale or acquisition of property.

FORTUNA/GIEGERICH

MOTION CARRIED UNANIMOUSLY

A MOTION was made to enter Executive Session to discuss the possible sale or acquisition of property.

FORTUNA/PUGLIESE

MOTION CARRIED UNANIMOUSLY

- VII. EXECUTIVE SESSION** – The board went into executive session at 6:35 p.m. and exited at 6:43 p.m. No motions were made and no votes were taken.

Board of Selectmen
Minutes
April 24, 2024

VIII. ADJOURNMENT – *A MOTION was made to adjourn at 6:44 p.m.*
FORTUNA/PUGLIESE
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carl P. Fortuna Jr.', with a stylized flourish at the end.

Carl P. Fortuna Jr., First Selectman

PUBLIC HEARING

Notice is hereby given that a Public Hearing will take place at the Old Saybrook Town Hall, 302 Main Street, Old Saybrook, Connecticut, on Tuesday, May 28, 2024 at 6:00 p.m. to consider the following Neighborhood Assistance Act (NAA) (Connecticut General Statutes Sections 12-631-12-638) applications:

- a. The Connecticut Cancer Foundation: \$150,000 based on the NAA's Program Serving Low-Income Persons tax credit of 60%.
- b. The Katharine Hepburn Cultural Arts Center: \$150,000 based on the NAA's Program for energy conservation measures.

Signed by:

Carl P. Fortuna, Jr., First Selectman

Scott Giegerich, Selectman

Matthew Pugliese, Selectman

Dated at Old Saybrook, Connecticut, this 14th day of May, 2024.

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, May 28, 2024, immediately following the Public Hearing at 6:00 pm which will consider two Neighborhood Assistance Act applications. The town meeting shall consider:

1. Based on the recommendation of the Board of Finance and Board of Selectmen to approve an appropriation in the amount of \$87,500 so that the town may apply for a resiliency grant from the Long Island Sound Futures Fund, said funds to be drawn from the capital non-recurring fund.
2. Based on the recommendation of the Board of Finance and Board of Selectmen to approve an appropriation in the amount of \$25,000 so the town can implement a grant from the Long Island Sound Futures Fund 2022 Proposal – Coastal Resiliency Plan for Westbrook Old Saybrook, Clinton and the Borough of Fenwick, said funds to be drawn from the capital non-recurring fund.
3. To revise Chapter 209, Waterways, of the Town Code as follows:
 - Section 209-2 A.** Vessels anchored within the mooring area are subject to being positioned or relocated by the Harbor Master of the Town of Old Saybrook, or the Deputy Harbor Master. No vessel shall anchor or moor within the mooring area for a period in excess of 48 ~~72~~ hours or shall make fast to facilities for a permanent mooring, without the express approval of the Harbor Master or the Deputy Harbor Master.
 - Section 209-2 B.** All ground tackle, anchors, etc., for permanent moorings within the mooring area are to be placed in position by the Harbor Master or the Deputy Harbor Master. Within the meaning of this article, a "permanent mooring" is defined as a place of anchorage for a period exceeding 48 hours. The Harbor Master may charge a fee ~~not to exceed \$35~~ for placing and positioning equipment for a permanent mooring and removal at the end of the season, **which fee is included in the yearly mooring fee.**
 - Section 209-5** Any person who violates provisions of § ~~209-2A, B, D or E~~ of this article shall be fined ~~not more than \$100~~ **per calendar day, or whatever amount has been voted on by the Harbor Management Commission prior to the season for each said violation,** for each breach thereof; any person who violates the provisions of § ~~209-2F~~ of this article shall be fined ~~not more than \$25~~ **per calendar day, or whatever amount has been voted on by the Harbor Management Commission prior to the season for each said violation,** for each breach thereof.
 - Section 209-9 G** Any person who violates any section of this article shall be subject to a fine ~~not to exceed \$100~~ **per calendar day, or whatever amount has been voted on by the Harbor Management Commission prior to the season for each said violation.**
 - Section 209-10 H.** **Fishing and crabbing are prohibited at all times on the dock complex and on adjacent town property.** ~~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.~~

Section 209-10K. Any person who violates any of the above regulations shall be subject to arrest and to a fine ~~not to exceed~~ of \$100 per calendar day, or whatever amount has been voted on by the Harbor Management Commission prior to the season for each said violation.

Section 209-11 L. ~~Fishing and crabbing are prohibited at all times on the dock complex and on adjacent Town property.~~ 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.

Section 209-11 M. No fish are to be cleaned or gutted on the dock or on other Town property ~~except in designated areas adjacent to the dock.~~

Section 209-11 Q (NEW). Any person who violates provisions of Section 209-11 D, F, G, K, L, M, N, O or P of this article shall be fined \$100 per calendar day, or whatever amount has been voted on by the Harbor Management Commission prior to the season for each said violation, any person who violates the provisions of Section 209-11 H, I or J of this article shall be fined \$25 per calendar day or whatever amount has been voted on by the Harbor Management Commission prior to the season for each said violation.

Section 209-14 Any person persons violating any of the rules or regulations established under § 209-12 of this article shall be subject to arrest and to a fine ~~not to exceed~~ of \$100 per calendar day, or whatever amount has been voted on by the Harbor Management Commission prior to the season for each said violation.

Section 209-15. Section proposed to be deleted.

The Harbor Management Commission revision of Chapter 209, Waterways, of the Town Code will be effective 15 days following publication by the Town Clerk as adopted by the Special Town Meeting of May 28, 2024

4. To act upon the recommendation of the Board of Selectmen to approve the application for the Neighborhood Assistance Act (NAA) (Connecticut General Statutes Sections 12-631-12-638) for the Connecticut Cancer Foundation: \$150,000 based on the NAA's Program Serving Low-Income Persons tax credit of 60%.
5. To act upon the recommendation of the Board of Selectmen to approve the application for the Neighborhood Assistance Act (NAA) (Connecticut General Statutes Sections 12-631-12-638) for the Katharine Hepburn Cultural Arts Center: \$150,000 for energy conservation measures.
6. Based on the recommendation of the Board of Finance, Board of Selectmen and the American Rescue Plan Act (ARPA) Ad hoc Committee to appropriate \$100,000 from the Town's ARPA funds for the purpose of repairing the Old Saybrook Point seawall.
7. Based on the recommendation of the Board of Finance, Board of Selectmen and the American Rescue Plan Act (ARPA) Ad hoc Committee to appropriate \$150,000 from the Town's ARPA funds for the purpose of adding funds to the Park and Recreation Capital Fund 3053.
8. Based on the recommendation of the Board of Finance, Board of Selectmen and the American Rescue Plan Act (ARPA) Ad hoc Committee

to appropriate \$100,000 from the Town's ARPA funds for the purpose of adding funds to the Acton Public Library renovation fund 2875.

9. Based on the recommendation of the Board of Finance, Board of Selectmen and the American Rescue Plan Act (ARPA) Ad hoc Committee to appropriate \$250,000 from the Town's ARPA funds for the purpose of setting aside monies to assist with the revitalization of Mariner's Way.
10. Based on the recommendation of the Board of Finance, Board of Selectmen and the American Rescue Plan Act (ARPA) Ad hoc Committee to appropriate \$500,000 from the Town's ARPA funds for the purpose of setting aside monies for use by the Housing Task Force in developing diverse housing options in Old Saybrook.

Signed by: _____
Carl P. Fortuna, Jr., First Selectman

Scott Giegerich, Selectman

Matthew Pugliese, Selectman

Dated at Old Saybrook, Connecticut, this 14th day of May, 2024.

ATTEST: _____
Sarah V. Becker, Town Clerk

TREE COMMITTEE

It is the purpose of this committee to promote and protect the public health, safety and general welfare by providing for the regulation of the planting, maintenance and removal of trees, shrubs and other plants within the Town of Old Saybrook.

The Town Tree Committee shall be composed of the Town Tree Warden as an ex-officio member and a minimum of two (2) to a maximum of six (6) members appointed by the Board of Selectmen to serve without pay for terms of three (3) years duration; [these terms to be staggered at start-up of the Committee as follows: two (2) to be appointed to a term of three (3) years, two (2) to be appointed to a term of two (2) years, and two (2) to be appointed to a term of one (1) year]. The members of the Committee shall elect a Chairperson to serve two (2) years. The Board of Selectmen will seek enthusiastic candidates for the Committee from the general public and from the various service organizations that share a common interest in trees from our community.

3-YEAR