

THESE MINUTES ARE SUBJECT TO APPROVAL AT THE NEXT BOS MEETING

TOWN OF CHESTER, CONNECTICUT
BOARD OF SELECTMEN
SPECIAL MEETING
Wednesday, June 16, 2021
ZOOM Meeting

CALL TO ORDER

First Selectwoman Gister called the meeting to order at 7:09 p.m. In attendance included First Selectwoman Gister, Selectwoman Janecek, and Selectman Englert.

AUDIENCE OF CITIZENS – None.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Charlene Janecek made a motion to re-appoint Leslie Strauss to the Estuary Transit District Board with a term to expire 2/21/25. Tom Englert seconded the motion. The motion passed unanimously.

COVID VACCINE UPDATE

The Health District reports no new Covid positive cases within the last two weeks. In addition, the State positivity rate has been under 1% and 0 new hospitalizations and deaths have been reported in the State. Note that Covid variants may become an issue with unvaccinated individuals in the Fall.

Lauren reported that a Bill passed relative to access to local government; i.e.; remote, hybrid, and in-person meetings. Towns may hold in-person, remote and hybrid meeting. If a meeting is remote or hybrid, all FOIA requirements must be met, the meeting minutes must be made available no later than 7 days after the meeting and an electronic copy of the meeting must be retained for 45 days and be available on the Town's website. Clarification is still needed as to if the electronic copy must be both audio and video or just audio (video will possibly require more server space). In addition, 48-hour notice of a hybrid meeting is necessary per FOIA as opposed to the current 24-hour notice of a meeting.

The Town's recent in-person/hybrid Town Meeting went relatively well; however, the CES gym was not an ideal location due to the acoustics. More information is forthcoming regarding remote voting.

The Bill extends outdoor dining provisions indefinitely; however, Towns will have some "controls" on outdoor dining.

CIRMA/Insurance Letter and Smith Brothers Renewals

A copy of CIRMA's Insurance Renewal (liability and property) was included in the BOS packet. The document includes "caps" on increases. The first year of the contract notes a 0 increase and the subsequent two years indicate a 5% "cap" on increases in each year. Note that cyber insurance is no longer included in the policy. CT Comp is developing estimates for same.

A copy of the service agreement with Smith Brothers, in the amount of \$6,500 per year (no increase from prior contract) was included in the BOS packet.

Tom Englert made a motion authorizing First Selectwoman Gister to sign the CIRMA and Smith Brother's renewals as presented. Charlene Janecek seconded the motion. The motion passed unanimously.

TYCHE – P&Z Support Services Contract

A copy of the TYCHE Planning & Policy Group contract for ZEO services (John Guskowski) was included in the BOS packet.

Charlene Janecek made a motion authorizing First Selectwoman Gister to sign the TYCHE Contract as presented. Tom Englert seconded the motion. Discussion followed.

Lauren reported that the original EOs and legislation permitting outdoor dining were confusing; however, the Special Act recently passed provides clarification on parameters of outdoor dining. Restaurants must meet ADA requirements, allow for pedestrians, rules for table placement and storage, etc. They are required to apply for a P&Z permit for outdoor seating. The ZEO sent a letter to each restaurant requesting that they apply for this permit; unfortunately, only one restaurant applied for the permit. This restaurant's permit was returned to them with a request for additional information. To date, no response has been received and no other restaurant has applied for the permit. The ZEO sent another letter to the restaurants with a deadline of 6/17/21 for compliance. If no permits are requested and granted, a C&D may be issued. The appeal process relative to a C&D is lengthy and may take the entire summer. The ZEO, police and Fire Marshal have been involved and citation may be issued for non-compliance.

The motion passed unanimously.

NEW ORDINANCES/PUBLIC MEETINGS

A copy of the draft Storage and Collection of Waste Containers in the Village District was included in the BOS packet and discussed at length. The appropriate responsible party; i.e.; property owner or tenant, for garbage removal was discussed. Parameters of the draft, i.e.; timing of waste containers permitted on sidewalk, number of containers, and other provisions of the draft were "wordsmithed" and these changes will be incorporated into the Ordinance. Citations for violations are included in the Ordinance. The BOS will discuss further at a future BOS meeting.

A copy of the draft Ordinance Concerning Use of Cedar Lake, Cedar Lake Beaches and Parking Areas was included in the BOS packet and discussed at length. Provisions of the draft, including parameters for use of safety boats, use of permits, were discussed and "wordsmithed" and changes made will be incorporated into the Ordinance. The BOS will discuss further at a future BOS meeting.

A copy of the Building Dept. Permit Fees Proposal (similar fees as Deep River), dated 1/15/20, was included in the BOS packet and discussed at length. Note that the Covid-19 Pandemic delayed action on the proposal. Provisions of the draft including Fire Marshal fees, were "wordsmithed" and will be discussed further at the next BOS meeting.

CLEANING COMPANY CONTRACT PROPOSALS

After multiple complaints and rate increases relative to the current clearing contractor, quotes for cleaning town building facilities were solicited (quotes received from Top Shelf Cleaning Service, Clean In Between, The Sisters Cleaning Service - \$1260, \$1755 and \$2150). To date, \$1250 per month is budgeted for 2 cleanings per week of the Town Hall, one cleaning of the library and one cleaning of the Meeting House. During Covid, \$1,750 was spent on cleaning town facilities ("Covid money" used to pay for same). Parameters of quotes received were discussed. Lauren will follow-up with contractors and the BOS will discuss further at a future BOS meeting.

NATURAL HAZARD MITIGATION PLAN

A copy of the Natural Hazard Mitigation Plan link and Chester's portion of the document, developed by RiverCOG, was included in the BOS packet. BOS members were encouraged to review the document and provide input for final BOS approval (note document must be approved by 7/14 to meet the deadline).

RiverCOG's Public Hearing on the Plan of Conservational and Development has been scheduled. Lauren will provide call in information to BOS members.

REQUEST FOR BOF FUNDING – NQP – Tree/Fencing Rehab

A memo to the BOF requesting funds for NQP plantings and fencing, developed by First Selectwoman Gister, was included in the BOS packet and discussed.

As previously reported, a storm felled a tree located at NQP. Said tree damaged trees on surrounding private property and exposed additional dying trees. The Tree Warden, in conjunction with Public Works and Park & Rec removed the damaged trees, installed a fence and replanted trees. A copy of the equipment and supplies, etc. used to facilitate the project (totaling approximately \$10,000) was included in the BOS packet.

Lauren Gister made a motion to allocate and forward to the BOF for further action, an amount not to exceed \$10,000 for rehabilitation of NQP as presented. Charlene Janecek seconded the motion. The motion passed unanimously.

APPROVAL OF MINUTES

Charlene Janecek made a motion to approve the minutes from the May 12, 2021 BOS meeting as presented. Tom Englert seconded the motion. The motion passed unanimously.

SELECTMEN REPORTS

Charlene reported that she recently participated in two meetings:

- Annual 9TT Selectmen's meeting - the district is pursuing an MOA to merge with Middletown Area Transit District. In addition, "free" rides are available on weekends during the summer months.
- Scan Optics Presentation – development of electronic record of Building/Land Use records – Westbrook will work with Scan Optics and report back to the group.
 - Lauren reported that the COG will discuss this project further and perhaps reach out to other contractors that provide a similar service.

To address speeding concerns, Tom requested that the speed trailer/machine currently on 145 be moved to 148 westbound (in the Camp Hazen area). In addition, Tom stressed the importance of clarification and enforcement of the regulations relative to outdoor dining.

Lauren reported:

- On line payments for taxes – will be on website and active as of July 1 – all fees will be adequately posted.
- It is anticipated that Chester's new Resident State Trooper (RST) will be assigned by mid-July. The candidate will be on duty in Chester, along with the temporary RST at the 4 on the 4th event.

- The Treasurer job description and hours will be updated prior to the November election.
- Traffic on 148, Cedar Lake Road and in the Pattaconk Lake area are an issue. Lauren has directed the police to:
 - Issue tickets relative to stops signs, speeding etc. Town tickets will be issued to Chester residents and State tickets will be issued to non-residents.
 - A temporary/seasonal speed bump may be placed on Cedar Lake Road.
- Rescue Funds – The Executive Committee of RiverCOG has discussed the use of the “County” Rescue Funds for a potential Regional Project. The COG may request that towns “book mark” 15% of the County funds for a Regional Project (note that Connecticut does not have County Governments). The entire RiverCOG Board will discuss further at their next meeting.
- Placement of restaurant tables in the Town Center remain an issue (ADA requirements, liability). The outdoor dining Bill includes:
 - Applications for permit go to ZEO to review and make determination on application. We can request drawings and a written narrative describing the parameters of the request (noise, waste mgt, odor, etc.).
 - ZEO can approve, approve with conditions or reject
 - Must notify applicant within 10 days
 - if no response from ZEO, application deemed approved.
 - Applicant can appeal ZEO decision within 7 days
 - Restaurant must provide clear unobstructed pathway/pedestrian walkway.
 - Bill provides for mechanism for town to impose fines.
 - Proper authority to issue a fine was discussed (BOS, ZEO, P&Z).

AUDIENCE OF CITIZENS – None.

EXECUTIVE SESSION

Charlene Janecek made a motion to go into Executive Session at 9:07 p.m. for a discussion on a Real Estate Transaction. Tom Englert seconded the motion. The motion passed unanimously.

Regular Session resumed at: ___ p.m.

_____ Action??

ADJOURNMENT

___ made a motion to adjourn the meeting at 9:___ p.m. ___ seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Suzanne Helchowski
Clerk