

**TOWN OF POMFRET
BOARD OF SELECTMEN MINUTES
APRIL 20, 2009 AT 8:00 AM
POMFRET TOWN HALL**

In Attendance: First Selectman James Rivers, Selectmen Timothy McNally, David Smutnick. Citizens Pam Lewerenz, Charlie Densmore, Henry Woodbridge, David Flath, Maureen Nicholson.

I.. Regular Meeting

- 1. Open Meeting–8:00 AM/Approve Minutes April 6, 2009** – J. Rivers opened meeting at 8:00 AM. T. McNally moved to approve minutes. D. Smutnick seconded. All in favor.
- 2. Items to Add to Agenda** – J. Rivers moved to add Deed for Land Piece next to Grange to #5, New Business. T. McNally seconded. All in favor.
- 3. Citizen Participation & Communications** – Charlie Densmore stated he had recently submitted a petition to close Covell Road bridge. It had been signed by 25 area residents. He wanted to appeal to the Board to see the interest in the closure and to check on the status of the petition.

II. Current Business

- 1. Road Issues** – The recent roadside clean-up went well. The purchase of a used one-ton truck with plowing capabilities is in the process. This will replace the old truck that does not work and is in need of numerous repairs.
- 2. Review Tax Abatement Request and Possible Action** – Tabled to next meeting.
- 3. Covell Road Bridge Petition – Discussion** – J. Rivers reviewed the history of repairing this bridge. The process was started in early 2002 and a contract was signed between the Town of Pomfret and the State of Connecticut. Work done includes public hearing, engineering, and easement negotiations. Review of costs to date and Town liabilities. Dismantling the old bridge would also incur some costs if the replacement was not completed. Attorney Ed Higgins reviewed the recently submitted petition and provided an opinion dated April 17, 2009 that J. Rivers read into record, indicating that the petition was not likely lawful and proper to warn a Special Town Meeting in light of the fact that the Town has entered into contractual agreements with the State, the partial performance to date, and the potential financial penalties to the Town. Discussion. J. Rivers stated that while he understood both sides, his overall feeling was that the best interest of the Town was to proceed with fixing the bridge. D. Smutnick stated that local people filing the petition carried weight with him. J. Rivers motioned to add to the agenda under Current Business, item 4, Action Concerning Covell Road Bridge Petition. T. McNally seconded. All in favor.
- 4. Action Concerning Covell Road Bridge Petition** – T. McNally moved to accept but not act on the petition submitted by Mr. Densmore concerning the Covell Road bridge for reasons discussed and indicated in counsel's letter. J.

Rivers seconded. J. Rivers, T. McNally in favor. D. Smutnick opposed.
Motion passes.

III. New Business

1. **Review & Possible Approval 5-Year Capital** – T. McNally moved to approve as presented. J. Rivers seconded. All in favor.
2. **Review & Possible Approval – Ordinance Providing Annual Waiver of Property Taxes Due in the Amount Less Than \$2.00** – T. McNally moved to approve Ordinance as presented and bring it to the Town Meeting of April 30th. J. Rivers seconded. All in favor.
3. **Review & Possible Approval of \$510 FY 2009/2010 budget adjustment to meet Board of Finance approval** – T. McNally moved to deduct \$510 out of the Hazardous Waste line item in FY 09/10 budget to meet budget as approved by the Board of Finance. J. Rivers seconded. All in favor.
4. **Review & Possible Approval of Paper Ballot for Town Meeting-April 30, 2009** – J. Rivers moved to vote on the FY 09/10 budget at the Annual Town Meeting of April 30th by paper ballot. T. McNally seconded. Some discussion. All in favor.
5. **Deed for Land Piece Next to Grange** – Deed distributed for review. This piece was donated and already accepted by the Board of Selectmen and Town Meeting. The paperwork needs signatures. T. McNally moved to receive and sign the deed for the Bulat property to the Town of Pomfret. D. Smutnick seconded. All in favor.

IV. Other Business

1. **General Discussion** – None
2. **Pistol Permits Issued Since Sept. 15, 2008** – List of permits issued since September was issued to Selectmen for review. Any future approvals issued by the First Selectman will be noted on that months agenda as means of a record of the number of permits issued in any given year.

V. Tax Refunds/Abatements: None

VI. Citizen's Comments – Charlie Densmore requested the petition be considered a democratic move by the people in the area. J. Rivers stated he wanted to have all information concerning this issue. Closure could still be decided. M. Nicholson stated that the traffic that would be diverted off of Covell Road would now just add to traffic on a different road in Town. Also, would those that were paid for the easements be willing to repay the money?

VII. Adjournment – T. McNally moved to adjourn. D. Smutnick seconded. Meeting adjourned at 9:35 AM.