

MEETING MINUTES
Easton Board of Selectmen
May 21, 2020
7:30 PM
Town Hall Conference Room A

MEETING WILL BE BROADCAST LIVE VIA
<https://www.facebook.com/EastonCTBOS>
ZOOM:

<https://us02web.zoom.us/j/84097942497?pwd=NktycFBxc0UwU2FGaWlrZFJYbVpyUT09>

Meeting ID: 840 9794 2497
Password: 06612

David Bindelglass called the meeting to order at 7:30 p.m.

Present: David Bindelglass, Kristi Sogofsky and Robert Lessler

1. Robert Lessler moved to approve the minutes of the Board of Selectmen Meeting, May 7, 2020 with the following corrections; in agenda item 6. "I" is missing from Lessler and the addition of the word "of" previous to LOCIP. Kristi Sogofsky seconded. Motion passed unanimously.
2. One person requested that any proposed ordinances be posted in full with the agenda so they can be reviewed prior to the meeting. Another resident supported the land use ordinance
3. Kristi Sogofsky moved to approve the following tax refund as recommended by Krista Kot, Tax Collector: 1. GILBERTIES LAND COMPANY LLC - \$598.94. Robert Lessler seconded. Motion passed unanimously.
4. The Board began the process of considering changes to the Park and Recreation Department to address some issues related to the over lapping duties of the department with the Public Works Department. Snow removal proved challenging this past winter. One issue brought up by the Board of Finance is to move the parks/field maintenance to DPW which would require an ordinance change (SEE ATTACHED) and union negotiations. Kristi Sogofsky offered to take the lead on this project by gathering more information before the next Board of Selectmen meeting.
5. Dave Bindelglass discussed writing a request for soliciting a proposal for an Emergency Services consultant to review the relationships between the Fire Department and Emergency Medical Services in the areas of standardized communications, facilities, capital equipment and improving Easton's ISO rating. This consulting service would cost approximately \$40,000; Robert Lessler expressed concern in spending this amount of money during this current fiscal situation. Kristi Sogofsky moved to initiate conversations and discussions about an RFP to possible changes to the town's emergency service structure to potentially and eventually hire a consultant for the project. Robert Lessler seconded. Motion passed unanimously.
6. Robert Lessler moved to extend the final report due date of the South Park Advisory Committee from June 30, 2020 to December 31, 2020. Kristi Sogofsky seconded. Motion passed unanimously.
7. Robert Lessler discussed some of the preliminary planning regarding Easton's 175th Anniversary celebration. The first event is to design a logo which someone may want to use the town seal as part of their design. Dave Bindelglass moved to approve a request by the 175th Anniversary Steering Committee to use the Easton Town Seal as part of the logo and branding in connection with the planned celebration. Kristi Sogofsky seconded. Motion passed unanimously.
8. With the resignation of Gary Haines, some decisions need to be made regarding the work and the potential storage of materials for the Cemetery Committee. Haines did most, if not all, of the maintenance work at our cemeteries himself and there is not currently anyone on the committee that can fill that role. Dave Bindelglass will discuss options with the committee.

9. Robert Lessler moved to rescind the general wage increase, but retain step increases, for non-union employees for FY 2020-2021. Kristi Sogofsky seconded. Motion passed unanimously.
10. The EMS and Fire Honorarium changes to the ordinance were approved at a previous BOS meeting. After a discussion with an attorney, it was felt that this could not circumvent the approval process at a Town Meeting so final approval will be delayed however the changes will be retroactive to when the town is able to vote.
11. After a discussion and disapproval of the proposed budgets by some of the selectmen, Dave Bindelglass moved to authorize the Board of Finance to adopt the budget for July 1, 2020 – June 30, 2021 fiscal year and to set a mill rate via the **RESOLUTION MODIFYING THE TOWN OF EASTON CALENDAR AND APPROVAL PROCESS FOR THE FISCAL YEAR 2020-2021 GENERAL AND CAPITAL FUNDS BUDGETS.** (SEE ATTACHED), (Ref. CT Gov. Executive Order 7 I 13, 7 S and 7 HH.) Kristi Sogofsky seconded. Robert Lessler abstained. Motion passed.
12. As our two professional staff in the Health Department are both planning on retiring, Easton will need a plan for these services. Joining the Westport Weston Health District has been discussed for months, having had three presentations on the proposal and feedback. Without the ability to vote, an alternative one year contract is under development which would allow for Easton to be provided health services by the WWHD and the WWHD to collect the benefits of extra state funding for larger districts. Kristi Sogofsky moved to authorize the First Selectman to enter into negotiations with the WWHD to provide health services to Easton for a one year period beginning July 2, 2020. Robert Lessler seconded. Motion passed unanimously.
13. Dave Bindelglass presented as a first reading the draft land use ordinance developed by Citizens for Easton (CFE). In 2018, a similar ordinance was defeated at a Town Meeting. The proposed ordinance raises the dollar threshold and excludes certain transactions. (SEE ATTACHED).
14. Dave Bindelglass updated the board on re-opening plans for Easton; tennis courts are open for singles play only and following court posted rules, Lower Veteran's Park is open for family groups only with conditions, the Dog Park, open space and land trust open spaces are open with socially distancing rules in effect. The Library will begin curbside pickup and drop off. In Town Hall, there will be at least one staff in every department for their normally posted hours. The Senior Center will continue reassessing on a week to week basis.
15. A resident asked about the First Selectman referring to "town attorney" and the firm typically used for handling legal inquiries and representation considering this firm had some issues when dealing with the Saddle Ridge development project. A resident involved in the CFE asked to be included somehow in the 175th Anniversary Celebration and that the CFE has never wavered from the opinion that South Park remains open space. Another resident asked if the WWHD would be dictating our opening schedule, if the town has an opportunity to save funding with the Superintendents position and supports the modified Land Use Ordinance. Another resident asked that the South Park Advisory Committee (SPAC) publish its calendar of meetings during this extension time. And the final resident asked that when ordinances are discussed, a non-legalese version of the ordinance be provided.
16. No board member comment.
17. Robert Lessler moved to adjourn at 9:06 p.m. Kristi Sogofsky seconded. Motion passed unanimously.

3A-05.21.20

Chapter 136. Park and Recreation Commission

[HISTORY: Adopted by the Town Meeting of the Town of Easton 3-25-1980 as Title IX of the 1980 Code of Ordinances. Amendments noted where applicable.]

§ 136-1. Membership; term of office.

There shall continue to be a Park and Recreation Commission, consisting of seven members, not more than five of whom shall be from the same political party. Each such member shall be appointed to a term of three years.

§ 136-2. Powers and duties.

- A. The Commission shall have full and exclusive power to make rules and bylaws for the transaction of its business and to appoint or employ such supervisors or employees as it may deem necessary and shall prescribe and define their respective duties and shall fix and regulate compensation to be paid to the persons to be employed by the Commission, subject to the approval of the Board of Finance as to the amount of any such compensation.
- B. Said Commission shall have the care, management and control of:
 - (1) All public parks and grounds used for park purposes and all structures therein and all recreational facilities therein, whether now owned or hereafter acquired by said Town of Easton, and all Town-owned greens, monuments and abandoned cemeteries.
 - (2) Such other public grounds and public recreational facilities as may from time to time be delegated to said Commission by the Town of Easton.
- C. Said Commission shall encourage and promote coordinated action among volunteer groups and agencies in the Town interested in recreational activities.
- D. Said Commission shall have the power to make and alter from time to time all needful rules and regulations for the maintenance and order, safety and decency within the parks and other areas and facilities under its care, management and control and to prescribe penalties for disobedience thereof.
- E. Said Commission shall consider the acceptance of gifts, donations, legacies or devises of property, both real and personal, for park and recreation purposes and recommend the acceptance or rejection thereof to the Town.
- F. Said Park and Recreation Commission shall make an annual report to the Town of its activities.

§ 136-3. Expenditures.

All expenditures of said Commission shall be approved by a majority of the members present at a duly held meeting, and all checks or orders for the payment thereof shall be signed by either the Chair, the

Vice Chair or Secretary of the Commission and by the First Selectman.



**RESOLUTION MODIFYING THE TOWN OF EASTON CALENDAR AND APPROVAL
PROCESS FOR THE FY 2020-2021
GENERAL AND CAPITAL FUND BUDGETS**

WHEREAS, on March 10, 2020, the Governor of the State of Connecticut ("Governor") declared a public health emergency and civil preparedness emergency for the State of Connecticut, pursuant to Connecticut General Statutes Sections 19a-131 and 28-9, in response to the global pandemic of COVID-19 disease associated with a novel coronavirus that is currently affecting multiple countries and states;

WHEREAS, on March 13, 2020, the President of the United States ("President") declared a national emergency to combat the coronavirus that is currently infecting the population of the United States;

WHEREAS, the effects the transmission of COVID-19 has resulted in the spread of infections in Connecticut and throughout the country, as well as resulting in shortages of personal protective equipment and other supplies that could jeopardize public safety and civil preparedness;

WHEREAS, in furtherance of the declarations of statewide public health and civil preparedness emergencies, the Governor has issued a series of Executive Orders setting forth the law governing the conduct of state and municipal government during the period of the emergency;

WHEREAS, on March 14, 2020, the Governor issued Executive Order No. 7B ("EO 7B"), paragraph 1 of which suspends all statutes, charter provisions, ordinances and regulations mandating open meetings in order "...to permit any public agency to meet and take such actions authorized by the law without permitting or requiring in-person, public access to such meetings, and to hold such meetings or proceedings remotely by conference call, videoconference or other technology" ("Electronic Meetings");

WHEREAS, EO 7B sets forth the following requirements for Electronic Meetings:

- the public has the ability to view or listen to each meeting or proceeding in real time, by telephone, video, or other technology;
- any such meeting or proceeding is recorded or transcribed, and such recording or transcript shall be posted on the agency's website within seven (7) days of the meeting or proceeding, and made available within a reasonable time in the agency's office;
- the required notice and agenda for each meeting or proceeding is posted on the agency's website and shall include information about how the meeting will be conducted and how the public can access it;

- any materials relevant to matters on the agenda, including but not limited to materials related to specific applications, if applicable, shall be submitted to the agency a minimum of twenty four (24) hours prior and posted to the agency's website for public inspection prior to, during, and after the meeting, and any exhibits to be submitted by members of the public shall, to the extent feasible, also be submitted to the agency a minimum of twenty-four (24) hours prior to the meeting and posted to the agency's website for public inspection prior to, during, and after the meeting;
- all speakers taking part in any such meeting or proceeding shall clearly state their name and title, if applicable, before speaking on each occasion that they speak;

WHEREAS, on March 15, 2020 the Governor issued Executive Order No. 7C, paragraph 5 ("EO 7C") of which extended "all budget deadlines for the preparation of the municipal budget" for the 2020-2021 fiscal year that fall on any date prior to and including May 15, 2020 by thirty (30) days;

WHEREAS, EO 7C permits the Board of Selectmen to "alter or modify the schedules and deadlines pertaining to the preparation and submission of a proposed budget and the deliberation or actions on said budget" by the legislative body including any required public hearing(s), publication, referendum or final budget adoption;

WHEREAS, EO 7C postpones all submission dates as set forth in Chapter 60 of the Town of Easton Code of Ordinances until such time as the Board of Selectmen approves said modified scheduled and deadline consistent with the thirty (30) day extension;

WHEREAS, on March 21, 2020, the Governor issued Executive Order No. 7I, paragraph 13 ("EO 7I") of which dispenses with any in-person voting requirements (including referenda and town meetings requiring in-person votes) for purposes of adopting the 2020-2021 fiscal year municipal budget and setting the mill rate, and authorizes the Board of Selectmen to confer final responsibility on the "budget-making authority" of the Town to adopt a budget and set a mill rate, which roles are typically allocated by the Chapter 110 of the General Statutes to the Annual Budget Meeting and Board of Finance;

WHEREAS, pursuant to Connecticut General Statutes Section 7-381, the "budget-making authority" of the Town is the Board of Finance; and,

WHEREAS, EOs 7C and 7I do not alter or modify the control of line-items that fall squarely within the authority of the Board of Education budget and, thus, the Board of Education should comply with all submission requirements pertaining to budget deadlines adopted by the Town.

NOW, THEREFORE, BE IT HEREBY RESOLVED pursuant to paragraph 13 of Executive Order 7I, the Board of Selectmen of the Town of Easton hereby authorize the Board of Finance to adopt a budget for the 2020-2021 fiscal year and to set a mill rate sufficient, in addition to the other estimated yearly income of the Town and in addition to such revenue surplus, if any, as may be appropriated, not only to pay the expenses of the Town for said fiscal year, but also to absorb the revenue deficit of the Town, if any, at the beginning of said fiscal year.

NOW, THEREFORE, BE IT FURTHER RESOLVED pursuant to paragraph 5 of Executive Order 7C, the Board of Selectmen of the Town of Easton hereby establishes the following modified schedule and deadlines for the submission, deliberation and final action on the Town Budget and mill rate for the 2020-2021 fiscal year, which meetings shall be conducted in accordance with the requirements noticed in accordance with EO 7B ¶1:

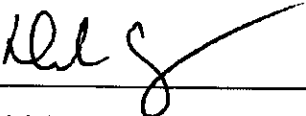
1.	March 31, 2020	<p>Electronic Public Comments to the Board of Finance.</p> <p>Under C.G.S. § 7-344, "itemized estimates of the expenditures of the town for the ensuing fiscal year shall be presented and ... all persons shall be heard in regard to any appropriation which they are desirous that the board should recommend or reject."</p> <p>Such public commentary may be made by email to the Town or as otherwise authorized under EO 7B ¶1 (remotely by conference call, videoconference or other technology).</p>
2.	June 2, 2020	<p>Approval of Town Budget by Board of Finance.</p> <p>Following the public commentary (Step 1 above), and without further public comment:</p> <p>Under EO 7I ¶13 and the authority provided by this Resolution, the Board of Finance must adopt a Town Budget for the 2020-2021 fiscal year.</p>
3.	Within 7 days of Approval of Town Budget	<p>Filing of the Approved Town Budget.</p> <p>Under EO 7C ¶5, an official copy of the Town Budget as approved must be posted on the Town's website within 7 days.</p>

4.	Contemporaneous with or within 10 days of Approval of Town Budget	<p>Establishment of Mill Rate by the Board of Finance.</p> <p>At an Electronic Meeting of the Board of Finance held within 10 days of Town Budget approval subject to EO 7B ¶1 and without further public comment:</p> <p>Under C.G.S. § 7-344, EO 7I ¶13 and the authority provided by this Resolution, the Board of Finance must establish a mill rate to be levied on property for the 2020-2021 fiscal year.</p>
----	---	---

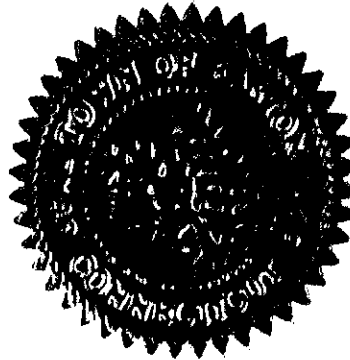
NOW, THEREFORE, BE IT FURTHER RESOLVED pursuant to paragraph 13 of Executive Order 7I, the provisions of Chapter 106 of the General Statutes and Chapter 60 of the Town of Easton Code of Ordinances are hereby suspended for the deliberations pertaining to the adoption of the Town Budget for the 2020-2021 fiscal year.

NOW, THEREFORE, BE IT FURTHER RESOLVED pursuant to paragraph 1 of Executive Order 7B, the Town shall comply with all requirements pertaining to notice including, but not limited to notice and posting on the website of the Town all submission items at least twenty-four hours prior to the public meeting for which the item has been submitted or shall be considered.

Approved by Board of Selectmen May 21, 2020



 David Bindelglass
 Frist Selectman



Easton Modified Proposed Land Ordinance (5/7/20)

The Town shall not acquire any real property by purchase, lease or otherwise, nor shall the Town dispose of any real property by sale, lease or otherwise without the approval of the Board of Selectmen by majority vote at a regular or special meeting of the Board of Selectmen called for such purpose.

If the acquisition or disposition approved by the Board of Selectmen is of a property having a value of \$100,000 or more or a lease with a term of one (1) year or more, including renewal options, the sale, lease or other acquisition or disposition shall not be made without the prior approval of a Town Meeting by majority vote at such meeting or by majority vote by machine vote after such a Town Meeting properly adjourned for such machine vote.

If the acquisition or disposition approved by the Board of Selectmen is not of a property having a value of \$100,000 or more or a lease with a term of one (1) year or more, including renewal options, but fifty (50) or more persons entitled to vote at a Town Meeting file, within twenty (20) days of the decision by the Board of Selectman, a petition for a Town Meeting for the purpose of considering the acquisition or disposition, then the acquisition or disposition shall not be made without the approval of the Town Meeting by majority vote at such meeting or by majority vote by machine vote after such a Town Meeting properly adjourned for such machine vote.

This ordinance shall not apply to any acquisition or disposition by the Town to any existing lease executed prior to the effective date of this ordinance, nor to any real property acquired by tax foreclosure. Any acquisition or disposition of any real property by the Town to which this ordinance does not apply shall be approved by the Board of Selectmen at a regular or special meeting called for such purpose.