Board of Selectmen
Municipal Office Complex
Meeting Rooms 1 & 2
January 28, 2025
Special Meeting Minutes

Selectmen Present: I. Haines; T. Bourgoin; E. Dill
Also Present: M. Velez; L. Zemienieski and other members of the public

1. Call to Order and Pledge of Allegiance: First Selectman Haines called the Board of Selectmen's meeting to order at 5:02 p.m. and the attendees said the Pledge of Allegiance.

2. Discussion of Private Roads Maintenance

   First Selectman Haines advised that the only public records she could locate concerning the Town's maintenance of private roads was that an ad hoc committee was established in 1994. She noted the committee issued a report with a "conclusion" of what the committee felt should be done at that point in time.

   Ms. Haines stated that she and Public Works Director Velez created a draft policy, which includes many of the recommendations of the 1994 ad hoc committee, that she would like to review with the participants in tonight's meeting.

   Public Works Director Velez provided information regarding the difficulty in getting subcontractors to bid on the Town's snow plowing. There was a general discussion regarding the cost of insurance for snow plowers and the cost of using subcontractors.

   There was a general discussion on how to resolve the challenges related to hiring subcontractors that were raised by Director Velez and it was suggested Public Works invest in several smaller plow trucks that can maneuver in the narrow private roads as well as hire several employees to operate them.

   Ms. Haines read the bullet points in the 1/28/25 draft policy regarding snow plowing and sanding of private roads in Moodus Estate, Sipple Hills and Lake Shores.

   Mr. Dill commented on the high cost of purchasing additional small plow trucks and noted that it is the fiduciary responsibility of the Boards of Selectmen and Finance to make sure the Town's budget is managed fairly for all taxpayers.

   Ms. Haines opened the meeting for public comments:

   - Paul Dapkus – stated that he did not believe the private community members would agree to the penultimate bullet point in the Town's draft policy putting responsibility on the private community if the Town fails to provide snow plowing services. He also suggested changes to the schedule of inspections required to identify any improvements

that needed to be made to the private road prior to the winter season. Ms. Velez agreed with his concerns about the inspection schedule and stated that she would revise the language in the draft.

- Martha Cohen – asked that the Town include a maximum for the cost of any road repairs that they will require to plow the private roads.

- Carol McCollum – asked about assessments to each property owner on the road and the work to be done by public works and what happens if one property owner says no. Does the work not get completed.

There was a general discussion regarding whether any road repair assessment would be applied to the homeowners or the associations and how to do it equitably. The group also discussed how the public would be notified of such assessments.

- Paul Riggio - recommended that the Town provide an objective set of specifications that they would require to be met in order for Public Works to plow the private roads. Ms. Velez agreed to draft such specifications for inclusion in the draft policy.

- Bonnie DeCarli – expressed concern about language in the draft policy that stated the private roads would be plowed and sanded after all the other Town roads and the schools are plowed. Ms. Velez advised that the intent of that statement is to try to avoid using a subcontractor because of the high cost involved in doing so. She stated that Public Works will make every effort to include the private roads in their regular circuit of snow plowing.

- Erik Dill, Selectman – requested the Town ensure that the list of roads in the draft policy is comprehensive and that the road lengths listed are accurate. Ms. Haines asked for the attendees' assistance is reviewing the list of roads and advising the Town if there are any roads that should be on the list but are missing.

  Mr. Dill commented on the high cost of purchasing additional small plow trucks and noted that it is the fiduciary responsibility of the Boards of Selectmen and Finance to make sure the Town's budget is managed fairly for all taxpayers.

- Patrick Lacy – objected to having the Public Works Director and/or the road foreman have the authority to pass judgement on the condition of the private roads. Ms. Velez assured him that objective specifications for road conditions prior to the winter plowing season would be drafted and included in the draft policy. It was noted that the public would have the opportunity to review, comment on, and agree to the specifications prior to the Town adopting the policy.

- Xenia Coulter – suggested that all of the private communities could share the cost of a new small plow truck.

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- Steve Martin – questioned that since this problem was just sprung on them this year, was the town going to continue to plow the road for this year. Ms. Haines and some members of the audience noted that it was already stated that the town would continue to take care of the roads this winter.

- Ward Hunt – in response to a request from Mr. Hunt, Public Works Director Velez confirmed that calls concerning snow plowing, or lack thereof, from residents living on private roads would be "heard" by Public Works employees.

- Dale Duby – requested that language be added to the policy stating that any damage caused to utility poles on the private roads by the snow plows would be the responsibility of the Town.

- Ward Hunt – requested that language be added to the policy stating that any damage caused through negligence of the Town's employees is the Town's responsibility. He also requested eliminating the use of "etc." in the draft policy.

- Paul Riggio – recommended the final agreed upon draft be adopted as a Town ordinance. Ms. Haines stated she will ask for the Town attorney's opinion on the use of a policy vs. an ordinance for this situation.

- Stanley Shumbo – from Shore Road - in response to an inquiry from Mr. Shumbo, Ms. Velez advised that the Town maintains the roads for Lake Hayward. Mr. Shumbo also asked about Laurel Cove.

- Dale Duby - A resident expressed concern about the statement in the draft policy that the Town has no legal obligation to plow the private roads. There was a brief discussion about making sure all affected residents would be made aware of and have an opportunity to review the final draft policy and Ms. Haines explained the procedure that would be followed to make sure that happens.

- Ira McCollum – asked that the town make sure the notifications go out properly to all property owners.

- Xenia Coulter – suggested that all of the private community residents should have to sign-off on the final policy and, because of the potential for special assessments, it should be made a part of their deeds. Ms. Haines explained that it was not possible to make changes to deeds; however, she will discuss the desire to make new buyers in private communities aware of the potential for assessments, with the Town Clerk, the Assessor, and the Tax Collector.

- Alexis Devlin – noted she is a realtor and sellers should put this on their disclosures when selling there houses.

- Dennis Jolly – suggested the measure of snowfall needed to start plowing should be lower than 4" and expressed concern that there is no mention of treating ice in the draft policy. Ms. Velez stated she would add the treatment for ice to the draft and, instead of listing specific criteria for initiating snow removal, she would revise the draft to refer to the "Town's current policy" for same.

- Maryanne Wescott – not in a one of the associations but is on a private road. How will she be taken care of.

- Debbie Shumbo – noted that there is a mixture of roads on this list and some are in an association and some are not. Mr. Haines noted that people who are not on the list should add their road.

- Alicia Dargenio – in response to a question from Ms. Dargenio, Ms. Velez advised that it is the utility company's responsibility to maintain the electrical access roads.

There was a brief discussion about maintaining the fire access roads and Public Works Director Velez stated she will look into this issue.

Ms. Haines stated that Ms. Velez will update the current draft policy based on the comments discussed at the meeting. She stated that if residents provide Ms. Zemienieski with their email addresses, she will distribute the updated version to them for their review. Ms. Haines requested all comments, suggestions, and questions about the draft be sent to Ms. Zemienieski no later than February 28th after which the Town will schedule a final meeting with the residents of the private communities with a goal of finalizing the draft.

In response to a question from Ms. Bourgoin about including language about "sanding the roads" in the policy, Ms. Velez stated, given the potential for changing the product used on the Town's roads, she would change the terminology in the draft policy to "*snow plow and treat*" the roads.

3. Board of Selectmen Recommendation: The final recommendation has been postponed until the draft policy is finalized.

4. Adjournment: There being no additional business to discuss, a motion was made by Ms. Bourgoin, seconded by Mr. Dill, to adjourn the meeting at 6:27 p.m.

Recorded

Respectfully submitted,
Erik Dill, Secretary