

**TOWN OF POMFRET  
BOARD OF SELECTMEN MINUTES  
MONDAY, AUGUST 1, 2016 AT 7:00 PM  
POMFRET COMMUNITY/SENIOR CENTER**

In Attendance: First Selectman Craig Baldwin, Selectmen Barry Jessurun, Donna Smith.  
Also present – Approximately 50 citizens and interested parties.

**I. Regular Meeting – Open Meeting** – C. Baldwin opened the meeting at 7:00 PM.

He asked that any citizen comments that related directly to Longmeadow Estates be held until the second Citizen Comment section. He also asked that due to the many citizens that were likely here to comment on the same to limit all comments to 2 minutes.

1. **Approve Minutes of July 18, 2016** – D. Smith moved to approve minutes of July 18, 2016. C. Baldwin seconded. All in favor. B. Jessurun abstained as not present.
2. **Items to Add to Agenda** – Craig Baldwin stated that he would like to add to New Business, item 2, a discussion regarding the Committee process and the use of an Engineering Firm to study Longmeadow Estates and address any health concerns. The Board was in agreement.
3. **Citizen Participation and Communications** – Kim Bergendhal asked about B. Jessurun comments at an earlier meeting indicating his favor in giving citizens as long as needed to speak and not restricting to time limits. B. Jessurun commented that due to the number present tonight he felt a 2 minute limit a good idea.

**II. New Business**

1. **Review and Approval: Purchasing Cards Usage Policy** – These cards are replacements for the previously issued cards – which have been canceled. These cards accumulate rewards as recommended by the auditors. This policy is a revision to the earlier draft, primarily just adding language that indicates that the rewards are the property of the Town. B. Jessurun moved to approve as presented. D. Smith seconded. All in favor. Policy approved.
2. **Longmeadow Estates-Committee/Engineering** – C. Baldwin stated that he has been looking into securing services of a professional engineering firm to evaluate the product used in Longmeadow Estates and address any health concerns. Killingly Engineering Associates have indicated they could complete such a report by early September. D. Smith stated that it was important to expedite any such report and a third party firm was a good idea. The Board was in agreement to move ahead with this. Once a report is compiled it will be released publicly and another informational meeting be held with residents to discuss findings.

**III. Other Business**

1. **Road Issues** – B. Jessurun asked if there has been improvement to the traffic obeying the Stop Sign placed on Deerfield Road in light of the detour and about the traffic using Day Road due to the same. The State Police have been doing enforcement work and both areas have shown improvement. Wrights Crossing Road at Mill Road continues to experience some difficulties with added traffic.
2. **General Discussion** – The removal of outdated signs along roadways has been investigated with the DOT. A list of signs needs be sent to them and they will send someone out to remove. C. Baldwin stated that residents should call the Selectmen's office concerning trees or tree limbs hanging over electrical lines. The office will contact Eversource to review for trimming. D. Smith asked about the Sewer Project. Obtaining the necessary easements are still being worked on. C. Baldwin met with DEEP last week concerning the permits for work along the Air Line. DEEP has asked for the design of seven road crossings in exchange for the easements. They are now asking for the Town to accept grant funding to build these crossings. No action has been taken on this to date.
3. **Project Updates: Fire Station Extension, Wappaquoi Brook Bridge Replacement** – The requirements package for the Fire Station extension has been completed and forwarded to the Building Committee. The work on the Wappaquoi Brook Bridge remains on schedule. Property damage was reported on a driveway within the closed road area which was quickly addressed by the DOT.
4. **Tax Refunds/Abatements:** John Casey, COC, \$58.67; Qiushan Sun, COC, \$49.03; Bill Martin, COC \$21.48 – B. Jessurun moved to approve. D. Smith seconded. All in favor.

#### **IV. Current Business - None**

**V. Citizen's Comments** – The following list represents a non-verbatim list of comments and questions posed by residents of Longmeadow Estates or, as noted, other areas of town:

\*John Bergendahl – Felt an engineering firm would have been a good idea before the material was put down provided they had the proper expertise. At this point many documents have been researched and made available to the Selectmen regarding this material. The CT Department of Health recommends it not be used. He also wanted to comment that the use of this material on any other roads in town would make no sense and he would ask it not be used.

\*Edward Staples – He was concerned with the direction in which a remedy seemed to be going. Studies have been done regarding coal tar. The residents are aligned to have the roads paved.

\*Woman – Her concern is with the health effects. Studies have been done and there are specific links to cancer. Waiting until September 1<sup>st</sup> for a study is unacceptable.

\*Man – When the material was first put down it came as a sole source bid to the First Selectman. The Selectmen are now deciding on an engineering firm. We want it removed and done properly. We want it off the streets.

\*Sharon Verrilli – In agreement to move quicker. She has done much research regarding this product and would agree that it may have its place. But, she did not feel that it belonged in a residential neighborhood. She has contacted a company called B & W Paving in Waterford. They are working on a project in Putnam on Wednesday. They stated that they would be happy to stop at Longmeadow, look at the road, and perhaps suggest some options.

\*Joe McCusker – Stated he concurred with John Bergendahl. He did not feel that another study was needed. Perhaps 2 inches of asphalt, seal it, fix curbs, and be done.

\*Tim, Gary School Road – He lives about 600' from Longmeadow. His questions were about the grates. They looked like they were painted over. He has heard the material flakes. Did residents have any legal protection to ensure this would be fixed? The scent of the product was strong even at 600'.

\*Tony Emilio, Babbitt Hill Road – There was a budget meeting in May. This project was discussed. Only about 3 in attendance tonight were at that meeting.

\*Man – He was under the impression at the last meeting that this project was a test. This is a residential area. If they were to be part of this test why weren't they notified? Nobody was notified of a May meeting. The procedure is flawed.

\*Man – The difficulties here remind him of Flint, Michigan and are due to decisions made. The culpability on the part of the town is enormous. He has concerns with the decision process. Potential legal costs could greatly outweigh any savings realized in the project cost.

\*Kim Bergendahl – She appreciated C. Baldwin's time as First Selectman was just about 8 months but their summer has been cut short. The kids can't play outside. She has found nothing in the minutes about this project other than a cost savings. She would be making calls tomorrow and wanted to hear from each of the Selectmen what their involvement was in this project.

\*Woman – She was primarily concerned with correction and what was to be done to fix the problem.

\*Woman – She also was interested in the steps to fix things.

\*Steve Verrilli – He mentioned the local news media that was present and the fact that this strong environmental concern would be brought to the public. There are homes for sale within the Longmeadow subdivision. This can create a devaluation of property. How will this be addressed? The road is 20 years old – he felt the only way to correct things was to remove the material and pave.

\*Man – Stated his concern with a need to correct. After the recent rains he could see an oily sheen on the water running toward the drains. He would like to see a resolution as soon as possible.

\*Tim McNally, Chase Hill Road – Was the contractor bonded specifically for this type of work?

\*Man – Thursday it was said that the terms were 50 up front/50 after the fact and that 50% was paid. Has any other payment been made?

\*Man – If they had claims concerning property damage where should they be sent? C. Baldwin responded that they should go to the First Selectman's office where they will be forwarded appropriately.

\*John Bergendahl – Based on the discussion tonight he wondered if the Selectmen were still going to entertain the thought of an engineering firm or are you going to make a decision and correct it? C. Baldwin responded that the Selectmen did need to have more discussion to determine the best course of action. Another meeting will be held with feedback from citizens. The plan can be adjusted if necessary and a decision revised.

\*Tony Emilio, Babbitt Hill Road – Asked that if the material was initially mis-applied would any claims be made difficult if it were to be paved over?

\*Man – The owner stated on Thursday that it was mis-applied. It was over-applied.

\*Martha Emilio, Babbitt Hill Road – Stated that it was unfortunate that this has happened but claims through the court systems will have to be backed up.

\*Woman – stated that she trusted that the town would do its best to correct. Her concern is the proximity of her well to the storm drains and water basin. A year ago she learned there was arsenic in her water. She asked the town to notify other residents but that was not done. She would trust it will be a better situation here. There are many kids in Longmeadow.

\*Woman – Stated she was a 17 year resident of Longmeadow. They just put a new roof on their house. They received multiple quotes, watched the contractor at other jobs, researched shingles. She would expect town officials to be doing the same. She asked where else in residential neighborhoods this has been used. The contractor stated that he watched the mis-application.

\*Heather, Gary School Road – Stated she picked blackberries last night with friends around the water basin. Her heart was breaking to hear about the studies done on this product.

\*Marlene Heald – Stated she was not a Longmeadow resident but was empathetic to what she was hearing. School would be back in session soon. This will affect everyone in town. Nobody would want to see the costs of lawsuits. This is about 'let's fix this'.

\*Chris Johnson – He would like to see something done before school starts. Mistakes were made but just fix those mistakes.

\*Man – He will now be always wondering for his kids and grandkids, he'll be testing his well forever.

\*Sharon Verrilli – She just wanted to see it fixed. She offered the option of calling B & W Paving. She has heard that repaving with calcium chloride or to shot-blast will keep down the dust.

\*Lisa – She stated that she just wanted to see things fixed. She did not feel the product was looked into enough and that mistakes were made. She asked about how the material would be disposed of safely.

\*Lisa Andrews – She agreed she would just like to see things fixed. She spent her vacation researching this product. She is concerned for children and dogs. They stay on top of things in town but didn't know anything about this project.

\*Man – This was stated to be a sole source bid. This is not available anywhere else in the New England area.

\*Woman – asked about the number of driveways sealed with this product. A man in the group corrected her stating that the driveway that was done was a different company and the product was asphalt based.

\*Kim Bergendahl – Stated that the company that distributed the product was not on the State contractor list.

There were no further comments.

**VI. Adjournment** – D. Smith moved to adjourn. B. Jessurun seconded. All in favor and meeting adjourned at 8:05 PM.

Respectfully submitted,

Bonnie Ryan, clerk

Date approved\_\_\_\_\_