

TOWN OF EAST WINDSOR BOARD OF SELECTMEN

REGULAR MEETING

Thursday, April 1, 2021

7:00 p.m.

East Windsor, Connecticut

Meeting held via ZOOM Teleconference

Meeting ID: 332 683 3563

Town Hall closed to the Public by

Executive Order of First Selectman Jason E. Bowsza

Due to Coronavirus pandemic

Meeting Minutes

**** These Minutes are not official until approved at a subsequent meeting****

Board of Selectmen:

Jason E. Bowsza, First Selectman

Marie DeSousa, Deputy First Selectman

Alan Baker, Selectman

Sarah Muska, Selectman

Charlie Nordell, Selectman

ATTENDANCE: Board of Selectmen: Jason E. Bowsza, First Selectman; Marie DeSousa, Deputy First Selectman; Alan Baker, Selectman; Sarah Muska, Selectman; Charlie Nordell, Selectman

ABSENT: All Selectmen were present this evening.

GUESTS/SPEAKERS: Planning Department: Ruth Calabrese, Wetlands Agent; Inland Wetlands and Watercourse Agency: Rebecca Talamini, Chairman.

GUESTS signing in to teleconference: James Barton, Chief, Warehouse Point Fire District.

1. TIME AND PLACE OF MEETING:

First Selectman Bowsza called the April 1, 2021 Regular Meeting to order at 7:00 p.m. The Meeting is being held via teleconference due to closure of the Town Hall to the Public as the result of the coronavirus pandemic.

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2. PLEDGE OF ALLEGIANCE:

First Selectman Bowsza requested Selectman Baker lead everyone in reciting the Pledge of Allegiance.

3. ATTENDANCE:

First Selectman Bowsza noted the Board has established a quorum with five members present via video conference.

4. APPROVAL OF MEETING MINUTES:

A. February 18, 2021 Board of Selectmen Regular Meeting Minutes:

MOTION: To ACCEPT the Board of Selectmen Regular Meeting Minutes dated February 18, 2021 as presented.

DeSousa moved/Nordell seconded/**DISCUSSION:** None

VOTE by rollcall: In Favor: Baker/Nordell/Muska/DeSousa
(No one opposed/No Abstentions)

B. February 18, 2021 Board of Selectmen Budget Workshop Minutes:

MOTION: To APPROVE the Board of Selectmen Minutes of Budget Workshop dated February 18, 2021 as presented.

Muska moved/DeSousa seconded/**DISCUSSION:** None

VOTE by rollcall: In Favor: Baker/Nordell/Muska/DeSousa
(No one opposed/No Abstentions)

C. February 24, 2021 Board of Selectmen Budget Workshop Minutes:

MOTION: To APPROVE the Meeting Minutes of the Board of Selectmen Budget Workshop dated February 24, 2021 as presented.

Nordell moved/DeSousa seconded/**DISCUSSION:** None.

VOTE by rollcall: In Favor: Baker/Nordell/Muska/DeSousa
(No one opposed/No abstentions)

D. March 18, 2021 Board of Selectmen Regular Meeting Minutes:

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MOTION: To APPROVE the Regular Meeting Minutes of the Board of Selectmen Meeting dated March 18, 2021 as presented.

Nordell moved/Muska seconded/**DISCUSSION:** None.

VOTE by rollcall: In Favor: Baker/Nordell/Muska/DeSousa
(No one opposed/No abstentions)

5. PUBLIC PARTICIPATION:

First Selectman Bowsza announced the first opportunity for the public to offer comments or questions; no one requested to speak.

6. COMMUNICATIONS:

A. Board of Selectmen's FY 2021/2022 Budget Message:

First Selectman Bowsza noted the subject document is missing from the Board's packet this evening. The document will be included in the April 15, 2021 Board of Selectmen Meeting.

First Selectman Bowsza reported he sent a letter today, co-signed by four other municipal leaders, to the Governor concerning the gaming deal that was negotiated; that letter will be included in the April 15th Agenda as well.

B. Letter from Congressman Larson Regarding American Rescue Plan Funding:

First Selectman Bowsza referenced letter from Congressman John Larson (See Attachment A) indicating Federal financial aid under the American Rescue Plan which will be allocated to East Windsor. The Town will receive \$1.15 million, while the Board of Education will receive \$2.27 Million, before county per capita allocations. Because Connecticut doesn't have county government there will be additional allocations, still to be determined; he anticipates those numbers to go up.

7. BOARDS AND COMMISSIONS RESIGNATIONS AND APPOINTMENTS:

A. Resignations: None.

B. Reappointments:

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1. Daniel Morgan (U), Veterans Commission, regular member for a term expiring May 1, 2025.

**MOTION: MOVE to REAPPOINT Daniel Morgan (U), as s
regular member of the Veterans Commission for a term
expiring May 1, 2025.**

Muska moved/DeSousa seconded/DISCUSSION: None.

**VOTE by rollcall: In Favor: Baker/Nordell/Muska/DeSousa
(No one opposed/No abstentions)**

C. New Appointments: None.

8. UNFINISHED BUSINESS/

***A South Road Ownership Update:**

Any starred (*) items will not be discussed but will remain on the agenda pending receipt of additional information.

***B. Polling Location Change:**

Any starred (*) items will not be discussed but will remain on the agenda pending receipt of additional information.

***C. Broad Brook Fire Memorandum of Understanding:**

Any starred (*) items will not be discussed but will remain on the agenda pending receipt of additional information.

9. NEW BUSINESS:

**A. Inland Wetlands Watercourse Agency Ordinance and Fee Schedule
Presentation:**

First Selectman Bowsza invited Rebecca Talamini, Chairman of the Inland Wetlands and Watercourse Agency (IWWA), and Wetlands Agent (WA) Ruth Calabrese to give their presentation to the Board.

Wetlands Chairman Talamini reported this issue was brought up to the Board of Selectmen many years ago, prior to her appointment to the Commission. The

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Commission has reinvigorated the Fee Ordinance and Fee Schedule for consideration again.

IWWA Chairman Talamini and WA Calabrese presented the following: (See Attachment B). IWWA Chairman Talamini noted the goal is compliance, not fines.

First Selectman Bowsza questioned what would constitute an emergency situation? IWWA Chairman Talamini indicated there's no actual definition, but if it's a violation in the floodplain that would be urgent to the Commission. If it's a smaller violation, such as installing a deck within 150 feet of the upland area it wouldn't have the urgency as the floodplain issue.

IWWA Chairman Talamini then reviewed the Wetlands Fee Schedule, noting the inclusion of the language "up to" which gives the Commission the discretion to weigh the level of fines on the size of the violation. WA Calabrese noted the Wetlands Commissioners have talked about the level of cooperation they've experienced, and whether they were dealing with commercial vs. residential violations. Selectman Baker cited that historically there has been a faction in town that have been nervous that because there are a number of areas that are within the upland review area that they could do a simple little thing and end up with a huge fine. This fee/violation schedule tells those people that the Commission is trying to size the fines based on the severity of the action, and the level of cooperation.

IWWA Chairman Talamini concluded the presentation, and would take questions from the Board. IWWA Chairman Talamini suggested the Commission would like the approval of the Board of Selectmen to get the fines schedule in place.

First Selectman Bowsza opened the discussion to the Board.

Deputy First Selectman DeSousa referenced the draft copy of the violation schedule, noting that the fines continue on a daily basis if the violation continues, and additional fines could be issued; she didn't notice that mentioned in the presentation. Deputy First Selectman DeSousa questioned if there would be additional fines as well?

Chairman Talamini briefly reviewed the violation process, noting a letter would be sent asking the person to work with the Commission to resolve the issue. The fines would be imposed for every day the person delays working with the Commission on that same violation. If the violator began working with the Commission the fine could be stopped. Selectman Baker noted the Wetlands

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Fines/Violation Schedule mirrors the enforcement actions of the Planning and Zoning Commission.

First Selectman Bowsza questioned if there is a level where the accrued fines are capped, and action transitions over to legal action. In the case that the fines have been accrued would the Commission consider attaching a lien on the property to collect those fines. Selectman Baker noted that in the past the only choice was “zero to 60”. He recalled an incident on Margaret Drive a few years ago; ultimately the Board of Selectmen requested a lien so the Commission could do that. Selectman Baker reiterated this proposal is a tool to stay out of court. Currently the Commission only has the ability to go to court. He cited a current situation where the violation is fairly significant, and the property owner has basically scoffed at the Commission; the only option the Commission has is to go to court. The issue with that is if the violator is willing to work with the Commission the fees can be sized according to the level of cooperation, and may be reduced; if the judgement comes from the court then the Commission is out of it and the violator is going to pay whatever the court decides. This proposal gives everyone that stopgap in the middle. WA Calabrese suggested if you follow the ordinance as it’s written, and you get to the end of that flowchart if the fines are not paid we would submit that to Superior Court, and it becomes subject to full judgement in the court system.

First Selectman Bowsza gave an example of a situation which would result in accrued fines; he questioned that the ordinance allows the Commission to waive the accrued fines if the violator decides to work with the Commission? Selectman Baker replied affirmatively, noting the goal is compliance, not fines. First Selectman Bowsza suggested there’s a lot of opportunities (he noted seven opportunities) for the property owner to have the matter stopped. Selectman Baker reiterated his comment that the ordinance mirrors the actions of our Planning and Zoning Commission; he felt that would be the situation for Planning and Zoning Commissions throughout the State. IWWA Chairman Talamini reiterated the Commission’s goal is to work with the individuals to seek compliance rather than to seek fines. First Selectman Bowsza reviewed the C.G.S., noting Section 22a-44a specifically allows for the fine order to remain in place until lifted by the agency.

First Selectman Bowsza thanked the Wetlands Commission for bringing this request to the Board. He noted this proposal is a good piece of work; he congratulated them on their perseverance. Selectman Baker suggested a lot of credit goes to the Commission as well as WA Calabrese and Chairman Talamini who put the presentation together.

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Deputy First Selectman DeSousa questioned who is the current Hearing Officer? Selectman Baker felt that person is appointed by the Board of Selectmen; First Selectman Bowsza and Selectman Muska felt Bob Slate had been appointed previously by the Board. First Selectman Bowsza indicated he would confirm that appointment with the Town Clerk.

First Selectman Bowsza requested a Word copy of the ordinance and fee schedule to refer to the Town Attorney for review prior to returning it to the Board's agenda for action and referral to Town Meeting.

Deputy First Selectman DeSousa suggested the ordinance number should be updated.

9. B. CIRMA Rate Lock to include Amy O'Toole:

First Selectman Bowsza indicated he had hoped Treasurer O'Toole would be present for this presentation, but she has apparently been delayed at the Board of Finance Budget Workshop. First Selectman Bowsza noted the Town purchases its insurance coverage through CIRMA (Connecticut Interlocal Risk Management Agency). In the past the Town has entered into a multi-year "locked" rate.

First Selectman Bowsza noted we're going into the final year of a three-year contract with a rate lock not to exceed 3%; in at least two of those years we have not had rate increases at that maximum. CIRMA is giving the Town the option to lock in a rate of 5% for an additional 3-year period.

First Selectman Bowsza noted that the Board of Education and Treasurer O'Toole had pushed back on the offered rate because the Town's experience rate has been good. He also noted the rates on the open market are double digits. First Selectman Bowsza suggested the Board needs to consider if we want to go with CIRMA's offer, or investigate the open market.

Deputy First Selectman DeSousa felt CIRMA has been the cheapest provider for municipalities in the past. First Selectman Bowsza reported he's been happy with them; they also offer the Town other associated services.

Hearing no additional comments, First Selectman Bowsza requested a motion authorizing him to sign the agreement with CIRMA.

MOTION: To AUTHORIZE First Selectman Bowsza to enter into the 3-year contract with CIRMA, otherwise known as Connecticut Interlocal Risk Management Agency, effective July 1, 2021-2022 through July 1, 2023 – 2024.

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DeSousa moved/Muska seconded/DISCUSSION: None.

**VOTE by rollcall: In Favor: Baker/Nordell/Muska/DeSousa
(No one opposed/No abstentions)**

9. C. American Rescue Plan Funding Proposal:

First Selectman Bowsza reported that the American Rescue Plan has been recently passed by Congress. The Plan has a material impact on East Windsor; he offered the following PowerPoint Presentation to explain potential local opportunities (See Attachment C):

Concluding his presentation, First Selectman Bowsza reiterated his earlier comments that the Town will receive \$1.15 million, while the Board of Education will receive \$2.27 Million, before county per capita allocations. First Selectman Bowsza reiterated that Connecticut doesn't have county government; it's anticipated that there will be additional allocations which may increase those number.

Referencing his presentation, First Selectman Bowsza noted some of the options for which this funding is intended would not be available for East Windsor. First Selectman Bowsza indicated the Town did not lose revenue, nor did the employees come to work for a perceived financial reward but rather because that was their job. First Selectman Bowsza suggested the three remaining options are interesting.

Under the funding available through the Plan, First Selectman Bowsza indicated he's proposing to allocate \$300,000 in funding for clean water projects, which would include extending the public water from Rye Street about 1,100 feet down Plantation Road, and to attach the community well in the School Hill neighborhood to the Connecticut Water Company. He noted both of these neighborhoods have concerns that the contaminant levels which are approaching unsafe conditions. First Selectman Bowsza reviewed the process, and the associated costs, of connecting to public water.

First Selectman Bowsza is also proposing to allocate \$900,000 to initiate a small business/non-profit COVID assistance grant program, which would cap grants at \$10,000 for entities who meet specified criteria. To administer the program First Selectman Bowsza would like to do an RFQ to hire a grand administrator.

First Selectman Bowsza asked for questions or comments from the Board.

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Deputy First Selectman DeSousa recalled that at a previous meeting the Connecticut Water Company hadn't gotten back to the Town regarding the proposal for Plantation Road; she questioned the status of those discussions. First Selectman Bowsza noted the Town had submitted an application on their behalf to the State Revolving Fund; he didn't know if the cost implications on the individual homeowners had been identified. Because of the safety concern the focus really has been on the School Hill neighborhood; we have quarterly testing that shows there's an imminent problem in School Hill. First Selectman Bowsza cited the Town has documentation that the School Hill area, which affects 31 homes, has had problems for years as their nitrate levels have been going up significantly.

Deputy First Selectman DeSousa referenced First Selectman Bowsza's criteria for business assistance, noting the business must be current on taxes. While she would normally agree with that requirement, she cited the difficulty if a business owner had to shut down because of the pandemic. Deputy First Selectman DeSousa didn't feel that a business in that situation should be excluded from being lent money.

First Selectman Bowsza indicated the criteria are his first draft at recommendations. His proposal would include putting out an RFQ for a grant administrator, who would define the criteria. First Selectman Bowsza suggested he wants to send a signal to businesses that East Windsor wants them to be here.

Selectman Baker felt the business proposal is a "no brainer". Regarding extending water down Plantation Road, he cited he lives around the corner from Plantation Road and a water main was just recently put in along Rye Street. He felt the property owners on Plantation Road need to make a decision on the financial benefits of installing a filtering system or incurring the cost of hooking up to public water, and the ongoing cost going forward. He noted many of the homes along Plantation Road are new and have their own wells. Selectman Baker questioned if he was on board with incurring the cost of bringing water to Plantation Road if only a handful of property owners would connect. First Selectman Bowsza cited when he had earlier discussions with the residents on Plantation Road he advised them that there is a critical mass point that they need to get to for this to be viable from even Connecticut Water's perspective, and if they can't make that demonstration to PURA they won't get approved for it. School Hill is a different situation; they won't have a choice but to find a different water source if their contaminants levels continue.

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First Selectman Bowsza indicated School Hill is a more urgent issue and would appear to be more viable. First Selectman Bowsza referenced the commentary in his presentation, noting that all of the money doesn't have to be spent in the first year. Selectman Baker indicated he loves the idea of helping the businesses, as many of them have incurred the cost of installing in patios.

Selectman Nordell agreed with helping the businesses, but questioned if that many businesses would apply to reach that number of support. Selectman Nordell was also concerned with local Town departments, such as the Police, Fire, EMS, Social Services, that may have had to incur additional costs associated with dealing with COVID. First Selectman Bowsza suggested none of the Town departments would be eligible. As an example, the Broad Brook Fire Department social club would be eligible, but the Broad Brook Fire Department wouldn't; the same situation would be applicable to the Warehouse Point Fire District. The Police Department is a department of the Town. First Selectman Bowsza suggested what this money can be spent on is limited. First Selectman Bowsza noted the Board of Education has 16+ choices that they can choose from; the Town only has 5 choices. Selectman Nordell felt the letter regarding this Plan was misleading. Selectman Nordell cited the \$10,000 grant level; he theorized if the Town gets 10 applicants, how do we pick another project? First Selectman Bowsza noted the Town has nearly 1,000 entities registered in East Windsor which would be eligible. First Selectman Bowsza felt one of the responsibilities of the grant administrator would be review applicants and monitor issuing the grants. First Selectman Bowsza also noted the funding goes on for another year. Selectman Nordell questioned if the Board of Finance would need to set a placeholder for this money so they know what's being spent? First Selectman Bowsza reported he's discussed this with Treasurer O'Toole; this would be non-General Fund revenue. It's a grant that would be administered as any other grant would be. First Selectman Bowsza reviewed the potential process for administering the grants.

Selectman Muska reported she's in favor of supporting the businesses, but she also shares some of Selectmen Nordell's concerns and Selectman Baker's concerns regarding the water problems. She's ok with considering the process getting started.

Deputy First Selectman DeSousa felt First Selectman Bowsza had covered the options under the proposal well. She agreed with both the water projects and the small business assistance.

First Selectman Bowsza asked for a motion to proceed with the proposal.

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MOTION: To APPROVE allowing the First Selectman to issue an RFQ for the American Rescue Plan proposal presented this evening.

DeSousa moved/Baker seconded/DISCUSSION: Selectman Muska requested a copy of the PowerPoint presentation. First Selectman Bowsza indicated he would post the RFQ following the solicitation process as he would for any other project.

**VOTE by rollcall: In Favor: Baker/Nordell/DeSousa/Muska
(No one opposed/No abstentions)**

9. D. Reschedule the Town Meeting for April 15, 2021 at 7:30 p.m.:

First Selectman Bowsza indicated he would like to move the Town Meeting date to April 15, 2021 to give Staff time to post the notices.

MOTION: To MOVE the date of the Town Meeting to April 15, 2021 at 7:30 p.m.

Muska moved/DeSousa seconded/DISCUSSION: None.

**VOTE by rollcall: In Favor: Baker/Nordell/Muska/DeSousa
(No one opposed/No abstentions)**

9. E. Board of Education Unaffiliated Pension Appendix “H”, Clarification of Appendix “I”; AND, F. Board of Education Unaffiliated Pension Amendment:

First Selectman Bowsza reported he would like to table Agenda items **9E – NEW BUSINESS – Board of Education Unaffiliated Pension Appendix “H”, Clarification of Appendix “I”, and item 9F – also under NEW BUSINESS – Board of Education Unaffiliated Pension Amendment** – until later in the meeting.

MOTION: To TABLE NEW BUSINESS item 9E – Board of Education Unaffiliated Pension Appendix “H”, Clarification of Appendix “I”, and item 9F – Board of Education Unaffiliated Pension Amendment.

DeSousa moved/Baker seconded/DISCUSSION: None.

**VOTE by rollcall: In Favor: Baker/Nordell/DeSousa/Muska
(No one opposed/No abstentions)**

9. G. Tax Refunds:

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MOTION: To APPROVE Tax Refunds in the amount of \$2,652.60 as identified under Tax Refund Report dated March 30, 2021.

**Muska moved/Nordell seconded/DISCUSSION: None
VOTE by rollcall: In Favor: Baker/Nordell/DeSousa/Muska
(No one opposed/No abstentions)**

10. SELECTMEN COMMENTS AND REPORT:

A. Jason Bowsza - (See Attachment D)

B. Marie DeSousa:

Deputy First Selectman DeSousa reported she has no report this evening as none of her Boards or Commissions have met within the last two weeks. She reported that she, as a Member of the Board of Selectmen, attended a Planning and Zoning Meeting on the 23rd via ZOOM; on the 24th she attended the Board of Finance and then jumped over to the Board of Education Meeting. On the 25^t, again, with the Board of Finance regarding the budget material.

As a reminder, Deputy First Selectman DeSousa indicated she's on vacation from April 5th to the 12th; she'll be out of state.

C. Charlie Nordell:

Selectman Nordell indicated he didn't have a report either. The only Board or Commission he had was the Diversity Council, and he was away during that time.

D. Alan Baker:

Selectman Baker wanted to remind everyone the Agricultural Commission is working on the Community Garden, and the advertisement, for the annual plowing, which is done by Jim Stremper with his horses, is coming up soon.

Selectman Baker reported the Conservation Commission is still working on the Open Space Ordinance, which was brought to the Planning and Zoning Commission for their input. There's been some more work on that ordinance since then. They also finalized the farm list; that will appear in the next edition of Five Village Voice. Basically, they'll have a list of all the farms in town, no matter what size they are.

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Selectman Baker noted he's also been going to the Board of Finance Budget meetings as much as he can.

E. Sarah Muska - (See Attachment E)

11. PUBLIC PARTICIPATION:

First Selectman Bowsza announced the second opportunity for the public to speak; no one requested to be acknowledged.

12. EXECUTIVE SESSION/Pursuant to C.G.S. Sec. 1-200 (6)(b), negotiations, (6)(e), discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-210 –
Action is possible:

MOTION: To GO INTO EXECUTIVE SESSION at 8:12 p.m. Attending the Executive Session was First Selectman Bowsza, Deputy First Selectman DeSousa, Selectman Baker, Selectman Muska, and Selectman Nordell.

Nordell moved/Muska seconded/DISCUSSION: None.

**VOTE by rollcall: In Favor: Baker/Nordell/DeSousa/Muska
(No one opposed/No abstentions)**

LET THE RECORD SHOW the Recording Secretary signed out of the meeting at 8:12 p.m.

First Selectman Bowsza reported the Board had come out of Executive Session at 8:29 p.m. He requested a motion to take up NEW BUSINESS items 9E and 9F.

9. NEW BUSINESS:

F. Board of Education Unaffiliated Pension Amendment:

MOTION: To AUTHORIZE the signature of the First Selectman to amend the Town of East Windsor Defined Benefit Plan as presented.

DeSousa moved/Baker seconded/DISCUSSION: None.

**VOTE by rollcall: In Favor: Baker/Nordell/DeSousa/Muska
(No one opposed/No abstentions)**

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E. Board of Education Unaffiliated Pension Appendix “H”, Clarification of **DISPATCHERS** Appendix “I”:

MOTION: To AUTHORIZE the First Selectman to APPROVE and SIGN Appendix H and Appendix I as presented.

Baker moved/DeSousa seconded/DISCUSSION: None.

VOTE by rollcall: In Favor: Baker/Nordell/DeSousa/Muska
(No one opposed/No abstentions)

First Selectman Bowsza called for additional comments. Deputy First Selectman DeSousa suggested the clarification of the Appendixes being approved, as the Agenda identified them both as being for the Board of Education. First Selectman Bowsza suggested Appendix H was for the Board of Education, while Appendix I was for the Dispatchers.

Hearing no other comments, First Selectman Bowsza called for a motion to adjourn.

13. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:32 p.m.

Nordell moved/Muska seconded/DISCUSSION: None

VOTE by rollcall: In Favor: Baker/Nordell/DeSousa/Muska
(No one opposed/No abstentions)

Respectfully submitted


Peg Hoffman, Recording Secretary, East Windsor Board of Selectmen

ATTACHMENTS:

- A – Letter from Congressman Larson Regarding American Rescue Plan Funding:
 - B - Inland Wetlands Watercourse Agency Ordinance and Fee Schedule Presentation:
 - C - American Rescue Plan Presentation
 - D - Selectman’s Report – First Selectman Bowsza
 - E - Selectman’s Report – Selectman Muska
- (Deputy First Selectman DeSousa, Selectman Baker and Selectman Nordell’s Reports are included in the Meeting transcription)

BN 4/1/2021
Attachment A

RECEIVED BY

MAR 29 2021



First Selectmans Office

CONGRESSMAN JOHN B. LARSON
CONNECTICUT'S 1ST

6B

March 10, 2021

First Selectman Jason Bowsza
11 Rye Street
Broad Brook, CT, 06016

Dear First Selectman Bowsza:

We committed to following up with you, and I am writing to inform you of the final passage of the American Rescue Plan Act. The bill will be officially signed into law by President Biden this Friday. The legislation, as you know, provides direct relief to local governments and local educational agencies (LEAs). Local governments are on the frontlines of this pandemic. You provide the firefighters, police, emergency medical services, education, and so much more for your communities. At the same time, local governments have been hit hard due to the economic downturn and this federal assistance is sorely needed.

The American Rescue Plan Act includes the following for the town/city of East Windsor:

Municipal Aid: \$1,152,015

Local Educational Agency (LEA) Aid: \$2,276,000

The American Rescue Plan Act also provides county funding in addition to municipal aid. For states like Connecticut without county-level governance, these funds will be paid to the state to be distributed to municipalities within those counties proportionate to population.

• CT-01 Counties:

- | | |
|---------------------|---------------|
| ○ Hartford County | \$173 million |
| ○ Litchfield County | \$35 million |
| ○ Middlesex County | \$32 million |

**Please note these estimates are approximations, not guarantees. These estimates are subject to change based on agency interpretation and implementation.*

In addition to municipal aid, the American Rescue Plan Act includes direct payments to individuals, expanded unemployment benefits, small business relief, funding for vaccines, testing, and much more. To learn more about the municipal and education funding and other provisions in the American Rescue Plan Act, visit www.larson.house.gov/AmericanRescue.

I look forward to working with you in the coming weeks and months as this relief is delivered to the state and municipalities. We promise that help is on the way, and it is. Should you have any questions, please do not hesitate to contact my office at 860-278-8888.

Sincerely,

John B. Larson

John
4/1/2021
put these services to good use
All the best

DN 4/1/2021
Attachment B

Town of East Windsor Inland Wetlands Watercourse Agency

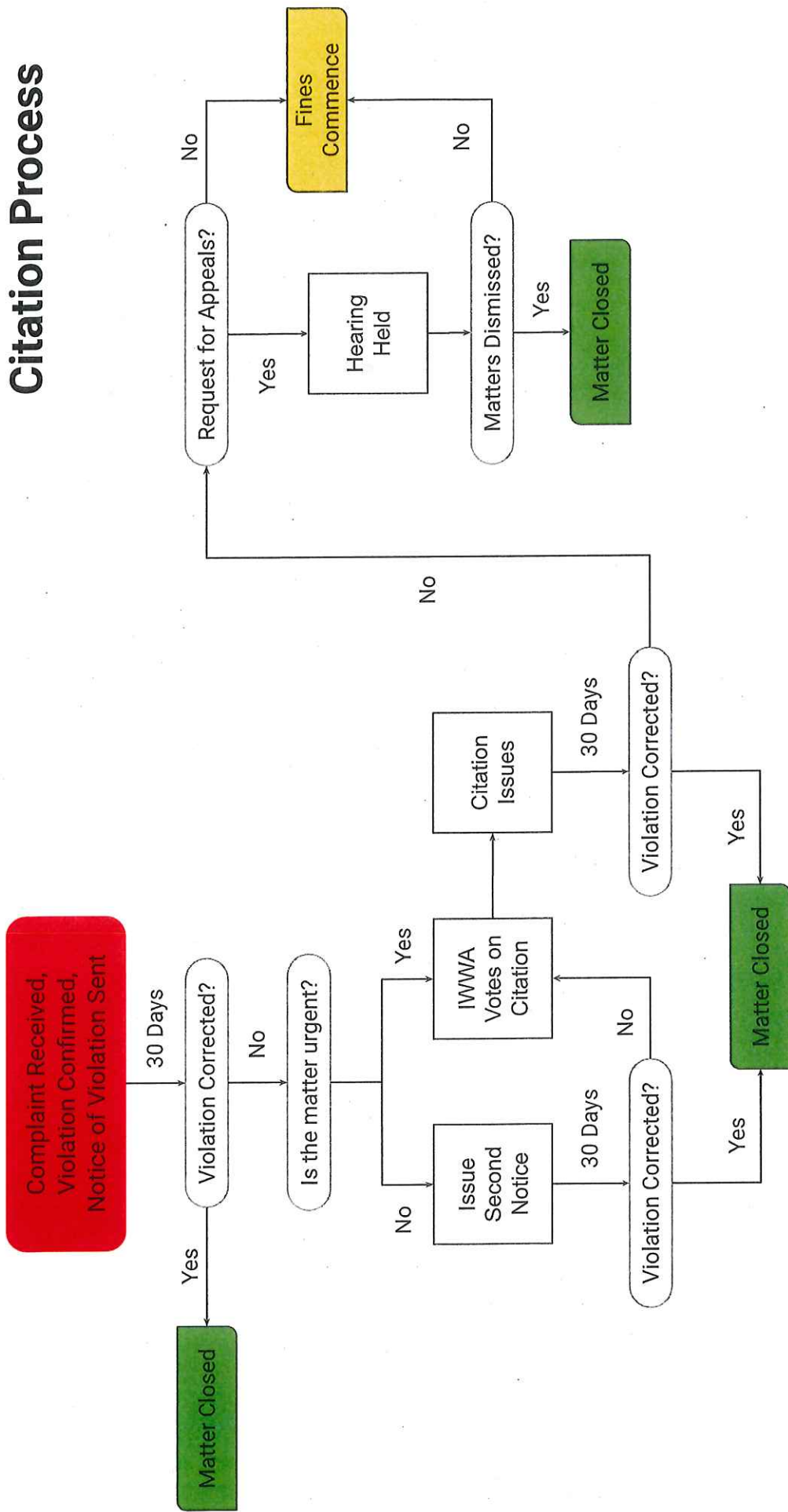
Violations & Fee Ordinance



Why do we need a wetlands fee ordinance?

- For the vast majority of violations the recipient of a notice of violation works with the town in a timely manner and no further action is needed.
- In a very small number of violations compliance can't be reached via any means. The town's only recourse currently is to take the violator to court which costs taxpayers and the violator money. This delay also potentially means more wetlands damage.
- The fine ordinance is meant to get the wetlands damage remediated as quickly as possible and be an incentive to reach compliance so we're not forced to take people to court.
- *Compliance is the goal, not fines.*

Citation Process



Schedule of Fines

Nature of Violation (for activities with no active permit):

1. Conduct, without a permit, activities in the upland review area which *do not pose an immediate danger* to a wetland or watercourse: up to \$150.00
2. Conduct, without a permit, activities in the upland review area which *may pose an immediate danger* to a wetland or watercourse: up to \$300.00
3. Conduct, without a permit, activities in a wetland or watercourse which *cause limited and/or correctable damage* to a wetland or watercourse: up to \$350.00
4. *Excavating, filling and/or draining* of any portion of a wetland or watercourse, without a permit: up to \$500.00
5. *Diverting, damming or otherwise changing* the course of a watercourse, without a permit: up to \$750.00
6. Conduct, without a permit, any activity which *causes sediment to flow into any wetland* or watercourse or otherwise causes the pollution of a wetland or watercourse: up to \$1000.00
7. Conduct, without a permit, in an inland/wetland or watercourse or regulated area, or any other regulated activity in a regulated area *not listed above*: up to \$250.00

Nature of Violation (for activities with an active permit):

1. *Failure to install and maintain silt control measures*, silt fence, hay bales, riprap and other similar sediment controls measures in accordance with an approved plan: up to \$150.00
2. *Non-compliance* with permit conditions: up to \$150.00
3. Conduct, with a permit, which *exceeds the scope of the wetlands permit* and *encroaches upon* or impacts upland review areas: up to \$250.00
4. Conduct, with a permit, which *exceeds the scope of the wetlands permit* and *encroaches upon* or impacts a wetland or watercourse: up to \$500.00

TOWN OF EAST WINDSOR
Wetland Violation Citations & Procedures, Ordinance # 2020-_____

The following ordinance was adopted at a Special Town Meeting duly warned and held on _____.

BE IT ORDAINED:

ORDINANCE ENTITLED "WETLAND VIOLATION CITATIONS & PROCEDURES"

A. Purpose:

The purpose of this ordinance is to establish a means by which the Town of East Windsor can effectively enforce the Town of East Windsor Inland Wetland and Watercourses Regulations (the Regulations), with the implementation of citations and fines for violations and continued noncompliance of the Regulations.

B. Statutory Authority:

Pursuant to Connecticut General Statutes (C.G.S.) Section 22a-42g, as may be amended, and in addition to the remedies provided in C.G.S. Section 22a-44, the Wetland Enforcement Official is authorized to issue citations for violations of the Town of East Windsor Inland Wetland and Watercourses Regulations to the extent and manner provided for by this section. A citation may be issued for those types of Inland Wetland and Watercourses violations specified in Section C. of this ordinance. No citations may be issued against the State or any State Official or employee acting within the scope of his employment.

C. Schedule of Fines:

A schedule of fines shall be adopted by the Inland Wetland Watercourses Agency. The schedule of fines will be a separate document maintained and updated by the Inland Wetland and Watercourses Agency and kept in the East Windsor Planning and Development Office.

Nature of Violation (for activities with no active permit):

1. Conduct, activities in the upland review area which do not pose an immediate danger to a wetland or watercourse:
2. Conduct activities in the upland review area which may pose an immediate danger to a wetland or watercourse:
3. Conduct activities in a wetland or watercourse which cause limited and/or correctable damage to a wetland or watercourse:
4. Excavating, filling and/or draining of any portion of a wetland or watercourse:
5. Diverting, damming or otherwise changing the course of a watercourse:
6. Conduct any activity which causes sediment to flow into any wetland or watercourse or otherwise causes the pollution of a wetland or watercourse:
7. Conduct activity, in an inland/wetland or watercourse or regulated area, or any other regulated activity not listed above:

Nature of Violation (for activities with an active permit):

1. Failure to install and maintain silt control measures, silt fence, haybales, riprap and other similar sediment controls measures in accordance with an approved plan:
2. Non-compliance with permit conditions:
3. Conduct which exceeds the scope of the wetlands permit and encroaches upon or impacts upland review areas:
4. Conduct which exceeds the scope of the wetlands permit and encroaches upon or impacts a wetland or watercourse:

Each day that the violation remains uncorrected shall be considered a separate offense. Fines may accrue for each day that a violation continues.

D. Service of Notice; citation:

Any citation issued under this ordinance shall be and is sufficient if provided in one of the following forms, unless otherwise stated:

1. In-hand service, by the Wetland Enforcement Official.
2. Certified mail return receipt requested and regular mail, to the last known address of the person cited or to the address listed in records at the Assessor's Office.
3. Service by a State Marshal who shall serve the person named in the citation in-hand or by leaving a true copy of the citation at the usual place of abode of such person or by any other service authorized for the service of civil process in the State of Connecticut. Marshal's service shall be effective at the time personal, abode or other service is made by the serving marshal.
4. A citation sent by regular mail shall be deemed and considered received on the fourth business day following mailing.

The Wetlands Enforcement Official shall file and retain a true and accurate copy of the original citation so served, the date, place and manner of service and the date of mailing if service is by mail. If service is executed by a State Marshal, the Marshal's return of service shall be filed and retained by the Wetland Enforcement Officer.

E. Citations and Procedures:

1. Any person receiving such citation shall be allowed a period of 30 (thirty) calendar days from receipt of said citation to make an uncontested payment of the fine specified in the citation. If a person cited makes an uncontested payment within the prescribed 30 (thirty) calendar days and the cited violation has been remedied, the fine shall be equivalent to the fee in accordance with Section C of this ordinance.

2. If a person who has been issued a citation does not make an uncontested payment of the fine specified in the citation within the time allowed under Section E.1 of this ordinance, the Wetland Enforcement Official shall send a notice to the person cited, within 3 (three) months of the end of said uncontested payment period, informing such person:

- a. Of the allegations against him or her and the amount of the accumulated fines;
- b. That the person cited may contest liability before a Hearing Officer appointed by the Board of Selectman as provided in Section E.5 of this ordinance, by delivering, in person or by mail, within 10 days of the date of the notice, a written demand for a hearing;
- c. That if the person cited does not demand such a hearing, an assessment and judgment shall be entered against him or her;
- d. That such judgment may issue without further notice.

3. If the person who is sent the notice pursuant to Section E.2 chooses to admit liability for any alleged violation, he or she may, without requesting a hearing, pay the full amount of the fine either in person or by mail, to the Planning Office of the Town of East Windsor. All fines shall be made payable to the Treasurer, Town of East Windsor. Such payment shall be made inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten (10) days of the date of the notice described in Section E.2. shall be deemed to have admitted liability, and the Wetlands Enforcement Official shall certify to the Hearing Officer that such person has failed to respond. The Hearing Officer shall thereupon enter and assess the fines provided for by this section and shall follow the procedures set forth in Section E.4 of this Ordinance.

4. The Board of Selectman shall appoint one citation Hearing Officer to conduct hearings provided by this section. Hearing Officers shall serve for terms of two years, unless removed for cause. Neither the Wetland Enforcement Official nor any employee, agent or member of the Town of East Windsor Planning and Development Department or Inland Wetland Commission who exercises Wetland Commission Authority may be appointed as a Hearing Officer.

5. Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of notice, provided that the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the issuing official shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of CGS §52-180 and evidence of the facts contained therein. The presence of the Wetland Enforcement Official shall be required at the hearing. A person wishing to contest liability shall appear at the hearing and may present evidence on his or her behalf. The Wetland Enforcement Official may present evidence on behalf of the Town of East Windsor. If the person

who received the citation fails to appear, the Hearing Officer may enter an assessment by default against him or her upon a finding of proper notice and liability under the applicable provisions of the Town of East Windsor Inland Wetland Regulations and Wetland Violation Citation and Procedure Ordinance. The Hearing Officer may accept written information by mail from the person who received the citation and may determine thereby that the appearance of such a person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he or she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his or her decision at the end of the meeting. If the Hearing Officer determines that the person who received the citation is not liable, the Hearing Officer shall dismiss the matter and enter that determination in writing accordingly. If the Hearing Officer determines that the person who received the citation is liable for the violation, the Hearing Officer shall forthwith enter and assess the fines against such person as provided by this Section.

5. If such assessment is not paid on the date of its entry, the Hearing Officer shall send, by first class mail, a notice of the assessment to the person liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court, together with the appropriate entry fee. Further proceedings may then be held pursuant to the applicable provisions of the Connecticut General Statutes pursuant to C.G.S. 7-152c.

Said Ordinance shall become effective fifteen (15) days from publication thereof.



TOWN OF EAST WINDSOR
PLANNING AND DEVELOPMENT
11 Rye Street, Broad Brook, CT 06016
PHONE: (860) 623-6030 FAX: (860) 623-4798

**SCHEDULE OF FINES FOR WETLAND
VIOLATIONS**

ADOPTED: , 2020 BY EAST WINDSOR INLAND WETLAND AND WATERCOURSES AGENCY

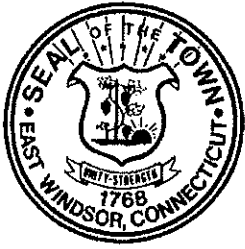
Nature of Violation (for activities with no active permit):

- | | |
|--|-----------|
| 1. Conduct activities in the upland review area which do not pose an immediate danger to a wetland or watercourse: | \$50.00 |
| 2. Conduct activities in the upland review area which may pose an immediate danger to a wetland or watercourse: | \$150.00 |
| 3. Conduct activities in a wetland or watercourse which cause limited and/or correctable damage to a wetland or watercourse: | \$350.00 |
| 4. Excavating, filling and/or draining of any portion of a wetland or watercourse: | \$500.00 |
| 5. Diverting, damming or otherwise changing the course of a watercourse: | \$750.00 |
| 6. Conduct any activity which causes sediment to flow into any wetland or watercourse or otherwise causes the pollution of a wetland or watercourse: | \$1000.00 |
| 7. Conduct any other regulated activity in a regulated area not listed above: | \$100.00 |

Nature of Violation (for activities with an active permit):

- | | |
|--|----------|
| 1. Failure to install and maintain silt control measures, silt fence, haybales, riprap and other similar sediment controls measures in accordance with an approved plan: | \$50.00 |
| 2. Non-compliance with permit conditions: | \$50.00 |
| 3. Conduct activity which exceeds the scope of the wetlands permit and encroaches upon or impacts upland review areas: | \$150.00 |
| 4. Conduct activity which exceeds the scope of the wetlands permit and encroaches upon or impacts a wetland or watercourse: | \$250.00 |

****Each day a violation exists shall constitute a new violation****

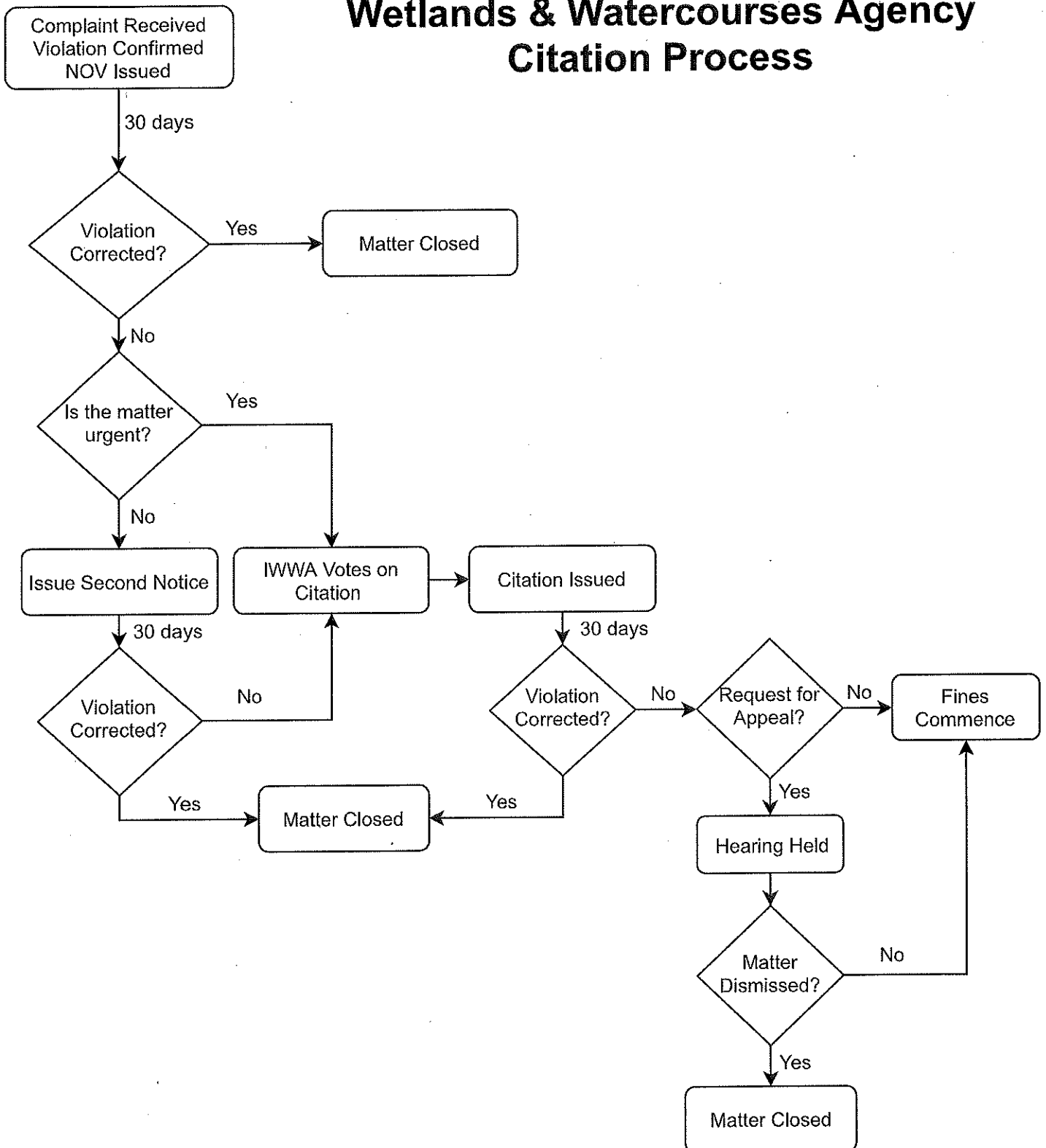


TOWN OF EAST WINDSOR
PLANNING AND DEVELOPMENT
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POLICY FOR WETLAND VIOLATION ENFORCEMENT AND CITATIONS

1. The violation shall be verified and documented by the Wetland Enforcement Official.
2. A Notice of Violation (hereinafter NOV) will be sent to the violator and/or property owner, if the violator is not the property owner. This NOV will document the details of the violation, reference to non-conformance with ordinance number and/or Wetland Regulation Section. The NOV will include details for how to bring the property into compliance.
3. A written response will be required by the violator within fifteen (15) days of the NOV explaining how the violation occurred and what steps they have taken to comply with the NOV. A total of thirty days from the date of the NOV will be provided for compliance.
4. If the conditions of the NOV are not met within thirty (30) days from the date of issuance, the wetland agent will ask the Commission to vote on whether a citation inclusive of fines may be issued. Once approval is issued from the Commission granting the issuance of a citation, fines may commence after the issuance of a citation (not the NOV). Fines may accrue for each day that a violation continues.
5. At the discretion of the Wetlands Enforcement Official, any person who has received a NOV need not to receive a second notice of violation before a citation is issued. Violations for which time is of the essence, i.e. filling of a stream embankment, diversion of a watercourse, large amounts of sediment flowing into a wetland or watercourse, may warrant a citation be issued rather than a second NOV. Violations for which a longer time can be provided to achieve compliance, i.e. work in the upland review area which does not pose an immediate threat to the wetland or watercourse, failure to install or maintain silt control measures in accordance to an approved plan, or non-compliance with permit conditions, a second notice may be issued.
6. A reminder notice shall be sent every fifteen (15) days with accumulated fines and requirements for compliance.
7. Violations that are not brought into compliance within thirty-five (35) days of issuance of a citation may be subject to a Notice of Non-Compliance.
8. Payments of fines and appeals of citations shall follow the procedure outlined in the adopted ordinance.

DRAFT - East Windsor Inland Wetlands & Watercourses Agency Citation Process



On 4/1/2021
Attachment 2

American Rescue Plan Act of 2021 Details

Signed into Law on March 11, 2021

Some Aspects of the Act are as Follows:

- Relief to Individuals and Families in Terms of Direct Payments
- Expansion of Child Tax Credit and Triples the Earned Income Tax Credit
- Expands Tax Credit Availability for Employers under FMLA

Town of East Windsor expected to receive \$1.15 million in Town aid and \$2.27 million in Local Education Aid*

- East Windsor will be eligible for additional municipal aid based on a county per capita distribution

*Source: Connecticut Conference of
Municipalities

Acceptable Uses for Local Governments*

Respond to negative economic impacts on households, small businesses and nonprofits

Aid industries such as tourism, travel and hospitality

Provide Premium Pay for Municipal Employees Performing Essential Work

To Recoup Lost Municipal Revenue

To Make Necessary Investments in Water, Sewer or Broadband Infrastructure

*Source: Connecticut Conference of
Municipalities

Other Key Provisions*

Funds Must Be Spent by the End of Calendar Year 2024

Local Governments Will Receive Funding in Two Tranches – 90 Days after Passage (on or about June 17) and One Year Later

Local Governments Cannot Use Funds for Deposit into Pension Funds

Local Governments Cannot Use Funding, Directly or Indirectly, to Offset a Tax Cut

Town of East Windsor Proposal #1 – Clean Water, Sewer, Broadband Infrastructure Projects

- Recommended funding allocation: **\$300,000**
- Set aside some of the available funding to assist residents in the School Hill neighborhood and Plantation Road
 - Assist with the extension of public water down Plantation Road and into School Hill
 - Both neighborhoods have met with Town, State and Connecticut Water officials
 - Both neighborhoods have concerns about contaminants in well water, and are in proximity to CT Water lines
 - Applications will be submitted to DPH for State Revolving Fund dollars to offset the costs of the projects

Proposal #2 – Implementation of a Small Business/Nonprofit COVID Assistance Grant Program

Recommended Funding: \$900,000

- Grants would be capped at \$10,000 per applicant
- If more qualified applications are submitted than funding available, awards would be prorated
- Set aside a portion of the funding to engage a contracted grant administrator to manage the program

Suggested Grant Evaluation Criteria

- Must be in good standing with the Town in terms of local property taxes up to the beginning of the pandemic
- Must be in good standing with the Secretary of the State in terms of business/nonprofit filings
 - Nonprofits must have proof of 501c status
- Must be able to show an economic loss due to the pandemic
- For businesses, tax records from 2019 and 2020; For nonprofits, revenue statements from 2019 and 2020
- Narrative clearly describing the nature of losses incurred due to the pandemic
- Documentation supporting the number of employees before/during/after the pandemic
- Listing of all federal or state assistance applied for and/or received (i.e. PPP loans, etc.)
- Preference given to companies/nonprofits that were required to close due to pandemic executive orders
 - If applicable, dates of closure need to be provided

Any Questions?

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Bas 4/1/2021 Attachment D

First Selectman's Report – April 1, 2021

By now, everyone has heard of the gaming deal negotiated by the Lamont administration and the two tribes, and also knows that a provision of that agreement precludes the development of a gaming facility in East Windsor for the duration of that agreement (at least ten years). The most concerning aspect of that preclusion is the future use of the old Showcase Cinemas property. It is unacceptable for a thirty-acre parcel of commercial property between highway exits to be left undeveloped for ten years or more.

Over the last two weeks, I have had many conversations with tribal leaders, the Lamont administration, and our legislative delegation to stress how important that parcel is to East Windsor's future development. I have also stressed that our concern isn't that it won't be a casino – I think everyone realized that a number of years ago. Our concern is that the parcel cannot be left undeveloped.

To that end, I authored a letter to the governor that was co-signed by municipal leaders in Windsor Locks, Ellington, South Windsor and East Hartford that argued that our communities need to be made whole in terms of revenue. That letter was copied to the legislators who serve all five of those communities, who collectively represent nearly 120,000 people. I've appeared on WTIC-AM 1080, Connecticut Public Radio, and NBC-CT stressing how important it is for that site to contribute to our tax base, and have been clear that the state needs to help find meaningful development there.

On March 19th, I was pleased to join East Windsor High School students to talk about careers in government. I shared my story, from my post-high school education to working in all three branches of state government, to my role now in municipal government. I was delighted and impressed with the students who participated, and with their thoughtful questions. I hope to do it again next year.

As I alluded to earlier, on the 22nd our legislative delegation and I met with Governor Lamont's Chief of Staff and with the Commissioner of DECD to talk about future uses of the Showcase Cinemas site. They provided no commitments to our community.

On the 23rd, Chief DeMarco and I met with municipal and public safety leaders from Enfield, Windsor Locks and Suffield to discuss a regional training facility that Enfield intends to build that would benefit the other three towns. I was pleased to provide a letter of support to the Town Manager of Enfield that stresses the regional value a facility like this would bring. The pandemic has led to quite a bit of regional cooperation and collaboration, as evidenced by this public safety concept, by the regional support advocating for remuneration to towns that stood to benefit financially from the casino, and by the reciprocity that has developed around COVID vaccine and food distribution. It is critical that these efforts continue into the future.

On the 24th, I was pleased to join a boisterous crowd to support the opening of Broad Brook Pizza. They are located in the old Elaine's Pizza/Village Pizza II location. I understand that their initial reception in town has been so popular that they had to temporarily shut down on their second day because people had bought all of their product!

On the 25th, we distributed nearly 1,200 boxes of fresh food to people in our community and surrounding communities. This is another partnership that we have developed with surrounding towns, this time including Enfield, South Windsor and Vernon. We'll be doing another one on April 29th, at a time to be determined once we know the supply that we'll have.

We continue to hold COVID vaccine clinics whenever possible, and we will be doing our largest clinic to date tomorrow, administering over 300 doses. It's very encouraging to see that access to supply for local clinics like ours has increased considerably, and I understand that it has through other means, as well. To be added to the Town's waiting list, please call 860-623-2430. We will be offering Moderna, and anyone 18 years of age or older is eligible to sign up. We are also maintaining a waiting list for anyone who would Pfizer or Johnson & Johnson.

Respectfully submitted,

Jason E. Bowsza
First Selectman

SA 4/1/2021 Attachment E

Selectmen's Report - April 1, 2021

The Board of Finance held a Public Hearing via Zoom on March 24th, 2021 to receive comments and input on the FY 2021-2022 proposed Town and Broad Brook Fire Department Budgets. The Board has held several Budget Workshops over the past week and has several scheduled throughout this month. Please refer to the Community Calendar on the Town's website if you wish to follow along or attend a Zoom meeting.

The Board of Education met that same evening via Zoom. Most of their meeting was held in Executive Session, but some of the highlights from the public portion included discussion of the start of Spring sports and the consideration of allowing spectators at games and discussion of school pictures and hopefully allowing photographers in when students are back into the building full time. Plans are being made for 4th and 8th graders to take tours before they transition between schools and discussions are being held on how to hold Prom and Graduation this year.

The Warehouse Point Fire Department is holding their Annual Easter Flower Sale this weekend at Station One at 89 Bridge Street in Warehouse Point. This fundraiser benefits the WHPFD scholarships and various donations throughout the year. The sale begins tomorrow and the hours are Friday, April 2nd and Saturday, April 3rd: 8AM - 4PM and Sunday, April 4th: 8AM - Noon. There will be Tulips, Lilies, Azaleas, Hydrangeas and more, so be sure to arrive early for best selection.

The Warehouse Point Fire District will hold a Public Hearing on Monday, April 5th at 7:00 PM at Station One, 89 Bridge St. on their proposed FY 2021-2022 Budget of \$967,994.00 as approved by the Board of Fire Commissioners. A breakdown on their proposed budget can be found on www.whpfd.org. A Special District Meeting will be held on Monday, April 19th, 2021 at 7:00PM at the same location to discuss and act upon a resolution adopting said budget.

Wishing you all a safe and very happy Easter! Enjoy the weekend however you choose to celebrate.

Submitted With Sincerity,

Sarah A. Muska, Selectman