

City of Shelton, Conservation Commission
 Minutes for the Regular Meeting on Wednesday June 3, 2009 at 7:00 P.M.
 Minutes should be considered a draft version until approved by CC at their next meeting.

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Call to Order

Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Jim Tate, Commissioner
Joe Welsh, Commissioner
Ed McCreery, Commissioner
Hank Lauriat, Commissioner

Also Present: Teresa Gallagher, Conservation Agent
Terry Gallagher, Trails Committee member
Marianne Chaya, Clerk

A. Call to Order/Pledge of Allegiance

Chairman Harbinson called the meeting of the Conservation Commission to order at 7:00 p.m. All in attendance recited the Pledge of Allegiance. Chairman Harbinson reported that the Commissioners met at 6:00 P.M. at Well Springs Estates for a field walk with the homeowner association members. We wanted to see for ourselves how the public access and potential parking for the public and the open space dedication from Well Spring Estates could be accomplished.

B. Approval of Minutes

Vice Chairman Dyer MOVED to approve the minutes from the May 6, 2009 Regular meeting. SECONDED by Commissioner Tate. All were in favor, MOTION PASSED.

C. Public Portion

None

D. Trails Committee Report

Trail Committee member Terry Gallagher reported as follows:

1. National Trails Day

National Trails Day is June 6th. We have two hikes; one being the Shelton Lakes Rec Path at 10:30 AM at Pine Lake (Route 108) going to Huntington Center, and hopefully we get some people turning out to see our new 1 ¼ miles of handicapped accessible trail along the Rec Path and to see the new Eklund Native Species garden, to see our canoe and kayak launches, kids on bikes and everyone is welcome. The second event is at 9:15 AM at Indian Well Road. Lynn Reid is going to lead a hike at Paugusset Trail. They are going to meet at the parking lot by the Maples, drive up to Birchbank trail and hike that back down toward the Maples. In addition to those events there will be a 5K family fun race

going on at the high school on the Rec Path. The New Haven Rowing club is doing the Derby Regatta at Indian Well State Park. Later on that afternoon the Relay For Life is going on downtown.

We have new Shelton Lakes Greenway flyers available for the event. We distributed about 350 Connecticut Forest & Parks flyers around town. I think the weather will be nice and hopefully everybody can make it and it will be a nice kick-off for the Rec Path and Paugusset Trail.

2. Planned Projects for 2009

a. Rec Path – Phase I

i. Fence Quote

We have had trouble getting the quote from the fence companies. We hope to have it by the end of next week

ii. Shore up erosion – section between the dams

We did repair some of the erosion last weekend and moved several tons of riprap. Most of the riprap is sharp broken rock and is almost as dangerous as the stuff we fixed. It should be covered with dirt. Once we have the fence up we won't have to worry about it.

iii. Kayak launch and sign

Terry Gallagher has to work on the sign but we did do some extra work at the kayak launch.

b. Rec Path – Phase 3a & b

The P.O. for Jim Swift will be signed after July 1. The wetlands application will be submitted some time this summer.

c. Rec Path – Phase 3c

The purchase order has been signed for Mucci Construction for the stretch from Lane Street to the Boardwalk. Unfortunately most of the milling pile is gone and we are not sure what they are going to use for the materials for the base. We do have the filter fabric and we may have to purchase some crushed stone.

d. Red Barn/Shed

We are going to be doing some maintenance on the barn and we will also be putting together a list of things we would like the City to do as maintenance, such as painting the red barn, cutting in the handicap ramp on Meadow Street, moving the guide wire by Route 108, taking down some trees. We will give this list to Sandy Nesteriak to forward to the appropriate City departments.

e. Scout Projects

We are preparing a matrix of tasks for Scouts to do but we seem to be leaning towards having them do improvements at Abbey Wright and Birchbank trail. They both need drainage and erosion control work. We also have a project at Eklund for retaining walls and various other tasks.

f. Gates, Signs, Fences and Landscaping

Rich wants to put some signs at Riverview trail to direct people around the ball field where we cut out the new trail. This is to keep them out of the outfield during ball games to hike the trail. This is in the vicinity of where they want to do the new monument behind the Centennial oak. A person drove into the gate again at Abbey Wright. We can either fix it ourselves or it could be a task for the City. The Girl Scouts did come in and do some plantings there.

We would like to see landscaping done across the street from L'Hermitage.

Rich fixed the deer fence at Eklund garden.

g. Work Parties

We are going to do one on 6/20 at 8:30 AM. We will meet at the power lines on Route 108 to do some flagging and cutting of the side trail from Turkey Trot to Independence Drive, where it's already been cleared out as a driveway.

On 6/27 we will meet at the power lines to complete what we didn't get done on 6/20 or we are going to work clearing on Independence Drive along the access road, leading up to the Wiacek property (working from Shelton Lakes, northward).

h. Other

We seem to have a lot of mountain bikers on the trails, especially along Dominick Trail.

Almost every parking lot was jammed last Saturday afternoon. We had families fishing at Pine Lake, walking along the Rec Path and all the trails.

An expense to be reimbursed is \$172.93 for various items such as posts, printing, and hardware.

Vice-Chairman Dyer reported that he spoke with Joe at EMS and they would like to have a joint meeting with the Trails Committee to introduce the trails to the EMS drivers. They have a meeting in July plus one in September where they have someone out in the woods pretending to have a broken leg, calling in from cell phone to see how they react.

E. Well Spring Estates/Far Mill River Public Open Space (OS #85). Use of Far Mill Crossing access drive and parking for fishermen

Chairman Harbinson commented that the President of the Homeowners Association came and spoke to us last month. We thought that it would be better for all of us to go out into the field and see for ourselves. We took a look at the space and the area that is an access to the property from Far Mill Crossing is not so much meant for open space parking as it stands right now, it's more of an emergency access, to the rear of the structures of Well Springs. Personally, I didn't see too much room to park a vehicle that wouldn't block the access way. There seems to be some parking availability on Far Mill Crossing that would have to be reviewed by the public safety people – the police department or City Engineer. From that issue I thought that public parking on the roadway and having adequate access and no inhibition to it, down to the river seems to me to be satisfactory.

Commissioner McCreery said he concurred. He said he thought it was everyone's intention that there was supposed to have parking. That is what we had talked about, having parking for the fishermen. I think we had assumed it had been implemented. I think Planning & Zoning dropped the ball by somehow not providing for that plan. I don't see how you could try and squeeze it in now without blocking the emergency access. The reality is, I can't imagine a fire truck getting up that grass ramp. You can't block it because a truck in reality can't get up there. I think parking should be up on the street or down the street. What I would like to see is a clear designation of public access for fishing.

Commissioner Tate said he thought he heard that the association might donate a sign for that purpose. Is that correct, did I hear that from someone? Mr. John Coniglio, President of the Homeowners Association, commented that they would work with you to see what the sign would be and we would either put a cable across with a sign on there or two posts where it would be wide enough for people to walk. Something that makes sense from the standpoint of emergency vehicles being able to access, we will certainly take care of that. That's not an issue.

Chairman Harbinson said that he hears there is a general consensus that is the direction on that component. The next item is that there is an area that is open space dedication that is being mowed as lawn currently. My issue with that is the delineation or marking of where the public versus private area needs to be maintained. A post was removed when the mowing was happening. If there is some type of delineation or marking could happen it would be satisfactory to me.

Commissioner McCreery commented that his thoughts are that if you are going to mow City open space to make your property look nice, then there is a burden that comes with that. That is what we had suggested when the association came to us a year ago which was to brush hog the other parcel as well once a year so that you don't have the invasive species taking over. The City doesn't have the resources to take care of it, so if you want to maintain that as grass, when you technically shouldn't be touching it in my mind, then you ought to assume the burden of once a year brush hog the adjoining parcel.

Chairman Harbinson asked if there was access to that lower area? Yes, right at the end of the wall there is a ramp.

Commissioner Tate commented that he agreed but I think formally we should grant permission so that it is understood that at anytime we could revoke that permission for some strange reason where that space is needed. We could grant permission to the group that the open space, due to its configuration, that they can mow it as lawn with the friendly proviso. It's a good trade-off. Value wise, it's certainly a value of having the open space mowed for the end unit. It would certainly offset that once a year mowing issue.

Commissioner McCreery asked the association why they had not taken up the Commission's suggestion about a year or two ago that the association voluntarily offered to brush hog the now overgrown open space meadow around the corn crib as it would enhance their own project and the city has limited resources.

Mr. Coniglio said that they asked their landscaper what it would cost to do that and he said it would be somewhere around \$700. I brought it before our homeowners and they felt that was too much for us to pick up on a yearly basis. I can't tell you that is something I can get our homeowners to want to do.

Commissioner McCreery noted however that the association had taken upon itself to mow as lawn part of the open space so if they want to maintain one area that way they should be willing to maintain minimally the other half. I suggest that if the association wants to keep mowing as lawn area the open space to the south of the access drive it ought to be willing to write a letter to the town in care of this Commission asking permission to continue mowing that open space and don't forget to also offer to replace the open space post that was removed. The proposal should include an offer by the association to brush hog the meadow at least once a year around the corncrib. The cost is not that much, right, Joe?

Commissioner Welsh stated that it tends to be about \$800 a day (\$100/hour). Commissioner McCreery said that they would be brush-hogging that one field once a year. If they choose not to make that application then we will decide how we are going deal with the open space.

Commissioner Tate asked how many units there are, and Mr. Coniglio answered 30.

Mr. Coniglio asked, so you are saying the alternative is to just let it grow on its own? Commissioner Tate answered, correct.

Mr. Coniglio said that would save us money because our landscaper doesn't have to mow that area. I will talk to the homeowners and we will come back to you if it's something we want to pursue.

Vice-Chairman Dyer said that he thinks we could be flexible about where the post is reinstalled. It doesn't necessarily have to be right in the middle.

Chairman Harbinson said the real concern is not necessarily where the post is that the delineation where the line is, is maintained.

Commissioner Welsh commented that the reason why we would want to mow that area is because right now there are a bunch of invasive plants growing up. To maintain it in a field habitat would add value to the wildlife in the area. It does have some reasoning behind it. It's not just to cut it once a year to keep the stuff down; it will enhance the whole habitat.

Mr. Coniglio said he understands that but our issue is the extra cost to mow the field. Most people would say no and that's what we've already heard. I will have to go back to them and talk to them. I appreciate what you've done and I will work it out with Teresa and we will work out how we are going to somehow block the entrance so people can walk but not the cars.

Agent Teresa Gallagher asked if the brown open space signs would be acceptable and the Commissioners agreed.

F. Constitution Blvd North – Wiacek Open Space (OS #80.02) Previous spreading of wood chip “yard scrapings” by City crews

Chairman Harbinson acknowledged the Summerfield Gardens residents in attendance.

He noted that they visited the site last month but had neglected to address it at that meeting. They observed where the City had started doing some work on the property in terms of depositing wood chips and some yard scrapings. We talked about wanting to inform the City.

Commissioner Tate suggested handling this issue internally.

Chairman Harbinson said this is on tape but it could be handled administratively to Public Works. We do have to let them know, but I think they are aware they screwed up.

Commissioner Welsh said they should look at the big pile from where they were going to initially subdivide the property. It had value to divide the property. From the Meadow Street side it does appear that no one is valuing this investment.

Chairman Harbinson suggested Agent Gallagher write a memo to Sandy Nesteriak and she commented that it was done a long time ago and it's on her

on-going list. Now is the worst possible time to remind them because Parks & Rec is very busy.

Chris Macri asked what you would recommend, in terms of the letter? They said they would get into that later.

Commissioner Tate said the first issue he has is that he looks at this as an indiscriminate action of trying to dispose somewhere conveniently from the City yard, what they call yard scrapings, and to get it off that property and put it somewhere else that would serve a purpose. I hope it was done with the purpose that I understood was to prevent ATV access and to provide some kind of berm or blocking dumping. I can't buy the argument that it blocks ATV. It only looks more attractive to me if I had an ATV. It's kind of ironic if they said they wanted to prevent dumping since they did their own dumping. The second part of that I have a problem with is once they did dump they never spread it to make it more to make it more of a natural action. I don't know if I'd have such a problem with that if it were put there to provide some kind of better disbursement of not mowing or an erosion method or some way of a natural way to put some of the material back into the ground. The third problem I see is the material is mixed with asphalt, plastics and inorganic material that is just bad. I assume it was not tested and it would lead you to believe it was not good action to take. The solution that I would ask is that they halt all indiscriminate dumping anywhere in the City. If they do want to dispose of clean yard waste, compost or biodegradable organics, that they put together a plan for that, and that plan put through a knowledgeable board. The dumping is either close to or in the wetlands. That plan should be very environmentally sound, from an esthetic standpoint and a long-term land improvement standpoint. The last thing, which I think the real issue is, is that further up on the cul-de-sac there is a long telephone pole that was laying there. To me, that is a pretty good deterrent to keep vehicles out of there, and is removable if you had to get access. I have no objection to something like that being put into play if that were the answer to try and keep that area clean. I think there is an education process here that was lacking.

Vice-Chairman Dyer commented that there is an ATV trail coming in further up. Commissioner Tate stated that it is very hard to block access for ATV's but I do have a suggestion for the cars. The telephone pole or timbers could work or boulders.

Chairman Harbinson directed Agent Gallagher to email Sandy regarding the Commissioners comments and suggestion regarding having a plan in place when we deal with biodegradable type materials that are created through a city process.

Agent Gallagher suggested asking to have the Commission notified if something is going on. She said she found out about this from phone calls from residents asking what was happening on the open space and spent several hours making calls to trying to figure out what was going on.

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The Commissioners discussed the materials they saw on the property and it was mentioned it was from the city yard that includes materials from the tub grinder, which is wood, and materials dumped by residents. It also includes millings and pavement.

Commissioner McCreery said that where all the dumping occurred there are now invasive species growing, plastic debris dumped into the wetlands without any plan or thought about it. I saw that it was within 50' of the wetlands and in the wetlands. How do we get them to fix that?

Chairman Harbinson said we could get John Cook involved to determine if it really is in wetlands.

Arlene Perry, 64 Summerfield Gardens, mentioned that when they moved the wood chips into that area they went over the Iroquois pipeline area. She said that when she and her husband went out for a walk a fellow in a truck stopped by from the Iroquois pipeline and asked us if we knew what was going on.

Chairman Harbinson commented that all of the pipeline companies have an aerial flyover of their pipelines every week. That is how the Iroquois representative would have known. How they should have been notified by the City, I'm not aware of how that process works. I know there is a call before you dig process, which apparently the City did call.

Ms. Perry commented that there were no call before you dig markings at this point.

Vice-Chairman Dyer said there is a new pile that blocks the road that is very recent.

Ms. Perry said she did call the City when this was going on and I was told it was wood chips. I said I never saw wood chips that are black and looks like tar plus plastics. I pretty much got the run-around and was totally disgusted. I didn't see any wood chips.

Ms. Macri asked if when you do your recommendation, are you going to refer it to John Cook, and are you going to recommend that they clean that mess up?

Commissioner Tate said yes, we will recommend they clean it up and put it into a presentable condition.

Chairman Harbinson summarized that there are a number of issues that Agent Gallagher would draft a letter to Sandy Nesteriak so that it can be distributed to various departments for their action, but also courtesy copy John Cook.

Commissioner Tate that the area is now contaminated. The original dumping might have been clean, but the secondary dumping is not. That means everything is bad and should be cleaned up. Have Sandy contact me if this becomes an issue.

Commissioner McCreery MOVED to authorize Agent Gallagher to write a letter to Sandy Nesteriak explaining the Commission's observations of the dumping of material at the Wiacek open space (80.02) and the request to have the materials removed and restored. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

Chairman Harbinson thanked the residents of Summerfield Gardens for being so attentive of this issue and attending the Board of Aldermen meetings.

G. Dog Park Status

Vice-Chairman Dyer reported that he went on a walk with Alderman John Papa and Ron Herrick (Parks & Rec) along with others who are interested in the dog park. The Mayor wants to put the dog park and the animal control facility at the same location. He wanted to put it next to the red barn/shed (at Rte. 108 white house). I was personally violently opposed to that. The other people were in favor of having them in a similar location. We walked further into the woods up Shelton Ave. (towards Huntington center) and they agreed that would be a better place for the animal shelter.

They discussed whether it was visible from the street and the trails and Vice-Chairman Dyer said you could from the street during the winter but not from the trails.

There was discussion of the visibility of the animal shelter and the necessity of it. Vice-Chairman Dyer discussed his feelings of having the animal shelter so close to the dog park.

Commissioner Tate asked Bill to convey his opinion of the landscape buffering. They made a tremendous effort to put a buffer from the street to the intermediate school, and they should do the same for this project.

Trails Committee member Terry Gallagher said he feels putting a dog pound in the middle of our Shelton Lakes greenway that took millions of dollars to buy is a really poor, stupid idea. You are going to have dogs barking disturbing everybody using the peace and quiet of the trails. A number of people on the trails committee had a similar reservation about the interaction of a few dogs at the dog park and a lot of dogs in the kennel all yapping back and forth to each other in a close proximity. Most towns have their dog pounds by the public works yard or next to a railroad track or an industrial. Sticking it right in the middle of the main greenway of the town is a horrible idea.

Tape 1, Side B

He continued discussing this topic but stressed the need for planning for not only this but any upcoming project. He thinks the animal shelter should be in a more industrial area. These are his thoughts, not necessarily everyone on the trails committee. A number of members have some severe reservations about putting this project in this area because they have worked so hard on the trails.

Commissioner Tate suggested getting the consensus of the trails committee, write a letter and explain your issues. Telling this Commission is not the right approach, you have to write it and send it to the appropriate committee.

Chairman Harbinson said he would entertain a motion to the dog park committee or the animal control facility building committee – they are two separate issues.

The animal control facility was originally proposed to be down by the sewer treatment plant but that would inhibit any future expansion of the plant. Mr. Gallagher stated that the trails committee members are less concerned about the dog park than they are about the dog pound.

The Commissioners discussed the two committees and the work they have done in regards to desired locations for the dog park and pound. They also talked about commenting about both issues from the Commission.

Ms. Arlene Perry expressed her feeling of a dog park – she is against it. Chairman Harbinson suggested that if members of the public have concerns about either issue, bring it to the attention of their Aldermen, the Mayor, or the respective committee.

Commissioner Welsh asked if this is something this Commission needs to review and comment on?

It was determined they could only review something that has been proposed, and so far there is no proposal.

Commissioner Tate suggested communicating that we need to understand the site selection process. We would like to encourage the group to pursue a site selection process that we could review.

Vice-Chairman Dyer commented that there is talk about having a community garden between Nells Rock Rd. and the white house.

The Commissioners threw out other locations that have a great potential for the community garden, such as Wiacek, Tall Farms, and Klapik Farm.

Commissioner McCreery commented that he recalled some time ago they talked about the need for a long-range plan for the open space parcels. The problem is that a volunteer board doesn't have the time or resources to put that type of plan together. To be done properly you would have to hire a company like Planimetrics.

Commissioner McCreery MOVED that the Conservation Commission write a letter to the Mayor saying that we considered the proposal for a dog park for the white farm house on Route 108/Nells Rock Road, on the Shelton Lakes open space, and we deem it would be an inappropriate site for the dog pound for the following reasons: a) a site selection process was not done so we don't know if it's the best site for it, b) there could be a potential conflict between the dog park and animal control facility, and c) it is in the hub or central focus of our natural greenway network. SECONDED by Commissioner Tate. A voice vote was taken, all were in favor; MOTION PASSED.

H. Review of PZC or IWC Applications for Subdivisions and/or Developments

1. Old Applications/Monitor/Follow-up

- a. PZC #09-09 – 2-lot subdivision on Buddington Road abutting open space properties (OS# 27.10, 27.16 and 27.19)

No change in status

- b. PZC #07-14 Cranberry Hill Estates, Armstrong Road. Removal of trees on designated open space. Stop Work Order was issued by Planning and Zoning. Applicant directed to submit survey and tree restoration plan. Status.

Chairman Harbinson reported that he stopped in at the last Inland Wetlands Commission meeting where they were addressing this issue. John Cook provided the Commissioners with an appraisal of the number of trees that were removed, as well as the size and species. They placed a monetary value on it which was substantial. I do not know where that process has continued but I wanted to share what I had heard at the meeting.

Commissioner Welsh asked if we could ask for different open space to be given since he destroyed the open space that was to be dedicated?

Chairman Harbinson stated that the applicant was directed to submit a survey and a tree restoration plan. We will probably be asked to comment on it. The survey and restoration plan has yet to be submitted.

Commissioner Tate commented that if the restoration plan is anything like I've seen in the past I'd rather have a fee-in-lieu of. The Commissioners commented that the restoration plan of the river by River Ridge Condos was a farce.

Commissioner Lauriat asked since the stop work order was placed did the work really stop? They answered yes.

2. New Applications

None

I. 279 Soundview Avenue, OS #80.03. Request by BOA to review potential sale of existing house and once acre of a 14-acre parcel currently classified as open space.

Chairman Harbinson stated that last month the Commissioners went out and looked at the parcel and after deliberations the vote ended up split. Any further thoughts so we can write a letter to the BOA regarding a recommendation regarding selling the parcel?

Commissioner Welsh said do not sell it. The added value that the house might have if we are going to continue to be a farm-friendly town by leasing out property we buy as farms and maintain a lease agreement that might pass through hands as we retain ownership, past negotiations and agreements and leases with the previous land owner it seems as if we maintained those and said well you've used it in the past. Now that it's City property continue to farm it. I think getting rid of the house might impact the future farm uses. I did research through UCONN website that shows there is a potential list of people interested in having some sort of leases on farmland with a structure. That list had several potential matches.

The Commissioners emailed each other in the past month regarding this issue and there is some thought that Shelton could be in the forefront of this issue in leasing a dwelling with a small active farmland next to it.

Commissioner Welsh said that if there is a current lessee using it and I think the people are doing a great service to the City by maintaining the property. If we just owned it, it would turn back to forest or invasive species. As witnessed by the Well Spring Estates open space that only took a few years to become overgrown.

The Commissioners discussed the long-term investment of farming it.

Commissioner McCreery commented that he originally thought we should sell it and have come around to think that Commissioner Welsh's proposal has merit. I want to make a motion opposing selling the property.

Commissioner McCreery MOVED to write a letter to the BOA stating that the Commission is opposed to selling the parcel on the grounds that the City should not be so quick to dispose of open space that was a hard-fought battle to acquire, that we believe the City should be in the forefront by participating in the UCONN re-farming program by leasing out the parcel to potential farming families. SECONDED by Vice-Chairman Dyer.

Discussion:

Commissioner Tate said he likes the idea but is this property suitable for that program? Is the property big enough to carry that farm exercise profitably?

Vice-Chairman Dyer answered as their sole income, probably not.

Commissioner Welsh commented that on the UCONN site there are some people looking for between 5-10 acres. We would have to do further investigation on the UCONN database.

Commissioner Tate asked how it worked and Commissioner Welsh said that the City would lease the property to someone but they would use the UCONN site for the terms and conditions lease agreement. It's a generic farm lease form from the USDA.

Commissioner Welsh said that he believes there was a handshake deal between Nellie and Art Maybeck to let Fred Monahan grow corn there. Right now someone is actually farming the parcel.

They discussed whether the house is an attraction to a farmer.

Commissioner Welsh stated that he'd like for the City to keep the house, keep it as a farm.

Commissioner Tate discussed the look of the property and the farming potentials. Is it of farming value? What happens if it's no good or too much work?

Commissioner McCreery said we don't know that answer but you call the USDA or UCONN and they would probably send someone down to evaluate it. But if you sell the house before we even know that information we will have no way to participate in that program.

After some discussion Chairman Harbinson suggested Agent Gallagher contact UCONN and ask someone to come down to look at the property. On that list we reviewed there not only was people looking to farm but also some for wanting a grazing field.

Commissioner Lauriat suggested having Terry Jones speak on our behalf at the state.

Vice-Chairman Dyer suggested that Hank talk to Terry and tell him about our situation.

Chairman Harbinson said he would let Alderman Anglace know we are investigating the property and we are contacting agricultural experts at UCONN to get a full evaluation of the parcel to find out if there is agricultural value to the city.

Vice-Chairman Dyer asked if we need to respond now to the BOA and Chairman Harbinson said he didn't think anyone was in a big rush to sell it.

Add to the motion:

At this time we referred the matter to the University of Connecticut, Dept. of Agriculture, to ascertain if it is suitable for their program. Vice-Chairman Dyer SECONDED the amendment. A voice vote was taken, all were in favor; MOTION PASSED.

J. Communications

- Flyer from the Historical Society inviting everyone to the car show on Father's Day (June 21)
- Courtesy copy of a letter from Rick Schultz regarding the stop work order on Armstrong Road, Cranberry Hill Estates.
- Letter regarding the notice of violation of their approval on Cranberry Hill Estates (Application 07-14). This is the component of this development that the Conservation Commission is involved with.

- Copies of our letters (4) written by Conservation in response to the requests for comment for parcels the City wishes to sell.

K. Budget Report/Open Space Trust Account

Agent Gallagher reported that Kathy from Accounting provided her with a history of entries made over time from the open space account. An email was sent to the Commissioners giving a summary of the activities.

Commissioner Tate asked why do we care about the account? Chairman Harbinson explained that Conservation is responsible for this account and to annual provide a report to the BOA regarding its usage. When the Open Space Committee was eliminated it became our responsibility.

There is no separate Open Space Trust account; it's more of a virtual account. After a lengthy discussion of how this account works within the city and the role the Conservation Commission plays, Chairman Harbinson asked Agent Gallagher to call other towns and ask if they have a "separate" numbered account established or if they do it the way Shelton does, on a spreadsheet.

Tape 2, Side A

L. Eklund Native Species Garden

Agent Gallagher showed the Commissioners the copper plant labeling sample she made. She reported that she has about \$2200 worth of plants planted in the garden now. They are already starting to grow and spread.

Chairman Harbinson commended Agent Gallagher for the good job done on the garden.

Agent Gallagher reported that she has a gas-powered portable water pump. There is a well on site, although there is not much water in the well.

The deer fence is working great.

There will be an Eagle Scout to construct a kiosk, work on the stairs and the walls. I may also be able to get him to take care of the brush pile and doing some wood chips going down to the road. On Trails Day I may be there since this garden is the halfway point, and can talk about this garden to the hikers. I will drive those people back to Pine Lake.

I have about \$300 left from the Iroquois grant for fill-in plants.

M. Executive Session

Commissioner Lauriat MOVED at 8:50 P.M. to go into Executive session for the purposes of discussing land acquisition issues. SECONDED by Commissioner McCreery. All were in favor, MOTION PASSED.

Commissioner Tate MOVED at 9:05 P.M. to return to regular session. SECONDED by Vice-Chairman Dyer. All were in favor, MOTION PASSED.

Chairman Harbinson stated that no actions were taken in Executive Session.

N. Comments by members

Vice-Chairman Dyer commented that Housatonic Lumber went out of business. At one point we had an account with them and we will have to look at alternatives. I talked with Carroll Home Improvement and they were ok with it. I went to Purchasing and told them we need to transfer the account we had, and they said they don't allow any of those kinds of accounts. Anything over \$100 has to be purchased through a purchase order.

O. Adjournment

Commissioner Tate MOVED to adjourn. SECONDED by Commissioner McCreery. All were in favor, MEETING ADJOURNED at 9:08 P.M.

Next meeting date is Wednesday, July 1, 2009.

Respectfully submitted,

Marianne Chaya