

TOWN OF VOLUNTOWN
SPECIAL TOWN MEETING

October 26, 2017

The Special Town Meeting of the Town of Voluntown was held at the Voluntown Elementary School, Route 138, Voluntown, Connecticut on Thursday, October 26, 2017 at 7:00 P.M. for the following purposes wit:

The meeting was called to order by Robert Sirpenski, First Selectman with the reading of the Notice of Special Town Meeting.

Town of Voluntown Notice of Special Town Meeting October 26, 2017

The Electors and Citizens qualified to vote in Town Meetings of the Town of Voluntown, Connecticut are hereby warned that a Special Town Meeting will be held at 7:00 p.m. on Thursday, October 26, 2017 in the Voluntown Elementary School Gymnasium, 195 Main Street, Voluntown, Connecticut to consider and act on the following items:

1. To choose a moderator.
2. To consider and act upon the following RESOLUTIONS:
 - a. RESOLVED: That the First Selectman is authorized to execute a “Declaration of Restrictive Covenant” as part of an agreed settlement in a land use appeal *Grenier v. Town of Voluntown Planning and Zoning Commission*.
 - b. RESOLVED: That the First Selectman is authorized to execute a “Boundary Line Agreement and Exchange of Quit Claim Deeds” as part of an agreed settlement in a land use appeal *Grenier v. Town of Voluntown Planning and Zoning Commission*.

Copies of the "Declaration of Restrictive Covenant" and "Boundary Line and Exchange of Quit Claim Deeds" are available for public inspection during normal business hours in the Office of the Town Clerk.

Robert A. Sirpenski	Tracey L. Hanson	Jack Wesa
First Selectman	Selectman	Selectman

Pamela Theroux, Town Clerk, served as clerk for the meeting.

Item # 1: Call for the moderator by the Clerk. Judith Allik made a motion to nominate Tracey Hanson as moderator, which was seconded by Deborah Maynard. There were no other nominations. Call for the vote. All were in favor of Tracey Hanson serving as moderator. So carried. Tracey Hanson will serve as moderator.

Ronald Millovitsch made a motion to dispense reading the call again. Kimberly Arsenault seconded it and all were in favor.

Item #2: To consider and act upon the following RESOLUTIONS:

- a. RESOLVED: That the First Selectman is authorized to execute a "Declaration of Restrictive Covenant" as part of an agreed settlement in a land use appeal *Grenier v. Town of Voluntown Planning and Zoning Commission*.

Ronald Millovitsch made a motion to accept the resolution. Patricia Wray seconded the motion. All were in favor. The Moderator opened Item #2a for discussion. Attorney William R. Sweeney serving as Special Counsel to the Board of Selectman explained exactly what the vote was pertaining to and that this was not a vote on whether to build the Town Garage or where it would go. This is simply a vote on two specific pieces of the settlement that require town approval. The first piece (a.) is the Restrictive Covenant. This basically means that the town cannot utilize or build with in a 200 foot buffer on the Beachdale Road side of the property as long as Mr. Grenier or a descendent owns the residence at 61 Beachdale Avenue. The second piece (b) is the Boundary Line Agreement and Exchange of Quit Claim Deeds. This is a compromise between our current

survey and a historical survey. Our current survey shows the town property line going through the driveway and building at 110 Gate Street and the historic survey shows the line differently. With this agreement the boundary line will go around the building and driveway. There was further discussion by Arthur Nieminen regarding the safety of the school buses and the feeling that this law suit should go to court instead of settling and hindering Planning and Zoning decisions in the future. Robert Sirpenski explained that he had spoken and received a letter from the Superintendent of Schools, Adam Burrows, saying that there is no safety issue with the buses not using the Gate Street entrance. He also explained that the town is giving up nothing of value so he is not worried about a precedent being set.

Joseph Grenier made a motion to close discussion seconded by Ronald Millovitsch. The majority were in favor and discussion was closed.

A motion was made by Deborah Maynard to vote by paper ballot and seconded by Lloyd VanLanen. All were in favor.

The votes were counted by Julie Zelinsky and Belinda Wiese.

YES 50 No 14

The resolution passes.

Tracy Hanson read resolution b.

b. RESOLVED: That the First Selectman is authorized to execute a “Boundary Line Agreement and Exchange of Quit Claim Deeds” as part of an agreed settlement in a land use appeal *Grenier v. Town of Voluntown Planning and Zoning Commission*.

Ronald Millovitsch made a motion to approve the resolution, the motion was seconded by Rachel Ricard. All were in favor and the moderator opened discussion. Deborah Maynard asked for clarification as to why a quit claim deed is necessary and Mr. Sweeney explained that there is give and take so quit claim deeds will need to be swapped. Maryanne Nieminen stated that she would like the Quit Claim deed to show the footage in the deed and Skart Paul asked why there is no

Schedule A attached to the Quit Claim. Mr. Sweeney explained that these were not legally necessary and that the footage and details are shown on the map that will be recorded. A motion was made by Ronald Millovitsch to close discussion and seconded by Kimberly Arseneault. All were in favor.

A motion was made to vote by paper ballot by Deborah Maynard and seconded by Wendy Gauthier. All were in favor.

The votes were counted by Julie Zelinsky and Belinda Wiese.

YES 47 No 17

The resolution passes.

Deborah Maynard made a motion to adjourn and Michael Cates seconded it. All were in favor.

The meeting was adjourned at 8:00PM.

Pamela E. Theroux
Voluntown Town Clerk