

Ramie Ackley, 20 Seymour Road – she is a garden and dog park advocate. Ms. Ackley said there are already cars in the area driven by the gardeners and there are track and field events. The social aspect of the Fitzgerald Property is the key both for current and new residents.

Dr. Durgar Prasad, 12 Raymond Road – presented a proposal to the Board to establish a trust fund for the future maintenance of Shanti's Rose Garden at the Community Gardens. The Board thanked Dr. Prasad and will consider the proposal.

PUBLIC HEARING

Ms. Heller called the Public Hearing to order in accordance with Section 4-5(b)(1) of The Charter of the Town of Woodbridge to receive comments regarding a proposed new ordinance entitled "Ordinance Prohibiting Waste Associated with Natural Gas and Oil Extraction". She stated that the legal notice was published in the Woodbridge Town News on Friday, March 23, 2018. On a motion by Ms. Schatz, seconded by Mr. Crisco the Board of Selectmen **VOTED UNANIMOUSLY** to waive the reading of the legal notice. The legal notice is included in these minutes for the permanent record.

"TOWN OF WOODBRIDGE LEGAL NOTICE

The Woodbridge Board of Selectmen will hold a Public Hearing at 7:00 p.m. on Wednesday, April 11, 2018, in the town Hall Central Meeting Room, 11 Meetinghouse Lane, Woodbridge, CT to receive comments on a proposed new Ordinance:

RESOLUTION BY THE WOODBRIDGE BOARD OF SELECTMEN

RESOLVED: *It is in the interests of the Town of Woodbridge, acting by its Board of Selectmen, to protect and preserve public health and safety, property and the natural resources of the Town of Woodbridge, including but not limited to water and land, now and for generations of residents in the future;*

Natural gas and oil extraction activities involve the use of chemical and hazardous materials during a multi-phase process including drilling, hydraulic fracturing, production well maintenance, workover operations, and storage; and

Liquid and solid wastes associated with such activities are contaminated with chemicals and naturally-occurring toxins that come from the ground, including but not limited to radioactive materials; and

Many of the chemicals used during extraction activities, and naturally-occurring toxins in the ground that mix with the wastes, have documented adverse health effects and/or adverse environmental impacts; and

These wastes can contain radioactive elements and other toxins, and may threaten the public health and safety, and economic well-being of communities, as businesses, consumers and residents depend on clean drinking water, surface water, property, and natural resources; and

Toxins present in these wastes can contaminate waters, soils and natural resources of the Town of Woodbridge and impact public health and safety where use, leaching, spills, leaks, run-off and discharge into waterways after treatment effort occurs; and

The Town of Woodbridge is and should be a leader in protecting public health and safety, and our natural resources, including water supplies and water resources for generations to come; and

Protection of public health and safety, ground and surface water, property, and natural resources in the Town of Woodbridge is better accomplished by prevention of contamination and environmental degradation, instead of costly remediation of degraded environments after contamination; and

In order to protect public health and safety, and the quality of natural resources and property within the Town of Woodbridge, it is necessary to adopt an ordinance prohibiting storage, handling, treatment, disposal and use of all waste associated with natural gas and oil extraction, as defined in the ordinance, the text of which is set forth below.

Now, Therefore, the Board of Selectmen of the Town of Woodbridge hereby adopts "An Ordinance Prohibiting Waste Associated with Natural Gas and Oil Extraction within the Town of Woodbridge", as set forth below:

ORDINANCE PROHIBITING WASTE ASSOCIATED WITH NATURAL GAS AND OIL EXTRACTION

xxx-01 Definitions for the Purposes of this Ordinance:

- 1) For the purposes of this Ordinance, the following terms, phrases, and words shall have the meanings given here, otherwise clearly indicated by the context:*
- 2) "Hydraulic fracturing" shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.*
- 3) "Natural gas extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.*
- 4) "Oil extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited, to, core and rotary drilling and hydraulic fracturing.*
- 5) "Natural gas waste" shall mean: a) any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminant; b) leachate from solid wastes associated with natural gas extraction activities; c) any waste that is generated as a result of or in association with the underground storage of natural gas; d) any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and e) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.*

6) "Oil waste" shall mean: a) any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid wastes associated with oil extraction activities; and c) any products or byproducts resulting from the treatment, processing, or modifications of any of the above wastes.

7) "Application" shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town of Woodbridge).

xxx-02 Prohibitions:

1) The application of natural gas waste or oil waste, whether or not such waste has received Beneficial Use Determination or other approval for use by the Department of Energy & Environmental Protection ("DEEP") or any other regulatory body, on any road or real property located within the Town of Woodbridge for any purpose is prohibited.

2) The introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the Town of Woodbridge is prohibited.

3) The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town of Woodbridge is prohibited.

4) The storage, disposal, sale, acquisition, transfer, handling, treatment and/or processing of waste from natural gas or oil extraction is prohibited within the Town of Woodbridge.

xxx-03 Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the Town of Woodbridge:

1) All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town of Woodbridge shall include a provision stating that no materials containing natural gas or oil waste shall be utilized in providing such a service.

2) All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town of Woodbridge shall include a provision stating that no materials containing natural gas or oil waste shall be provided to the Town of Woodbridge.

3) The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town of Woodbridge and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town of Woodbridge: "We _____ hereby submit a bid for materials, equipment and/or labor for the Town of Woodbridge. The bid is for bid documents titled _____. We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor sub-contractor, agent or vendor agent in connection with the bid' nor will the undersigned bidder or any sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property within the Town of Woodbridge as a result of the submittal of this bid if selected."

xxx-04 Penalties

This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. In response to a violation of this ordinance, the Town of Woodbridge is empowered to; a) issue "Cease and Desist" orders demanding abatement of the violation; b) seek any appropriate legal relief, including immediate injunctive relief, as a resulting of any violation of this ordinance; c) file a complaint with any other proper authority; and d) require remediation of any damage done to any land, road, building, aquifer, well, water-course, air quality or other asset, be it public or private, with the Town of Woodbridge.

The Town of Woodbridge may recoup from the offending person(s), jointly and severally, all costs, including experts, consultants and reasonable attorney's fees, that it incurs as a result of having to prosecute or remediate any infraction of this ordinance. Any person who violates this ordinance shall be liable for a fine of \$250 per CT Statute. The Town of Woodbridge may also pursue other penalties as applicable defined in CT General Statutes.

xxx-05 Enforcement:

Any designee authorized by the First Selectman of the Town of Woodbridge may pursue penalties against any person(s) who commits violations of this ordinance. The involvement of any Town of Woodbridge officials will not require testing of waste products to determine chemical contents, this work will be done via contacting CT DEEP or other 3rd party analytical laboratories as is current practice of the town of Woodbridge for other exposures to potentially hazardous chemical situations.

Any designee authorized by the First Selectman of the Town of Woodbridge may request the Commissioner of CT DEEP pursue civil penalties defined by CT General Statutes, as applicable.

xxx-06 Severability:

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to each person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered. To further this end, the provisions of this Chapter are hereby declared to be severable.

xxx-07 Transportation:

Nothing in this ordinance shall be interpreted to ban the transportation of any product or by-product described herein on any roadway or real property within the Town of Woodbridge."

Mr. Cardozo, Chair of the Ordinance Committee, explained that the proposed ordinance gives very specific information as relates to what is allowed or disallowed in prohibiting waste associated with natural gas and oil extraction in terms of its delivery through and within

Woodbridge; where it is used or how it is used by any entities that might doing business with or in Woodbridge.

Comments – There were no comments from the audience. The Clerk stated that she received no comments by 4:30 p.m. this date.

Ms. Heller then declared the Public Hearing Closed.

BOARD ACTION ON MATTER HEARD IN PUBLIC HEARING

The Board of Selectmen VOTED to adopt the ordinance entitled: “Ordinance Prohibiting Waste Associated with Natural Gas and Oil Extraction”.

VOTE: Aye – Ms. Heller, Ms. Schatz, Mr. Cardozo, Mr. Crisco, and Dr. Lober
Nay – Mr. Dey

The Ordinance is adopted and will become effective May 11, 2018

PUBLIC OPINION SURVEY

Ms. Heller said that: *“Amity Teacher Rick Bourdeau is here to present the Public Opinion Survey results. I am very excited – he will introduce his team of students and I want to extend my thanks to them all. Just one note, all the surveys that the Amity Team have been analyzing have now been returned here to Town Hall, there is a very large box in my office, and they are now, as of this evening, all public documents and available for anyone who would like to come in and go through them, take a look at them or receive a copy of them for FOI requests.”*

Presentation – Amity teacher Rick Bourdeau introduced the Student Statistical Analysis Team: Jeremy Gustafson, Amity Senior from Orange; Mariana Tahiri, Amity Senior from Woodbridge; Helen Lenski, Amity Senior from Woodbridge; and Evan Kindseth, Amity Sophomore from Woodbridge.

Mr. Bourdeau gave a brief history of the timeline for the survey. He stated that 3,234 surveys were mailed – one to each household and 851 (26.3%) were returned by the extended deadline, February 22, 2018. Also returned were 127 duplicate surveys (read but not counted), and 60 received after the deadline that were also read but not counted in the statistical analysis.

Each Student gave a brief presentation along with the power point. A copy is attached as the permanent record.

Ms. Heller reminded the audience present and via video, that at 5:00 p.m. on April 25th Mr. Bourdeau and the students would be available for an open discussion, questions, and answers where the public will be allowed to come and she urged those interested to be sure to either pick up a copy of the survey results or request one via e-mail.

Ms. Heller asked if the Board had any questions. The members agreed to hold their questions until the meeting on the 25th.

Ms. Heller and Ms. Schatz thanked and complimented Mr. Bourdeau and the students for the thorough analysis.

GARDEN CLUB OF WOODBRIDGE – The Board of Selectmen **VOTED UNANIMOUSLY** (Schatz – Dey) to approve the Garden Club’s use of the Library/Fire House Grove for the June 2, 2018 plant and flower sale. Signage announcing the sale was also approved.

WOODBRIDGE LAND TRUST (WLT) – 902 Baldwin Road

Bryan Pines, President of the Woodbridge Land Trust gave a brief presentation of the Land Trust’s efforts to raise funds to work with the State to purchase the development rights to the former Hitchcock Farm at 902 Baldwin Road. Mr. Pines explained that the State will purchase the farm land at 902 Baldwin Road, and The Woodbridge Land Trust contributes to purchase price in exchange for: (1) a trail easement, (2) co-ownership of developments rights, the land is then sold to a farmer with the State and the Woodbridge Land Trust retaining development rights and easement. He said that the WLT is seeking to raise \$200,000 by May 31st. To aid in the effort the WLT is requesting permission to place signs on Town property and to display informational materials in the Library.

The Board of Selectmen **VOTED UNANIMOUSLY** (Heller – Dey) to grant the Land Trust permission to erect a sign on the Fire House triangle during the month of May announcing the fund raising activities for 902 Baldwin Road and to display informational materials in the Library.

The Board of Selectmen **VOTED** (Dey – Cardozo) to add to the agenda the Woodbridge Land Trust’s request that the Board vote to endorse the purchase of the development rights to 902 Baldwin Road

Vote: Aye – Heller, Cardozo, Crisco, Dey, Lober
Nay – Schatz

The Board of Selectmen **VOTED** (Dey – Cardozo) to support the Woodbridge Land Trust in their endeavor to purchase the development rights for 902 Baldwin Road.

Vote: Aye – Heller, Cardozo, Crisco, Dey, Lober
Nay – Schatz

ADMINISTRATIVE OFFICER/DIRECTOR OF FINANCE’S REPORT

Mr. Genovese reported that as of March 30, 2018, he is projecting a budgetary surplus of approximately \$20,000 resulting in a projected fund balance on June 30, 2018 of \$5.1M or 10.46% of the annual projected expenses.

Mr. Genovese informed the Board that: Tax Collections – may result in a deficit of approximately \$50,000 due to a recent assessment appeal; The Woodbridge Board of Education deficit has increased to \$91,000 up from \$67,000 and the increase will have to be covered in this year’s operations; the Board of Finance suggested to use \$50,000 of the Amity Surplus to create a reserve fund to build over time for use in years where the Woodbridge Board of Education has a deficit due to special education costs . Also, due to the homicide in Town, there

may be a deficit in the police overtime budget and it may be covered in current operations due to vacant position.

TAX REFUNDS

The Board of Selectmen **VOTED UNANIMOUSLY** (Heller – Lober) to refund taxes in the amount of \$6,734.23 pursuant to Section 12-124 thru 129 of the Connecticut General Statutes and the recommendation of the Tax Collector.

FUNDING REQUESTS

The Board of Selectmen acted on the following funding requests:

1718-13 – Allocation Amount: \$26,000

- To: CNR – Animal Control Vehicle Replacement (302-2500/57450/RVEH)
- From: Board of Finance Contingency (1170-00/56800)
- For: FY19 Capital Budget request to replace an Animal Control vehicle that was cut from the FY19 budget to be paid with FY18 Contingency Funds.

(Heller – Lober) Unanimously Approved

1718-14 – Allocation Amount: \$24,000

- To: CNR – Recreation – Tennis Courts (302-5100/57304)
- From: Board of Finance Contingency (1170-00/56800)
- For: FY19 Capital Budget request for Repair of the Beecher North Tennis Courts that was cut from the FY19 budget to be paid with FY18 Contingency Funds.

(Heller – Dey) The Board Voted Unanimously to table this request until later in the fiscal year.

1718-15 – Interdepartmental Transfer Amount: \$3,000

- To: Parks – Overtime Regular (11520-00/50410) \$1,500
- Parks – Maintenance Supplies (1150-00/55130) \$1,500
- From: Revenues – Donations (1-6-1100/46200)
- For: Transfer donation from Beth-Wood Baseball League for clay material and overtime.

(Heller – Cardozo) Unanimously Approved

1718-16 – Interdepartmental Transfer Amount: \$50,000

- To: Reserve Account – WBOE Special Education (Reserve Account)
- From: Revenue – Amity Surplus Appropriation (1-6-1500/46910)
- For: Create a Reserve Account for Woodbridge Board of Education Special Education costs.

(Cardozo – Schatz) Unanimously Approved

1718-17 – Allocation and Intradepartmental Transfer Amount: \$79,500

- To: Public Works Overtime (1310-00/50410) \$44,000
- Public Works Rentals Equipment (1310-00/53610) \$35,500
- From: Public Works Road Maintenance (1310-00/53610) \$14,000
- Public Works Electric Buildings (1310-00/53610) \$5,500

Board of Finance Contingency (1170-00/56800) \$60,000
(Heller – Schatz) Unanimously Approved

BID AWARD – LIBRARY HVAC UPGRADE – The Board of Selectmen **VOTED UNANIMOUSLY** (Heller – Crisco) to award the bid for the Library HVAC Upgrade to SAV-MOR Cooling & Heating, 231 Captain Lewis Drive, Southington, CT 06489 as the apparent low bidder at a base bid of \$174,400 and pursuant to the reference checks by Brad Parsons, Building Maintenance Foreman. The Board noted that the project will be funded by the Noyes D. Clark Trust Fund.

REGIONAL EMERGENCY TELECOMMUNICATIONS SERVICE CREDIT

The Board of Selectmen **VOTED UNANIMOUSLY** (Cardozo – Dey) to designate MedCom as the recipient of Woodbridge’s Regional Emergency Telecommunications Service Credit for FY18/19 in the amount of \$2,652.60.

ASSISTANT ADMINISTRATIVE OFFICER’S REPORT

Memorial Bench Program - Ms. Yagla described the proposed Memorial Bench Program and application process to request the purchase and installation of a memorial bench on Town property. The program will standardize the style of benches. It was noted that all costs are borne by the person purchasing the bench.

The Board of Selectmen **VOTED UNANIMOUSLY** (Crisco – Dey) to approve the application form for a memorial bench on Town property as presented by Assistant Administrative Officer Betsy Yagla.

Microgrid – Ms. Yagla said that the ribbon cutting for the microgrid is scheduled for May 7th. The Board members will receive a formal invitation via e-mail.

COMMUNICATION DIRECTOR AND GRANT WRITER’S REPORT

Ms. McCreven reported on the Town’s participation in the Sustainable CT initiative. CUPOP and the Conservation Commission are entering the Town’s Open Space parcels into a grid to submit to the Sustainable Ct initiative. The Amity Interns will review the Town’s past programs to submit for the program. The Farmers’ Forum will be held at 7:00 p.m. on April 18th in The Center Cafeteria.

Communications – Ms. McCreven updated the Board on the First Selectman’s Office effort to publish information on current and upcoming events. A pamphlet advertising the outdoor pool will be available at the Open House on April 29th – it will also be available on line. Similar brochures will help to promote other events or offerings in Town. A “News from Town Hall” e-mail will be sent out to update readers of current events, Board of Selectmen action.

TOWN COUNSEL’S REPORT

Mr. Weiner reported that at the last month’s meeting an executive session was held on a complaint filed by Lt. Leiby. A hearing date of April 19th has been noticed. The Town is waiting to hear from the FOI Commission person who is in charge of the case if the complainant is going to proceed.

CALL OF THE ANNUAL TOWN MEETING

The Board of Selectmen **VOTED UNANIMOUSLY** (Heller – Dey) that “In accordance with the Charter of the Town of Woodbridge, Article III, Section 3-2, the Board of Selectmen hereby votes to notify all electors and citizens qualified to vote in a Town Meeting of the Town of Woodbridge that the Annual Town Meeting will be held on Monday, May 21, 2018, at 7:30 p.m. DST in The Center Gymnasium, 4 Meetinghouse Lane, Woodbridge, CT to (1) Elect a Town Meeting Moderator for a two year term, 2) to consider and take action on the FY19 budget as recommended by the Board of Finance.”

TOWN CLERK’S REPORTS

The Board of Selectmen **VOTED UNANIMOUSLY** (Heller – Schatz) to acknowledge receipt of the Town Clerk’s Reports for the month ending March 31, 2018 and the cumulative report July 1, 2017 thru March 31, 2018.

MINUTES

The Board of Selectmen **VOTED UNANIMOUSLY** to approve the following minutes:

March 14, 2018 – Board of Selectmen Regular Meeting – (Heller – Crisco)

February 20, 2018 – Board of Selectmen Regular Meeting – Budget Recommendations
to the Board of Finance – (Heller – Crisco)

January 23, 2018 – Board of Finance/Selectmen Budget – (Crisco – Dey)

January 25, 2018 – Board of Finance/Selectmen Budget – (Heller – Crisco)

January 30, 2018 – Board of Finance/Selectmen Budget – (Heller – Crisco)

ADJOURNMENT

On a non-debatable motion by Ms. Heller, seconded by Mr. Dey, the meeting adjourned at 9:03 p.m.

Respectfully submitted,
Geraldine S. Shaw, Clerk

**TOWN OF WOODBRIDGE RESOLUTION SUPPORTING SHARED SOLAR
AND VIRTUAL NET METERING**

Whereas, the benefits of renewable energy in addressing the climate crisis and stimulating the economy are well-known; and

Whereas, it is the policy of the State of Connecticut to, in part, "... develop and utilize alternative energy resources, such as solar and wind energy, to the maximum practical extent ..."; and

Whereas, Connecticut residents continue to pay among the highest electricity rates in the continental United States; and

Whereas, over 25,000 Connecticut residents installed solar arrays on their properties from 2012 through February 2018, ² taking action against global warming, reducing their electricity bills, and helping to create over 2000 jobs in the state solar industry; and

Whereas, only about 25% of state utility customers can install solar panels on their homes, because most residents live in multi-family or rental housing, or have roofs not suited to solar or too much shade, among other reasons; and

Whereas, residential solar installations are made possible in part through CT Green Bank rebates, using funds contributed by all ratepayers through monthly electric bills; and

Whereas, all residents who contribute to the renewables fund should be able to benefit from it; and

Whereas, many states, including New York and Massachusetts, have addressed this inequity by passing shared solar laws that allow customers to participate in larger arrays away from their homes, with the benefits credited to their bills; and

Whereas, the ability of municipalities to achieve their clean energy goals is greatly increased when they can install solar arrays that supply power to more than one town building; and

Whereas, Connecticut's Virtual Net Metering (VNM) law allows towns to significantly reduce electricity costs and to stabilize such costs for two decades or more; and

Whereas, the VNM program cap prevents many towns that want to control electricity costs and achieve clean energy goals from participating; and

Whereas, the town of Woodbridge is committed to being a clean energy community and leading by example as a steward of the environment,

Whereas, the Connecticut General Assembly has not approved legislation to lift the VNM cap or allow a full shared solar program;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Selectmen of the Town of Woodbridge recognizes that Connecticut's clean energy goals are more likely to be achieved if every resident and every municipality has an equal opportunity to access clean energy sources, and that the absence of statewide shared solar and virtual net metering programs are obstacles to Woodbridge's ability to use clean energy and reduce energy costs.
2. The Board of Selectmen of the Town of Woodbridge calls on its elected representatives in the Connecticut General Assembly, including Representative Themis Klarides and Senators George Logan and Gayle Slossberg, as well as Governor Malloy, the Department of Energy and Environmental Protection, and United Illuminating to support legislation to enable a statewide shared solar and virtual net metering program.

Adopted by the Woodbridge Board of Selectmen – April 11, 2018

Attest: _____

Geraldine S. Shaw, Clerk

1 Energy Policy Act, CGS 16a-35k

2 CT Green Bank – Residential Solar Investment Program report, February 10, 2018, available at <https://www.energizect.com/sites/default/files/uploads/Data%20for%20Web%202018-02-10.xlsx>