Call to Order
Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Jim Tate, Commissioner
Ed McCreery, Commissioner
Joe Welsh, Commissioner
Sheryl Dutkanicz, Commissioner
Jim Goodman, Commissioner

Also
Present: Teresa Gallagher, Conservation Agent
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.

B. Approval of Minutes
Commissioner Tate MOVED to approve the minutes from the March 7, 2012 Regular meeting. SECONDED by Vice-Chairman Dyer. All were in favor, MOTION PASSED.
C. Public Portion (items not on agenda)

Kevin Smith, 265 Riverview Ave

Mr. Smith stated that his neighbor, at 267 Riverview Ave, at the end of the cul-de-sac next to the open space, I feel he has encroached upon the open space with his 100’ long fence to keep in his dog. I would like to know if there is any way to find out where the line is. I’m not asking for the whole property to be surveyed, but just where that section is.

Chairman Harbinson explained that Teresa Gallagher is our Conservation Agent and she is available Monday-Thursday and has mapping available and could take a look at it. Not every open space is surveyed but sometimes it’s pretty obvious. Agent Gallagher stated that Tom Dingle, our Zoning Enforcement Officer, mentioned that he had been out there to look at it. Kevin did come by to see me earlier and we did look at the property on the VCOG map that shows the property lines. It looks like the area, and what Tom said as well, it’s hard to tell exactly where the line would be. It would likely need to be surveyed.

Chairman Harbinson pulled up the map on his phone and Mr. Smith showed the drawing he got from the Assessor’s office. He pointed out where the fence is that is in question.

Chairman Harbinson commented that Tom Dingle, who is the Zoning Enforcement Agent, who has officer powers to issue a cease and desist order if needed. Teresa, who is our Conservation Agent, doesn’t have that kind of powers but certainly can assist in the process of evaluating via maps and documentation. We work together as a team in times when there may or may not be an infraction.

Mr. Smith commented that the neighbor has a whole pack of pit bulls that have been a problem. He lets them run freely. It’s a shame because the neighbors used to be able to walk down there before he had the dogs and now no one even goes down there. The whole area smells like a dog pound.

Chairman Harbinson stated that if there are issues with dogs he should contact the dog warden. There are regulations on our open space. If dogs are running rampant unleashed, that’s a violation of an ordinance. There may be multiple issues in terms of how you may be best able to address what’s going on.

Mr. Smith said I hate to do this but it’s a beautiful area down there. It’s worth it because the neighbors used to be able to enjoy it up until now. It’s a shame. I don’t know if anything can be done about it. Maybe he could be asked to move the fence onto his own property and keep the open space land open.

Chairman Harbinson said we often encounter these kind of infractions and there are various ways we can address it. Teresa will work with Tom and any other agents that are needed to go through it.

Mr. Smith thanked the Commissioners and Agent Gallagher.

Guy Beardsley, Shelton Farmers Market
Mr. Beardsley commented that he did visit Wooster Street market and recommend for all to see. He said it was interesting to see what all could be grown at this time of year and said that there were quite a few non-growers there, such as Boy Scouts, the opera, etc.

Mr. Beardsley continued by saying that we had our meeting and we are going to open the market on June 16th. We might participate some way on June 9th, which is a Boys/Girls Club event at the old BF Goodrich site.

The greens are in good shape, so we’ll have at least those to start with. We’ve had good temperatures for the crops.

This year at the Farmers Market we are going to have a gift basket extravaganza. The vendors will contribute to the gift basket. We will have a drawing and the winner will come back the following week to pick up the gift basket. That has worked out very well at the Greenwich market.

We do have some libel problems in the Farmers Markets, although not ours. We’re having to look carefully at the insurance. People have sued the market in Greenwich. A lady brought in non-Connecticut grown produce last year and was told she is not invited back this year. She is suing the market. Now that market has to come up with about $2K to support the lawyer’s fees.

Commissioner Dutkanicz asked if you are protected because it does state in the rules that you are not allowed to bring in non-Connecticut grown produce. Mr. Beardsley said you are not allowed to but it doesn’t affect the libel suit. She has no basis except that she wants to create a problem.

Mr. Beardsley reported that this year we will have a coffee shop at the Farmers Market. We are also going to establish a bulletin board down there. Initially the idea is to provide information about the market to vendors as well as recipes. We’re on Facebook and have a page on the City website, although it doesn’t get updated very much.

Chairman Harbinson asked Mr. Beardsley if he was aware that part of the parking lot will be closed due to it being used as a staging area for the construction of the Avalon apartments on Canal St. Mr. Beardsley said yes, they are aware of it and it shouldn’t be too much of a concern. We’re pretty flexible.

Mr. Beardsley asked Commissioner Welsh about the next Land Trust meeting (4/11 @ 7PM – Plumb Library). He said he wanted to put in a plug about the SLT (Shelton Land Trust). That’s a great organization. Commissioner Welsh thanked Mr. Beardsley for all of his contributions.

**D. Shelton Lakes Recreation Path, upgrade to handicapped-accessible standards. Status**

Vice-Chairman Dyer reported that the work is progressing nicely. The City has done their portion of Great Ledge by putting in drainage and a base of rocks, filter fabric and millings and rolled it out. The final coat of the processed material so that it’ll look like the rest of the Rec Path still has to be done. That may be a while because Parks & Rec is now concentrating on the ball fields.
They asked about how the drainage is working out and Vice-Chairman Dyer said we haven’t had any rain to test it out. There is so little water that the water is going underneath the pipe, through the rocks that were originally there. We’ll never have water above the Rec Path. I’m very pleased with the work they did. Commissioner Tate and I met with the Mayor about the last section, we call gate-to-gate. We got a quote from Pruzinsky & Sons for $29K to do that section the same way they did the other sections. Based on the problem we had we agreed to install a culvert rather than a bridge. The city did replace the bridge with the culvert and the material and that’s in good shape. We presented the quote to the Mayor and we have half of the funds ($14,700) from the Iroquois grant. It is on the agenda for the next BOA meeting to fund the balance. It’s conceivable that in May we can modify the existing contract to add this on and finish the Rec Path. I think it would be about 3-4 weeks to finish. I don’t know if it’ll be done by National Trails Day.

E. Trails Committee Report – Bill Dyer

Vice-Chairman Dyer mentioned the granite pillars and bollards that need to be installed. Chairman Harbinson said he has some of them stored at his business and has a digger available. We need to purchase more. We may need 10 of each more. Agent Gallagher went to get the old purchase order to see what the cost is. Chairman Harbinson checked our budget to see how much we have available.

The cost for the blank posts is $161. The logo posts are about $650. We should order 5 logo and 5 plain. Land Improvements or Outside Services has enough money for this purchase.

Chairman Harbinson asked Vice-Chairman Dyer to get a quote from Swensen.

Chairman Harvinson MOVED to approve the purchase of approximately $4400 of 5 logo and 5 plain granite pillars from Swensen Granite, where they have been previously purchased, for various entrances to the Rec Path. Funds should come from Other Outside Services, 414-30.23. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

The Commissioners talked about the improvements to the dog park’s parking lot. They all agreed that it looked very nice. The City put in millings, installed a split-rail fence along the perimeter and added more parking spaces.

The Trails Committee is planning to complete the Paugusset trail to Mayflower cul-de-sac. There will be a work party on April 14th to do the work. The March guided hike was rained out. The next hike in April we’d like to do up at Birchbank for wildflower viewing. Agent Gallagher said she’d take a look and try and determine when the best time would be.

We have some Boy Scouts interested in doing some Eagle Scout projects in different places.
F. Open Space Trust Account. Status
No change.

G. Budget Status
Chairman Harbinson reported that community garden plots that Agent Gallagher oversees, in terms of applications, they have all been filled. There are 61 plots at $20 each. One plot had the fee waived because they contribute their tractor to maintenance of the field. $1190 were received in fees. That does not show in our Conservation Commission budget as a revenue item. Hopefully with this year’s budget process goes through they will include it as a revenue item because there are expenses that go towards it that come from our budget, such as when the water line and rabbit fence were installed.
Commissioner Tate asked about the water situation and Agent Gallagher reported that it’s fine for right now. I’d like to see another tap put in at the far end of the Longview garden.
Commissioner Tate asked if there was a program in place for excess produce, such as donating it to organizations. Agent Gallagher said there is nothing in place but it has been discussed. Most of the plots aren’t really all that large. Typically the members share amongst each other or they give it away. Spooner House was mentioned and Agent Gallagher said she knows a few who have brought food to them.

H. Open Space set-aside. Status of increase to 15% in subdivision regulations
The P&Z Commission had a public hearing in March. Attorney Steve Bellis wrote a letter representing the Shelton Builders Association. The letter detailed his concerns and listed some recommendations.
Chairman Harbinson went over some of the comments in the letter and the Commissioners spent some time discussing it and giving their opinions. He also commented on the minutes from the meeting. We are not sure if the public hearing has been closed.

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

1. Old Applications/Monitor/Follow-up
None

2. New Applications (Applications received between agenda creation and our Regular Meeting may be amended to this Agenda at start of regular meetings by a vote from the Commission.)
None
J. Communications

- CT Wildlife publication from DEEP
- CT Woodlands (CT Forest & Parks) Association publication. There is an article about trails and the river walk in Shelton.
- Legislation was proposed about the liability for municipalities on paved areas such as boardwalks and bridges. The proposal (Senate bill #445) was killed in judicial committee. Agent Gallagher had sent this out to our local representatives and the judicial committee expressing our concerns.

K. Quality of Life – Executive Session (land acquisition and security issues)

Commissioner McCreery MOVED to go into Executive Session at 8:03 P.M. for the purposes of discussing quality of life and any security issues. SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.

Vice-Chairman Dyer MOVED to return to Regular Session at 8:20. SECONDED by Commissioner McCreery. All were in favor; MOTION PASSED.

There were no motions or actions that took place in Executive Session.

L. Comments by members

Commissioner Welsh mentioned that the Shelton Land Trust will have their annual meeting Wednesday (4/11) at the Plumb Library at 7PM. There will be a guest speaker who will talk about leasing land trust land, municipality land for farming. It will also apply to land owners who have land they would like to lease out.

Chairman Harbinson mentioned the Housatonic River Estuary Commission and that they are still meeting. The Commission is comprised of representatives from Shelton, Stratford, Milford, Orange, Derby & Ansonia. They will be participating in the river cleanup on April 28th. They are always looking for volunteers.

Chairman Harbinson brought up the labeling program that Agent Gallagher was doing for Eklund Garden. Agent Gallagher showed the Commissioners what the labels will look like. They will look like ones that you would see in most botanical gardens. The cost for about 60 plants would be about $500.

Commissioner Tate MOVED to approve $500 for specialized garden labels for the plants at Eklund Garden. The funds would come from Signs and Plaques. SECONDED by Commissioner Dutkanicz. All were in favor; MOTION PASSED.
Commissioner McCreery gave the Commissioners an update on the progress of the Shelton Land Trust tractor renovation.

Agent Gallagher said that Clean Sweep will be the week of April 22nd (Earth Day).

Commissioner Tate brought up the fact that when he looks around Shelton and sees so much garbage, but in Fairfield and Trumbull there is none. Is it that their public works does a better job? Agent Gallagher said they did a study when they first started up the litter committee and found that in Ridgefield they had real litter problem because there are so many people driving through there don’t live there adding to the problem. They not only had a Clean Sweep event but had an educational campaign to try and change attitudes. They were successful. People go out and pick up around them all the time. They have a lot volunteers and a sense of pride and civic responsibility. The Commissioners talked about various areas around town that are heavily littered. They talked about the problem about garbage falling out of the trash trucks. Agent Gallagher said that people are really supposed to secure their garbage. The Commissioners and Agent Gallagher talked about how to get an education program going to address the problem.

N. Adjournment

The meeting adjourned at 8:30 pm.
The next regular meeting is Wednesday, May 2, 2012.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission