Call to Order

Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Sherri Dutkanicz, Commissioner
Jim Tate, Commissioner

Also Present: Teresa Gallagher, Conservation Agent

A. Call to Order/Pledge of Allegiance
Chairman Harbinson called the meeting of the Conservation Commission to order at 7:05 p.m. All in attendance recited the Pledge of Allegiance.

B. Approval of Minutes
Vice-Chairman Dyer MOVED to approve the minutes from the August 3, 2011 Regular meeting. SECONDED by Commissioner Dutkanicz. All were in favor, MOTION PASSED.
C. Public Portion (items not on agenda)
None

D. Proposal to create Farmer’s Market Subcommittee
Chairman Harbinson welcomed the guests and gave them a brief overview of the Commission. He stated that the only thing he knows about this item is through our Conservation Agent. There was a request to have the Farmers Market operate on a more year-round basis. It was brought to the Mayor’s office and the Mayor suggests the Farmers Market activities should perhaps be a subcommittee under the Conservation Commission.

Stacia Monahan – 83 Saw Mill City Rd
Ms. Monahan stated that she is proposing that a subcommittee be formed to oversee the running of the Farmers Market to insure that there’s transparency in how a public building is being utilized and to make sure that all the needs of the Shelton farmers and residents are being met. This market should play a big role in the downtown revitalization that’s going on right now. There are condos being built & the Rotary Club is building a pavilion. I’ve been a member of a year-round farmers market in New Haven for the last two years, and a member of that market for the last 8 years. Just watching how it’s grown and its success of that market and how it has affected the community is something I think Shelton needs.

Ms. Monahan brought up various activities that go on down at the Riverwalk. She then said, I think that the market should play a big role in the revitalization with input from a diversified group of residents and others, such as community members who are consumers of the market. It’s a public building for everybody in the community. It should have a committee representative of the community running it. It could be a benefit not only to Shelton, but the surrounding towns. There are only 6, at the most, year-round farmers markets in the state. The closest are Fairfield & New Haven. There is definitely a marketing possibility to not only drawn in a lot of people, not just from Shelton. The current farmers should be a part of this, because they have been there the whole time keeping the market going, but there should be a little more additive from the community.

Chairman Harbinson said that there would have to be two separate items that would have to be dealt with in terms of addressing our comments. The facility itself, is a multi-use facility. The Conservation Commission is of course very supportive of the agricultural activities in our community & there are a number of farmers in the room tonight, and with our open space regulations and our open space plan advocating right to farm issues, we’re big advocates of the agricultural use of our land in our community. To whatever degree we can help support that and make farming a more viable economic activity in our community, we’re there for you. The facility itself has the moniker Farmers Market on it. It’s
really not just a Farmers Market. It’s a multi-use structure (various activities pointed out).
Ms. Monahan said, I have a vision in tying all that into the whole Farmers Market thing to add on. You could have some educational aspects of farming and eating healthy. It ties it into making it a more community destination instead of just for certain groups at different times.
Chairman Harbinson said I agree, like for trails and hiking. We could show it for the exercise component of a healthy community. A lot of these issues could tie together. What I'm getting at is the open space area there where the kids play, we have the fireworks display, concerts and movies in the summer. All that management and control is done through the Mayor’s office right now. I haven’t spoken to the Mayor about this item, so I’m not sure if he wants to delegate this activity to us. We only have a part-time staff person, Teresa, who is the Conservation Agent. It is different from a Parks & Rec facility, where they have a full-time management at the Community Center in Huntington. They can have staff check out the facilities to people. I wanted to clarify that there are two elements.
Commissioner Tate said he’s trying to understand the issue. We have the Farm & Public Market (official name).
Ms. Monahan said, my issue too, is that there is a market there from July to October and I think that it needs to be opened up more & have more community input in how the market is run – be more transparent. As it is now, it’s an exempt market. I’m not sure how many people know what an exempt market entails. It means that because it’s a WIC certified farmers market, produce can be brought in to sell that is not grown on their farm. The consumers are not buying from the person who actually grew the stuff. In the market there is a great deal of people who do grow their own stuff. There is not a transparency factor for the public to know whether it’s locally grown or not.
Vice-Chairman Dyer asked, are you saying that it could be grown in Mexico and shipped in by air? Or by another area farm?
Ms. Monahan said I’ve seen strawberries grown in California sold there 8 years ago.
Commissioner Tate asked, so you don’t want that to happen?
Ms. Monahan said I want the public to know what they’re buying.
Commissioner Tate asked, what other issues do we have here?

Dorothy DeMarco, 221 Birdseye Rd.
Ms. DeMarco stated, I think that your organization should know that the majority of the people here are not supporting what Stacia is saying. They are the people, right now in the Farmers Market. The market is running with Guy Beardsley, who has devoted years, time and energy, and his own money to the Farmers Market. I’m sure there are people who bring things in. They are CT grown. Any farmers market can have someone bring something in. If you want to get the State Police there checking it. People have to go on the honor system
in certain things. I think it would be fine if there was a posting if it wasn’t grown by every farmer there, but it is CT grown. Do you see a problem with that? Commissioner Tate said no, I’m just trying to understand the issues.

Ms. DeMarco said ok, I just wanted to clarify. I also wanted you to be aware that the majority of the people here are in support of keeping the farmers market as it is. Perhaps extending it to the winter, but having Guy still manage the market as he has, free of charge, giving all his time and energy, for the benefit of Shelton and the people of Shelton.

Guy Beardsley

Mr. Beardsley said he has a contract with the City for the Farmers Market. It essentially covers the insurance requirements. That has been signed by me and the Mayor. Right now I’m authorized as a market representative to run the market. That is good for two years (from May 2011). A couple of points need to be clarified. The market does operate from May. We start in June, not July. We have gone as late the first week of December. We’ve been snowed & iced out in the past. We did that two years ago. Last year, because most of our market members simply didn’t have product after October 31st. The 31st of October is the WIC (Women’s, Infants, & Children’s) end. There are coupons made available to those individuals who qualify & also seniors who qualify, to come down and get free dollar coupons that can be transferred for produce at the market. They cannot use it for baked goods or processed foods. I started the market in 1993. It was where the BF Goodrich facility was. It was a disaster of an area. It was quite a challenge getting it going. Alderman Dave Parkins was the primary mover for the City’s administration. He & I settled on a spot which was a gravel area. When the City had more of an interest there was a referendum in 1997 that generated much more of a reality. Fred Musante got the idea going for a building. The City and State cooperated so that we now have the building we have. It’s an outstanding facility – nothing like it in the State. The market operates both on Wednesday s and Saturdays in June if we have a reasonable supply of vegetables. We currently have 13 market members. The Wednesday market is only a token number of farmers (3 or 4). We have about 12 & 15 vendors there, but not always. I don’t require the vendors to be there each time. I can answer a lot of your questions if you need me to. Commissioner Tate asked, say I grew corn at the community garden and I wanted to sell it on Saturday. What process would I have to follow to be able to do that?

Mr. Beardsley answered, in order to sell at a WIC market you would have to be investigated by the Dept. of Agriculture. They would have to look at your growing area. You would have to create a crop plan, which says what you are growing, and you would have to have liability insurance for yourself at the market site. That liability insurance would say the City of Shelton is listed as an additional insurer and also the insurance holder is also the City of Shelton. Beyond that, because you are a Shelton resident, you could come down to the market and I
would show you around, and if everything is satisfactory to you, you could be plugged right into the market.

Vice-Chairman Dyer asked if only Shelton residents could sell at the market? Mr. Beardsley answered no; we have Trumbull, South Glastonbury farmers plus a clam seller who farms 40 acres on the Long Island Sound.

Commissioner Tate asked about WIC. Mr. Beardsley said that it (Women’s, Infants, & Children), is a Federal program that the State administers & contributes. You have to be WIC approved to sell at the market.

The Commissioners asked more about WIC. Mr. Beardsley said it’s not a large part of his sales (9%). You tend to see more activity at the end of October because that’s when they expire. Across the state there is about 58-62% of the coupons redeemed.

Commissioner Tate asked, say I wanted to have an art exhibit in March at the Farm & Public building. Do I come to you? No, you have to go to the Mayor’s office (Tom Taylor).

Mr. Beardsley said that at times there are other activities besides the Farmers Market going on at the same time. He talked about keeping the building clean between him and Parks & Rec staff.

Commissioner Tate asked if Guy files a financial statement. Mr. Beardsley said no, I do not take in any money in at all.

Mr. Beardsley talked about past publicity events. We don’t think we increased sales based on publicity. It’s been mostly from word of mouth. The sales are increasing on the Saturday s.

Vice-Chairman Dyer said he is having a problem with why there isn’t common ground? I don’t see the problem.

Ms. Monahan said she is looking to see that the people selling there are truly selling what they are growing.

Commissioner Tate asked, if the vendors there put out an honest statement, based on the approval from Guy, saying where they get their materials, produce, and where it is grown, does that satisfy your concern?

Ms. Monahan said that there was a rule made 8 years ago that was never followed about selling what you grow. I’ve seen that there are customers coming up to me and different places around town asking why is this farm that just goes and buys wholesale. One of them was inspected by the State of CT, Dept. of Ag in 2003, and we were told from that report that he plants rows of token crops, but never picks any of it to sell at the market, and therefore he has it on his crop plan and is a WIC approved vendor. He doesn’t bring anything from his own farm to the market. The consumers don’t know that.

Mr. Beardsley said that when the Monahan’s were part of the market, for 3 years, Stacia?

Ms. Monahan said Fred was part of the market at the beginning, left for a few years and then started back in 98.

Mr. Beardsley continued, there was a proposal made by her husband and Mr. Plasko. That proposal said vendors could not bring in or sell any product that
another vendor grew, until that vendor that grew it was out of there. For example, if one vendor runs out of corn & another vendor has corn, that vendor who ran out of corn can’t bring corn in until the other vendor who has corn has sold all of his, regardless of the quality & kind of corn. It got really sticky and it got to the point where I could not police who had what. The market in New Haven where Stacia goes does have a policing authority. It’s called Market Management. We’ve tried to run our market on a very friendly basis. I couldn’t enforce that rule. It was the original rules but it just is not enforceable for me and I think that’s why the Monahan’s left the market.

Ms. Monahan answered that our reasoning is, how is somebody buying corn in Hartford and selling it in Shelton helping Shelton agriculture, when I’m trying to grow corn and sell it. How is a Shelton farmer supposed to sell their corn when there is an over-abundance from another location?

Linda Hooper, 61 East Village Rd
Ms. Hooper said that is one of the issues that could be ironed out. We could all get together as a group and work it out. I don’t think that is the whole issue. Stacia mentioned that she hopes we could get a subcommittee of members of Shelton. It would pretty much exclude the farmers, which would make a lot of the decisions, which we have seen the City’s rules and regulations, which are not to our agreement, some of which are financial. I think we feel we would lose control. I would hope that if the Conservation Commission does decide to set up a subcommittee that at least these farmers would have a chance to be on the committee and they could vote on the rules and not be excluded, and be forced to follow the City seed rules. I don’t think it’s the winter market. I’m sure anybody who wants to go, go. That isn’t the issue. It’s how the market is going to be run and we’re going to be excluded.

Commissioner Tate asked if that was the issue?
Ms. Monahan that if there was a committee it should be made up of farmers that are selling at farmers markets and area consumers or other business people interested in the farmers market as a whole. When you don’t have the aspect of what the consumer wants, that’s what I’ve seen with the way this market work, is that they have input into their market committee and the management of the whole market from the consumer. There are consumers who sit on the market committee, who advises the board. It’s a public owned building and it should have a public committee run how this is working.

Edward Wittkofski, 62 Ten Coat Lane
Mr. Wittkofski asked how many other state registered farmers markets are being run by a committee of their local government? That seems to be a rather harsh action that would require the city to take over control of a market where the rest of the state has trusted their farmers or other organizations to run it. Then you talked about, if we do these things we’ll really enhance the town. Where’s the market research? We’ve heard from Guy that there have been a lot of
experiments over the years and the farmers market has kind of stabilized to what
the community supports and growing at a good pace in line with the growth of the
community. I see some of this as sort of disingenuous of what’s really going on
here. I agree with Linda Hooper that the farmers themselves can police
themselves through their own process. We have an annual meeting where the
schedule is set, rules, any changes, advertisement, etc. That is happening today
and I don’t see having a City committee take over is really going to do anything
but add another level of bureaucracy that I think we as a country are trying to
eliminate.

Jim Oram, 181 Division Ave
Mr. Oram said he serves on the Citizens Advisory Board. It was back in the
1990’s I was with Guy and folks who were looking to back up his truck. We
ended up with a beautiful building and facility. I think one of the issues here is
the building, which is a public facility, which should be available to other interests,
and the Farmers Market. The intent was to give that use the priority but also to
make sure it could be used for others. The way it is managed is through the
Mayor’s office. Giving the farmers should be the priority, but when they are not
there, the Mayor’s office has always had a handle on the use of the building.

Amanda Oram, 18 Forest Ave.
Ms. Oram said I can see this from both sides. I’ve organized several non-profit
events at the Farmers Market over the years. I’ve gotten great support from the
Mayor’s office. I have also worked with Guy when the event was on a Saturday.
He was very cooperative and it worked very well for us. It wasn’t an issue at all.
Speaking as an organizer and a user of the facility as it is, I don’t see an issue
right now. Speaking as a resident of Shelton, I love the Farmers Market.
She told the story of why there are bathrooms.
I have a long history with the Farmers Market and with Guy. I think this whole
thing has been handled a little underhandedly. Why wasn’t this presented to
Guy? Why wasn’t Guy involved in discussions of this? It’s presented as if it’s for
transparency. I’ve never found Guy not to be transparent. We have a market
master who gives his time, who gives his ability and doesn’t charge for it. People
have mentioned the City seed organization, which you know they have paid staff,
who obviously who are paid through dues that the vendors would have to pay at
the markets they run. This is something else that would have to come in and be
presented once this committee was formed. I know Stacia would like this
implemented & instituted here. They have their own market managers. There
would be no place for Guy in this as far as I understand. There would be no
input from the farmers. I’m just not happy with the way the whole thing has been
handled.
Farmers have a meeting annually. If the question is transparency, citizen’s
involvement, why can’t this meeting be open? Why can’t you have citizen’s
representatives who come to you and work with you? Why do we have to form
another committee & essentially take it away from somebody who has been donating his time and skills for the past 18 years? I don’t appreciate that as a citizen.
Commissioner Tate talked about the role of Conservation Commission as “overseers”, more like planning and guidance & budgets. He talked about working with the Trails Committee, the Community garden, and how it works with the Conservation Commission. We are only advisory or regulatory. We’re not here as a group that would oversee you as a management group at all, ever. We would not want to take that on anyway. The only issue that concerns me a little bit, and it’s really nothing we can help you with is, but I’m sure as the educated farmers and vendors would know is, the idea that Shelton farms produce product that needs to be sold. They should have some advantage by selling locally than someone coming from another location. That is something you need to work on.

Ms. Oram said that it got more attention than it should have. I shop at the Farmers market regularly. I’ve gone to plenty of the vendors that said sorry, we don’t have anymore lettuce or anymore cucumbers today. I think that is a mountain being made out of a mole hill. It’s a very small percentage. Most vendors bring what they think they will sell. Some have packed up when they have run out. They have told me they don’t do this to get rich. I have to agree. They do it so they can work the land, support the land. Most are local and I have great relationships with most of them. This issue is being presented as why we need to make a change, why we need to have a committee. It’s a very small issue and not really anything that needs to warrant getting rid of our market master of 18 years and doing away with what’s been working for 18 years. That’s my opinion.
Commissioner Tate suggested getting together, listing the issues that we hear tonight, and maybe give an answer. Circulate it and let’s see if we can move forward.
Ms. Oram asked if we can come up with a proposal for a joint group?
Ms. Monahan said she has a list of name of people who are interested in serving on this committee.
Mr. Beardsley said that the Mayor was very strong on his thought that a subcommittee would be the answer to the problem. I know he has some ideas.
Ms. Monahan said that he seemed that he wanted to have a continuous market thing and to have everyone try and work together and to work it out. What City Seed has done over the past 8 years, they do have some paid employees (paid through a grant), and dues, plus a huge group of volunteers, including college interns. There is a lot to learn and through doing it in a committee way you could help expand the farmers market for everybody. You can bring in a new aspect by input from the community.
Ms. Oram said you are not talking about input from the community you are talking about input from City Seed.
Ms. Monahan said no I’m using them as an example for what they’ve created. They want nothing to do with running anymore markets than they do in New Haven. They are their own entity there. They don’t want to have anything to do with Shelton’s farmers market. They are a non-profit to help show how to organize a market and how it’s run, that it’s all transparent and even. They have records of economic impact on the neighboring communities by having the market.

Commissioner Tate said that perhaps a representative of that group could come and talk to the Farmers Market group.

There was more discussion of this concept.

Mr. Beardsley mentioned that they work with the high school in their community service program.

Chairman Harbinson suggested if they had this subcommittee to come up with a number.

Commissioner Tate said that it may be a matter of having a few meetings a year to open the discussion of any new ideas.

Jeanelle Beardsley, 62 Ten Coat Lane

Ms. Beardsley asked Stacia to re-join the market and work within the existing structure. I would like to offer to the Commission a copy of our rules that were adopted in 2003. Item #4 addresses Stacia’s point about the rules not being followed.

(The tape ends at this point)

Chairman Harbinson said that they missed turning the tape over. He summarized the missed discussions by saying that the Commission would digest the information, discuss it further, and talk to the Mayor, and come up with a solution.

The next member of the public that spoke was Ralph DiSanti, owner of the property at the end of Oak Valley Rd. Agent Gallagher, Vice-Chairman Dyer and Chairman Harbinson met with him today at his property, regarding where the Rec path would make its way off Oak Valley Rd. towards the Great Ledge property (Bures). There is a potential to relocate the right-of-way for his driveway off of the cul-de-sac directly towards his house and parcel over City property where the utility lines cross. We agreed to check the deeds & the City Engineer’s input.

E. Shelton Lakes Recreation Path, upgrade to handicapped accessible standards. Status.

Vice-Chairman Dyer said that the contractor has completed all the tasks under the existing contract. They have submitted an invoice for the section completed from Crabapple bridge to the power lines and replaced the bridges that were moved.
Vice-Chairman Dyer MOVED to approve payment of the invoice dated September 1, 2011 for the completion of task #2, contract #3090, in the amount of $35,500. The work has been inspected and is satisfactory. Retainage is still being held on the overall contract. SECONDED by Chairman Harbinson. All were in favor; MOTION PASSED.

Vice-Chairman Dyer asked the contractor for a quote to go from where he ended at the power lines to the east side of the gate at the Bures property to complete the segment of the Rec Path. This covers an area of 1200’ which includes the brook crossings and the sub-base. Commissioner Tate talked about the benefits of using the same contractor for this task.

This proposal needs to go to the Mayor for review and approval. Commissioner Tate MOVED to recommend approval from the Board of Aldermen the addition of the contract for the this segment of our Rec Path at the newly acquired open space parcel (Bures property). SECONDED by Chairman Harbinson. All were in favor; MOTION PASSED.

Commissioner Tate recapped the quote for 1200’ with two brook crossings, 15” piping, sub-base built to the standards we already have at a cost of $28,250. Vice-Chairman Dyer said it compares with the $35,500 for the same number of linear feet.

Vice-Chairman Dyer reported that we have our Rec Path ribbon-cutting celebration on September 24th at 12 noon. Agent Gallagher said the rain date would be the next day at 11:30 AM. Chairman Harbinson said he asked Bill Dyer to invite some of the people who were involved, such as Jim Swift, Landscape Architect, Terry Jones, Jason Perillo (former P&Z member), Tracey Lewis, Landscape Architect, Perkin Elmer volunteers, BOA, DEEP. It will be somewhat like our National Trails Day event, with a hike. Agent Gallagher talked about some events/food she is trying to coordinate.

F. Trails Committee Report

Vice-Chairman Dyer reported that Orange Fence has put in 260’ of our contract of 380 linear feet of 2-rail fencing. One of the locations is at Nells Rock at the bend and another is at Lane Street.

We developed a proto-type for a removable bollard (sample shown to Commissioners). It could be either made from a 6x6 or 8x8 wood beam. There would be a steel plate bolted into cement. The lock would be at the top and a reflector could be added. When you need to get in, you would take off the lock, drop it down, and drive over (shown).

Chairman Harbinson suggested having it done in metal. Bill said he is having trouble getting a quote.
Commissioner Tate said he thinks they should be 8x8 and he will get Roy to give him a quote. The Commissioners spent time looking at the design and discussing it. Vice-Chairman Dyer said that Shelton Day is Sunday, October 2. We have our booth set but we may need to go out and buy stuff. T-shirts were mentioned and Bill asked Teresa about new brochures. Agent Gallagher said that the existing one is obsolete. The Commissioners suggested handing out what we have. They suggested getting water bottles or fridge magnets to sell.

Vice-Chairman Dyer MOVED to reimburse Richard Skudlarek for gas for the Gator in the amount of $15.84. SECONDED by Chairman Harbinson. All were in favor; MOTION PASSED.

Vice-Chairman Dyer told the Commissioners about a resident, Bill Thiel, offered his services cutting 3 trees. The Trails Committee will do a hike at Tahmore in October and the Turkey Trot in November.

G. Dog Park and Planning for corner of Nells Rock Road & Shelton Ave
The white house is still in process of waiting for demolition. Apparently it’s because of the regulations regarding demolition that is stalling the process.

H. Community Garden
No report except to say there is a lot of produce growing!

I. Open Space Trust Account: Status
No report.

J. Budget Status
No report.

K. Open Space set-aside: Status of increase to 15% in subdivision regulations
No report.

L. 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.)

Cranberry Hill Estates proposed pedestrian easement on private open space.
Map presented from Huntington Company LLC showing the layout of the property. The walking path pretty much follows the perimeter of the original parcel. It comes to the end of the cul-de-sac of Daybreak Lane. The Commissioners reviewed it and found no issues.
Recommend writing a letter of endorsement for the proposed pedestrian easement for a public walking trail over private open space on the Cranberry Hill Estates development. The letter should go to P&Z and a copy to BOA, the Mayor and Tom Taylor.

M. Communications
None

N. Quality of Life – Executive Session (land acquisition and security issues)
Chairman Harbinson MOVED to go into Executive Session for the purposes of discussing land acquisition issues at 9:00 P.M. SECONDED by Commissioner Tate. All were in favor; MOTION PASSED.

At 9:25 P.M. Chairman Harbinson MOVED to return to regular session. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

Chairman Harbinson stated that no actions took place in Executive Session.

O. Comments by members

P. Adjournment
The meeting adjourned at 9:30 pm.
The next regular meeting is Wednesday, October 5, 2011.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission