

Town of Somers  
Legal Notice  
Special Town Meeting  
Monday, July 25, 2011  
7:00pm -- Town Hall Auditorium

The Town of Somers will hold a special Town Meeting Monday, July 25, 2011 at 7:00 pm at the Somers Town Hall, 600 Main Street, Somers, CT to discuss and act upon the following:

1. A resolution authorizing the Town to settle a lawsuit captioned Gingras Development LLC, et al v. Town Somers TTD CV09-6000878 by paying the Plaintiffs the sum of One Hundred and Twenty Thousand (\$120,000.00) Dollars, Sixty Thousand (\$60,000.00) Dollars of which is to be paid by the Somers Water Pollution Control Authority as recommended by the Board of Selectmen and Board of Finance.
2. A resolution authorizing the transfer of Twenty-Five Thousand (\$25,000.00) Dollars from Municipal Open Space Fund to the Northern Connecticut Land Trust to be used for the purchase of the "Stevenson Ravine" property located at Mountain Road, Somers, CT.

Signed at Somers, Connecticut, this 15 day of July 2011.

Lisa Pellegrini, First Selectman  
Kathleen Devlin, Selectman  
Bud Knorr, Selectman

Published: July 18, 2011

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I Ann Marie Logan, Town Clerk of the Town of Somers, certify that the foregoing is a true and accurate copy of the notice that was duly posted and advertised.  
Attest: Ann Marie Logan

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**Meeting Minutes  
Special Town Meeting  
July 25, 2011**

The meeting was called to order at approximately 7:00 pm by First Selectman Lisa Pellegrini. There were approximately 30 citizens in attendance.

A motion was made by K.Devlin to nominate L.Pellegrini the moderator of the Special Town Meeting. No other nominations presented. Motion seconded by B.Devlin and unanimously voted to elect L.Pellegrini as moderator.

**Item #1**

Town Attorney Carl Landolina explained that in 2003 the developer was approved for a high density residential project. The town sewer system was on Main Street but did not extend to the project property. It was suggested that the developer apply to the DEP to expand the sewer facility from 60,000 capacity per day to 100,000 per day. It was also agreed that the developer would share in the expansion. In 2004 there was an agreement that 40,000 would be available for an anticipated development of the Mill Structure. The DEP responded that the sewage facility was at the end of its useful life and that the town would need to do a full refitting of the plant. In 2005-06 the DEP approved the expansion/refitting, the project went out for bid at an estimated cost of \$900,000. The developer claimed that he had agreed to pay for ½ of the expansion rather than a complete refitting. The developer paid \$249,000, but reserved the right to reclaim the monies. The issue went to court and the judge recommended that the developer be reimbursed for \$120,000. The Town of Somers and the WPCA has agreed to split the cost with the first payment August 15<sup>th</sup> and a second on November 30<sup>th</sup>. Atty Landolina explained that if the Town Meeting did not approve the expenditure the approximately cost to litigate in court would be \$50-\$60,000. The audience was invited to ask questions – none. **A motion was made by C.Colby, seconded by B.Devlin and unanimously voted to approve the settlement with Gingras Development LLC.**

**Item #2**

Ms. Pellegrini explained that these monies would be going to the Northern CT Land Trust for the purchase of land which would remain as Open Space and would not be developed. The entire piece encompasses approximately 30.5 acres. No questions from the audience. **A motion was made by C.Colby, seconded by B.Devlin and unanimously voted to transfer \$25,000 to the Land Trust.**

A motion was made by K.Devlin, seconded by C.Colby and unanimously voted to adjourn the Special Town Meeting of July 25, 2011 at approximately 7:14 pm

Respectfully submitted,

Ann Marie Logan  
Town Clerk