

FILED IN EAST LYME
CONNECTICUT
Feb 28 2014 AT 3:30 AM/PM
Lesley D. Blaw
EAST LYME TOWN CLERK

East Lyme Board of Selectmen
Special Meeting of February 26, 2014
Minutes

Present: Paul M. Formica, Holly Cheeseman, Kevin Seery, Rose Ann Hardy.

1. Mr. Formica called the meeting to order at 6:20 p.m. and led the Pledge.

Mr. Formica noted that Mr. Nickerson had a conflict and would not be in attendance this evening. He added that Mr. Wilson would be here shortly.

Delegations:

Ron Rando of 194 Boston Post Road asked to see the bid for the Boardwalk. He noted that from the very beginning, he asked who would maintain the boardwalk and the answer was always the East Lyme Public Trust. He asked where they are now. He said that we have spent a lot of taxpayer money and that the boardwalk was not built right from the very beginning. He said that \$20 million dollars will be spent on this project in total before it is done and said that he voted against it originally and added that this was a waste of money and to leave the area as is. He said that it is time to start thinking about the townspeople while crafting the Town and Board of Education budgets, adding that people are hurting. He said that we do not need new vehicles for the fire departments and requested that the Board not approve the purchase of a second ladder truck.

Mr. Wilson arrived at 7:30 p.m.

John Drabik of 18 Drabik Road said that the original resolution for the Boardwalk called for a wooden boardwalk and a fishing pier. He said that the Town has bought the same section of the boardwalk twice and asked why the Board was now proposing to build something that was not approved by the taxpayers. He suggested that the Board remember who they work for. He said that the repair and maintenance of the Boardwalk was supposed to be by the East Lyme Public Trust's expense. He said that we need a contract with the Trust outlining what they will do. He noted that a highway employee had been caught hacking into financial files and draining fellow employee's bank accounts. He said that it is obvious that direct deposit is not working and stressed that he wanted to see the Town's check register on line and added that other towns do it.

2. Approval of Minutes
Special Meeting of February 19, 2014
MOTION (1)

Mr. Seery moved to approve the minutes of the Special Meeting of February 19, 2014 as submitted.

Seconded by Mr. Wilson. Motion passed 5-0.

East Lyme Board of Selectmen Special Meeting of February 26, 2014

Public Hearing of February 19, 2014

MOTION (2)

Mr. Seery moved to approve the minutes of the Public Hearing of February 19, 2014 as submitted.

Seconded by Mr. Wilson. Motion passed 5-0.

-Regular Meeting of February 19, 2014

Regular Meeting of February 19, 2014

Ms. Hardy noted on page 6. middle of the page, second line should read: She attended the **Natural Resources** meeting.

MOTION (3)

Mr. Seery moved to approve the minutes of the regular meeting of February 19, 2014 as amended.

Seconded by Ms. Hardy. Motion passed 5-0.

Ms. Hardy left the meeting.

3. Presentation – Boardwalk

Mr. Formica introduced Rachel Burckhardt of Parsons Brindkerhoff and John Ramsey of Applied Coastal who are the consultants hired to review and design a boardwalk that would sustain a 100 year storm. He noted that the funding for this project was accumulated from two insurance settlements from hurricanes; \$1.5 million from Irene settlement and \$1.151 from Sandy settlement, a \$500,000 STEAP Grant and a settlement from the original builder of the boardwalk in the amount of \$1.6 million dollars because when originally built, it was supposed to sustain a 25 year storm and it did not, and \$203,000 from FEMA. He noted that this totaled \$4.9 million dollars which was set aside and that \$500,000 had already been appropriated. He said that approximately \$20,000 had been spent of the \$500,000 on the design, leaving approximately \$4.4 million to appropriate. He said that we had received 12 bids ranging from \$4.388 million to \$8,353,000. He noted that an East Lyme contractor had won the bid at \$4,388,499 and therefore, we could build within our budget. He noted that approximately \$200,000 would be needed for Amtrak traffic and safety personnel. Please note Attachment A.

Mr. Ramsey reviewed his 100 year design with the Board noting that the walking surface would be of concrete, and that sheet pilings would be utilized. He showed pictures of the original Boardwalk pre Irene, post Irene and post Sandy. He said that his design is similar to Amtrak's.

Deputy Director of Public Works Bill Scheer said that since Hole in the Wall was complete, they plan on letting the contractor utilize the upper end of McCook's parking lot and the pavilion will be blocked off. He said that we have all the permits necessary and that the town's portion of the boardwalk will be of 10' concrete sidewalk fenced on both sides. He said that Amtrak's revetment along our part of the Boardwalk was

compromised during the storms and that rocks have washed down. He said that we are trying to get Amtrak to pay for their revetment and for flagmen which would total approximately \$400,000.

There was some discussion about Amtrak's revetment and the necessity to fix it. Mr. Formica noted that he was in negotiations with Amtrak at this time and that Congressman Courtney had viewed the area and was talking to Amtrak also. He said that negotiations will continue.

Ms. Cheeseman inquired what would happen if Amtrak refused to fix their revetment.

Mr. Ramsey replied that there is no issue for small storms, but there would be an issue when we experience a big storm. He stressed that their revetment would be destabilized, not ours. He said the revetment could be fixed now or later.

Ms. Cheeseman asked if there were other examples of steel sheeting being used in this manner to withstand 100 year storms.

Mr. Ramsey replied that it is utilized like this, all over the world.

Town Building Chairman Ray O'Connor noted that since there were no utilities in the area, change orders should be at a minimum. He added that if Amtrak comes through with the cost of revetment repair and the cost of the flagmen we would be golden. He said that we would need to make a motion to assign the Town Building Committee to oversee the construction. He also added that the Committee was short one member.

MOTION (4)

Mr. Seery moved to approve a special appropriation of up to \$4,442,779 from proceeds related to legal settlement, insurance settlement and FEMA Funds from Capital Projects Fund 57 into an account entitled "Niantic Bay Boardwalk 2014" to fund betterment and repairs. Remaining funds to be used for maintenance and upkeep and forward to the Board of Finance for their approval.

Seconded by Mr. Wilson.

Ms. Cheeseman said that the people commenting earlier had a good point when they said that this was not what was approved at Town Meeting.

Mr. Formica noted that the people voted to approve the construction of a boardwalk and it has a great economical value to our town. He said we were getting a better mousetrap.

Mr. Seery noted that we had certainly done our "due diligence" and this is a very popular resource of our town.

Mr. Wilson agreed noting that no one could have imagined the destruction that occurred and that the spirit of the vote is there. He said that it is no one's fault, but we were not

prepared for something that no one thought would happen and we paid the price. He said that he cannot see us not fulfilling the dream of a full boardwalk and that this project was worthy of support.

Ms. Cheeseman noted there were a number of issues that had to be settled such as assuring the taxpayers that this will not be a cost to them. She said that she is very concerned about Amtrak's revetment and did not believe that this was what was originally considered. She said for these reasons, she would not be able to vote in favor of this motion.

Aye: Mr. Formica, Mr. Seery, Mr. Wilson.

Nay: Ms. Cheeseman. Motion passed 3-1.

Special Appropriation Municipal Grant in Aid

5. Special Appropriation – Municipal Grant in Aid

Mr. Formica noted that as part of the Governors Implementer Bill PA 13-247 Section 128 "bond" funds were included to be used specifically for the purposes as defined in the Department of Transportation Town Aid for Roads Grant Funds. The grant funds are specified as "Municipal Grants-in-Aid for the current fiscal year and for the upcoming 2014/15 fiscal year. We received our share in the amount of \$21,107. This funding was not included as part of our 2013/14 budget, therefore, we will need to appropriate the funds.

Finance Director Anna Johnson said that this was an excess amount of grant aid received for Town Aid Road funds for this year and the next fiscal year and since it had not been included in the budget originally, a special appropriation is necessary.

MOTION (5)

Mr. Seery moved to approve a special appropriation in the amount of \$21,107 for Municipal Grants in Aid to account 4-01-30-317-500-224 (Town Aid Roads) and corresponding revenue account 4-01-03-300-301 (Town Aid Road Assistance) for compliance with PA 13-247 Section 128 and move to the Board of Finance for approval.

Seconded by Ms. Cheeseman. Motion passed 4-0.

6. Sign Call – Special Town Meeting 3/19/14

MOTION (6)

Mr. Seery moved the following call:

TOWN OF EAST LYME
NOTICE OF SPECIAL TOWN MEETING

Notice is hereby given of a Special Town Meeting to be held on Wednesday, March 19, 2014 at the East Lyme Town Hall, Upper Meeting Room at 7:00 p.m. to consider and take action on the following:

East Lyme Board of Selectmen Special Meeting of February 26, 2014

1. Special Appropriation of the sum \$2,320 to the 134 Smith Harris Commission account 01-01-134-100-415 to fund, in part, the museum curator position and to appropriate \$180 to account 01-01-114-100-121 to fund FICA/Medicare related to said position.
2. Special Appropriation of \$15,000 from general fund undesignated fund balance to 725 Capital into an account entitled "Playscape – Samuel Peretz Park at Bridebrook."
3. Special Appropriation of \$54,800 from CNRE Fund 32 into an account entitled, "Architect – EL Elementary Schools" to develop education specifications and cost estimates for upgrading the elementary school buildings.
4. Special Appropriation in the amount of \$43,500 DOT 2014 Comprehensive DUI Enforcement Program to account 01-25-216-100-519 (Grant Overtime).
5. Special Appropriation of up to \$4,442,779 from proceeds related to legal settlement, insurance settlement and FEMA Funds from Capital Projects Fund 57 into an account entitled "Niantic Bay Boardwalk 2014" to fund betterment and repairs. Remaining funds to be used for maintenance and upkeep.
6. Special Appropriation in the amount of \$21,107 Municipal Grant in Aid to account 01-30-317-500-224 Town Aid for Roads.

Dated at East Lyme, CT this 26th day of February, 2014

Seconded by Mr. Wilson. Motion passed 4-0.

7. Appointment – Youth Services – Ken Roberts

MOTION (7)

Mr. Seery moved to appoint Ken Roberts of 2 Rockwell Street, Niantic, CT to serve on the Youth Services Commission through January 8, 2018.

Seconded by Ms. Cheeseman. Motion passed 4-0.

Appointments – Inland Wetlands

MOTION (8)

Mr. Seery moved to appoint Harold E. Clarke of 76 Giants Neck Road, Niantic, CT and Phyllis Berger of 32 W. Pattagansett Road, Niantic, CT to serve on the Inland Wetlands Commission through January 4, 2016.

Seconded by Ms. Cheeseman. Motion passed 4-0.

Mr. Formica called for a five minute break at 7:32 p.m.

Mr. Formica reconvened the Special Meeting of the Board of Selectmen at 7:40 p.m. and noted that Ms. Hardy had returned to the meeting.

8. Budget Reviews:

Police:

Sgt. Resident Trooper Blanchette was present and reviewed his budget, noting that presently, he was down three officers. He commented that a good deal of his budget line increases were contractual.

Mr. Formica noted that there were a number of bills for a public hearing at the State regarding the percentage of what the resident trooper towns pay. He said in the past we paid 70% of the fringe benefits and now, we are being assessed for 100% of the fringe. He said part of the additional money is being utilized for the unfunded pensions and they believe that this is an unfair burden to the towns that have resident trooper programs.

Mr. Wilson commented that he was not sure that there was enough money in the overtime line.

Ms. Cheeseman asked where the cost for the police's vehicle maintenance was listed.

Ms. Johnson replied it was in the Public Works budget.

Parks and Recreation:

Director Dave Putnam reviewed his budget. He noted that line 412 Part time Seasonal Labor was to staff Cini Park on a daily basis where this year, it was only staffed on weekends. He said it would cost approximately \$35,000 of additional funding to staff the full week with the minimum wage increase. He noted that private beach associations are charged for the equipment and operator when they groom the beach.

Mr. Wilson asked about the Directors salary line 211 and line 311 and wanted to know what had changed.

Mr. Putnam responded that Ms. Butterfield had vacated the Youth Service position and Mike McDowell had been hired as Program Coordinator for the Teen Programs and Special Events.

Ms. Cheeseman asked if there was any revenue for the high school field for summer usage.

Mr. Putnam noted that so far, only programs sponsored by parks and recreation had utilized the field.

Niantic Fire Dept:

Chief McDonald was present to review his budget noting that over all, his budget was up \$10,000. He said that there was an increase in his radio maintenance line since he had to

purchase radio batteries. He said that the \$5000 overtime increase was in last year's budget, but removed by the Board of Finance.

Ms. Hardy noted that the First Selectman had reduced line 218 OSHA by \$1000 and asked how much of this line he normally utilizes.

Chief McDonald responded he uses all of the money.

Ms. Hardy asked what would happen if a piece of equipment were not inspected.

Chief McDonald responded that they would not be able to use it. He said that in the past, the Board of Finance had cut the purchase of two hoses and then they had to come back later in the year for a special appropriation to purchase them. He said if he ran out of money, he would have to come back.

Flanders Fire Dept:

Chief Levandoski was present to review the budget and noted that there was an increase in overtime and a decrease in the vehicle maintenance budget and the OSHA inspection line was up. He said that he was bringing the overtime line up to what was actually expended last year. He said the OSHA increase is due to his requested replacement of SCVA bottles. He said he was hoping to replace 5 each year. He said the Radio Maintenance line was up because new batteries were needed for the radios. He noted that the uniform increase was contractual. He added that every year, there is a decrease in volunteers.

Emergency Management:

Mr. Morris was present and noted that the full time dispatcher salary had a contractual increase included.

Mr. Formica thanked Fire Chiefs McDonald and Levandoski, Sgt. Resident Trooper Blanchette and Director of Emergency Management Morris for all that they do for the town.

Debt Service:

Finance Director Johnson reviewed the increase in the debt service interest for next year. She also noted that the Principal budget was up \$195,000.

Capital Improvement Plan:

Mr. Formica reviewed the Capital Improvement Plan. He noted that there were plans to paint the Library and he has been talking to the prison for assistance for some of the painting so that number might change. He said there was a 4 door, 4 wheel drive truck requested as one of the vehicles for the Police.

Ms. Hardy noted that the last page was not broken up in colors and requested that a new copy be sent to the Selectmen before the next meeting.

East Lyme Board of Selectmen Special Meeting of February 26, 2014

Mr. Formica noted that the Board would continue their discussions and finalize the budget on March 10th. He reminded the Board of their joint meeting with the Board of Finance and Board of Education on March 12th. He said they could then discuss the Board of Education's budget on March 19th and forward any comments they had to the Board of Finance.

MOTION (9)

Mr. Seery moved to adjourn the Special Meeting of the East Lyme Board of Selectmen at 9:47 p.m.

Seconded by Ms. Hardy. Motion passed 5-0.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Darlene C. Stevens". The signature is written in dark ink and is positioned above the typed name.

Darlene C. Stevens, Recording Secretary

Abstract A

BOARDWALK BUDGET

FUNDING AVAILABLE : **\$4,942,778**

MINIMAL AMTRAK PROPERTY WORK:

EXPENSES:	ENGINEER BID SERVICES :	(\$21,561)
	ENGINEER CONSTRUCTION ADMINISTRATION:	(\$250,000)
	WEISE CONSTRUCTION BID:	(\$4,388,499)
	AMTRAK PROTECTIVE SERVICES :	(\$200,000)
	CONTINGENCY 1.8% :	(\$82,718)
BALANCE:		\$0

MAXIMUM AMTRAK PROPERTY WORK:

EXPENSES:	ENGINEER BID SERVICES:	(\$21,561)
	ENGINEER CONSTRUCTION ADMINISTRATION:	(\$250,000)
	WEISE CONSTRUCTION BID:	(\$4,770,604)
	AMTRAK PROTECTIVE SERVICES:	(\$200,000)
	CONTINGENCY 2%:	(\$94,530)
BALANCE:		<u>(\$393,917)</u>

IF AMTRAK MAN'S UP:

	ENGINEER BID SERVICES:	(\$21,561)
	ENGINEER CONSTRUCTION ADMINISTRATION:	(\$250,000)
	WEISE CONSTRUCTION BID:	(\$4,358,499)
	AMTRAK PROTECTIVE SERVICES:	(\$0)
	CONTINGENCY 5%:	(\$217,925)
BALANCE:		<u>\$94,793</u>