

TOWN OF EAST LYME
BOARD OF SELECTMEN
SPECIAL MEETING
APRIL 23, 2014

Members Present:

Paul Formica, First Selectman
Mark Nickerson
Kevin Seery
Holly Cheeseman
Rose Ann Hardy
Rob Wilson

FILED IN EAST LYME
CONNECTICUT
April 28 2014 AT 8:50 AM/PM
Bradley D. Wilson ATC
EAST LYME TOWN CLERK

Also Present:

Tracy Collins, Town Attorney

A. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was previously observed at the Public Hearing immediately prior.

B. ADDITIONAL AGENDA & CONSENT CALENDAR ITEMS

There were no additional Agenda & Consent Calendar Items.

C. DELEGATIONS

There were no delegations.

D. APPROVAL OF MINUTES OF APRIL 2, 2014

Motion (1) Mr. Wilson moved to approve the Minutes of April 2, 2014.

Seconded by Ms. Cheeseman.

Motion Passed 5-0-1 (Mr. Seery Abstained)

E. CONSENT CALENDAR

Motion (2) Mr. Nickerson moved to approve the Consent Calendar dated April 17, 2014 in the amount of \$1,414.24.

Seconded by Mr. Wilson.

Ms. Hardy stated she is of no relation to William Hardy, who is listed on the Consent Calendar.

Motion Passed 6-0.

2. NEW BUSINESS

A. BUILDING DEPARTMENT – SPECIAL APPROPRIATION

Mr. Formica stated the Building Department has had an increase in permit activity. They are requiring the use of part time inspectors. This appropriation will be offset by revenue.

Motion (3) Mr. Nickerson moved to approve a special appropriation in the amount of \$7,500 to budget account 4-01-01-104-100-212 (Building Official) and revenue account 4-01-05-500-501 (Building Permits) due to increased activity in permitting and inspection activity and forward to the Board of Finance for approval.

Seconded by Mr. Wilson.

Motion Passed 6-0.

3. UNFINISHED BUSINESS

A. AUTHORIZING RESOLUTION – HOMELAND SECURITY GRANT PROGRAM

Mr. Formica stated they did this Resolution a few months ago, but that was for last year, this will be for this year.

Motion (4) Mr. Nickerson moved the following Resolution:

RESOLVED, that the Board of Selectmen may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection (formerly the Department of Emergency Management and Homeland Security) any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Paul M. Formica, as First Selectman of East Lyme, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectmen and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but no limited to, executing and delivering all agreement and documents contemplated by such documents.

Seconded by Ms. Hardy.

Motion/Resolution Passed 6-0.

B. GOLF CARTS – DISCUSSION/POSSIBLE ACTION

Mr. Seery stated he would be comfortable taking the head light requirement out, since they may be encouraging people to drive at night. He is concerned with not having any brake lights; he does want to see a restriction on the number of people that are allowed to be on the golf cart.

Ms. Hardy stated when they initially discussed this she thought it was for the benefit of seniors and disabled people. Now they only need a Connecticut Drivers License. There have been emails circulation and votes taken by phone. She would be more comfortable with all the beach community members discussing this and having their input. There are other developments in Town without beaches that may also like to be involved in this Regulation.

Mr. Wilson stated he appreciates Giants Neck Beach and Pine Grove coming forward and doing their due diligence. The regulation states there can be up to 4 passengers. 55 and over communities have voiced no opinion on this either for or against. If they do come forward we can deal with that issue then. He could see this at Spinnaker, but they haven't heard from them.

Ms. Cheeseman stated she also appreciates the input from Giants Neck Beach and Pine Grove. Headlights are not just used at night, they provide additional visibility. The cost of a golf cart will limit the number that are used. She feels that a car speeding is more dangerous than a golf cart. If this is abused they can re-visit it in the future.

Mr. Nickerson stated the Regulation says it is for people with a Connecticut Drivers License only. If parents buy a golf cart he would hope they have the control in their households so those without a license won't drive them. As far as headlights we may be encouraging their use at night. If any other community says in the future that they don't want to be involved they can be removed from the Regulation.

Mr. Formica stated he would like to see headlights left in the Regulation but that is up to the group. Pine Grove and Giants Neck Beach will be removed and they will prepare a revised map. East Lyme Public Works will prepare the new map. The police will include the map with the registration. He suggested they also include a list of the road names that are included.

Attorney Collins stated this is a Regulation, not an Ordinance; they have the right to change this in the future.

Motion (5) Mr. Nickerson moved to exclude the headlight requirement in the Regulation.

Seconded by Mr. Wilson.

Ms. Hardy stated it is a safety feature; they can be used on overcast and cloudy days.

Ms. Cheeseman agreed.

Motion Failed 3-3 (Nay – Ms. Hardy, Ms. Cheeseman, Mr. Formica)

Motion (6) Mr. Nickerson moved the following Resolution:

RESOLVED, the Board of Selectmen, acting as the Town's Traffic Authority, adopts the regulation entitled "Regulation Concerning the Use of Golf Carts" as amended to exclude Giants Neck Beach and Pine Grove (Sections 5.5 and 5.6). In addition, Section 6 shall change from "East Lyme Police Department" to "East Lyme Public Works Department." To be effective on May 12, 2014.

Seconded by Mr. Wilson.

Motion Passed 6-0.

4. COMMUNICATION

There was no communication.

5. INFORMATION AND REPORTS

A. EX-OFFICIO

Ms. Hardy asked about the progress on the Boardwalk. She also asked that on the next agenda they add a noise ordinance discussion. The last two weekends she has been hearing motorcycles and she believes that is a violation of the ordinance. She suggested possibly posting signs around town of the noise ordinance.

Mr. Formica stated they are hoping to hear this week from Amtrak, and then it will take 45 days for the contractor to mobilize and begin work on the Boardwalk.

Mr. Seery stated it would be hard to have signs around town as they would have to post the decibel levels on the signs.

Mr. Formica will notify the Resident Trooper about the motorcycle noise.

Ms. Hardy asked about on street parking downtown. There are no time limits.

Mr. Formica stated going up Main Street it is two hours.

Ms. Hardy stated they were not presented with the Water and Sewer Department budget.

Mr. Formica stated it was approved last evening; it will be presented at their next meeting.

Ms. Hardy asked that in their next meeting packets they be provided a list of the updated cuts by the Board of Finance. She also stated that five years ago the Economic Development Commission commissioned an individual to prepare a list of businesses in town, with their names, address, and owners. That person would be willing to update that list. There are over 80 businesses in town. She would like that added to the next agenda.

Mr. Formica stated he will put that on the next agenda.

B. FIRST SELECTMAN'S REPORT

6. PUBLIC COMMENT

Neil Passman asked why they are requiring a \$35.00 registration fee every year for the golf cart, where is the money going.

Steven Licitra, 62 Spring Glen Road stated they made the state law stricter with their Regulation. A noise ordinance is already in effect on state roads, it is subject to how the test is done.

7. SELECTMEN'S RESPONSE

Mr. Formica stated Old Saybrook requires an annual renewal and that is deposited into a drivers safety fund.

Mr. Wilson stated they are not looking at the registration fees as revenue.

Ms. Cheeseman stated it is important everyone is coming in and proving they are insured.

8. ADJOURNMENT

Motion (7) Mr. Wilson moved to adjourn the meeting at 8:30 p.m.

Seconded by Mr. Nickerson.

Motion Passed 6-0.

Respectfully Submitted,



Karen Miller Galbo

Recording Secretary (Pro-Tem)