

EAST LYME BOARD OF SELECTMEN

MEETING OF NOVEMBER 4, 2015

MINUTES

FILED IN EAST LYME
CONNECTICUT
Nov 5, 2015 AT 11:10 AM/PM
Carin Salvo, Jr
EAST LYME TOWN CLERK

PRESENT: Mark Nickerson, Kevin Seery, Holly Cheeseman, Rose Ann Hardy.

EXCUSED: Rob Wilson, Marc Salerno.

Mr. Nickerson called the meeting to order at 7:30 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items

There were none.

1c. Delegations

William Sawicky of 425 Drozdyk Drive, Groton, CT reviewed his proposal for the Town to purchase his land at 224 Chesterfield Road for open space (Attachment A).

David Godbout of 15 Cardinal Road was present and noted he had some issues that occurred at the polls. He said that the location of the candidates is required by State Statute to remain 75 feet from any entrance to the voting polls. He played a recording of a discussion with the Registrar where he stated she was giving out bad information to the candidates. (Attachment B). He noted that he was at the polls providing public information regarding the work of Ed Jutila and exercising his First Amendment rights. He said that someone made a complaint and 2 squad cars came. He reviewed the FOIA requests he has made of the Town and has received all pertinent documents from the Assessor's office however, the Water and Sewer Commission has not been forthright and he has waited over 50 days for his request about legal invoices. He stressed that if a public record is created on a personal device all of the records relating to public business have to be available to be given to the public. He added that he was not in favor of Cardinal Road being hooked up to the water system noting it was not needed and that Mr. Nickerson was incorrect in stating that insurance rates would be lower if close to a water hydrant. He added that he had spoken to his insurance agent and been told that this is not true.

1d. Approval of Minutes

MOTION (1)

Mr. Seery moved to approve the minutes of the meetings of October 21, 2015 as submitted.

Seconded by Ms. Hardy.

Aye: Mr. Nickerson, Ms. Cheeseman, Ms. Hardy.

Nay: None.

Abstain: Mr. Seery. Motion passed 3-0-1.

1e. Consent Calendar

MOTION (2)

Mr. Seery moved to approve the Consent Calendar for the meeting of November 4, 2015 in the amount of \$2009.83.

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

2a. Discussion / Action – Extension of Dominion Bldg. Lease at 28 Main St.

Mr. Nickerson noted that this lease could be stopped anytime during the 10 year extension.

MOTION (3)

Mr. Seery moved the following:

RESOLVED, to authorize the First Selectman to execute, in the name and on behalf of the town a “First Amendment to Lease Agreement” with Dominion Nuclear Connecticut, Inc., extending the term of the lease on the premises at 278 Main Street in Niantic for an additional ten (10) years, beginning September 1, 2015 and ending on August 31, 2025.

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

2b. Discussion / Action – Micro Celltower Lease at Bridebrook Park

Mr. Nickerson noted that this would be attached to a telephone pole on the Bridebrook property.

Mr. Seery said that this had been discussed at the Parks and Recreation meeting and the addition of this micro celltower would not be hazardous to anyone playing on the field.

MOTION (4)

Mr. Seery moved the following:

RESOLVED, to authorize the First Selectman to execute, in the name and on behalf of the Town, a lease with Cellco Partnership d/b/a Verizon for space on the existing light pole at Bridebrook Park and related ground space near the Niantic Fire Department substation, to be used for a cell phone antenna located at or near the top of the light pole. The First Selectman is also authorized to execute and deliver such other documents as may be necessary or desirable to consummate the transaction.

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

2c. Special Appropriation \$4000 – Paint Former Police K9 Vehicle
Director of Public Works Joe Bragaw noted that the police department recently upgraded their K9 officers to newer vehicles in their fleet. Because of this, one of the two older K9 vehicles (Officer Jerzerski’s Ford Explorer) will be returning to the PW fleet. At this time, the Explorer is blue and still has marks where the police vehicles markings were. As you are aware, we have made a concerted effort over the last few years to change all of the Town vehicles to white as they are less expensive to procure, look better and they all look the same for Town recognition. The Public Works Department painted three vehicles two years ago and although those vehicles had some years on them, they looked like new after they were painted. The Ford Explorer is a 2006 with approximately 108,000 miles at the present time. We expect to get another 6-7

years out of this vehicle. It is our understanding that this would be the last of the colored vehicles that we would be looking to paint white. Therefore, we are requesting funds to get a new white paint job.

Ms. Cheeseman requested a list of all Town department vehicles with the exception of police and fire. She inquired if there was a spare vehicle, why wasn't it swapped over to the Building Official.

Mr. Bragaw stated that they decided that this was not the appropriate vehicle for the Building Official.

MOTION (5)

Mr. Seery moved the following:

Recurring Fund 32 as follows: re-allocate the remaining \$3,172.13 of the \$10,000 Town Meeting appropriation from 11/20/13 and transfer an additional \$827.87 from account 32-60-120-100-002 (Proceeds from the Sale of Vehicles) to account 32-30-400-700-711 (Paint Vehicles) to pay for the cost of painting the Ford Explorer white and forward to the Board of Finance for approval.

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

2d. Special Appropriation up to \$7500 – Purchase a used vehicle for Bldg. official Director of Public Works Joe Bragaw stated that part of the vehicle acquisition program, the Emergency Management Director received a new Interceptor Utility Vehicle while his 2005 Jeep Liberty with only 71k miles on it was handed down to the Building Official. Unfortunately, the engine on the Jeep Liberty has developed major problems and we were given an estimate of \$10,000 to repair the vehicle. The Jeep Liberty is not worth \$10,000. Since the Jeep Liberty has been out of service for the last few months, the Building Official has been provided an old Crown Vic police car to do his inspections. The Crown Vic sedan is not a good vehicle for the Building Official to use going forward as he needs a four wheel vehicle to get in and out of construction sites. The Town's fleet manager, Mr. Chuck Holyfield has been watching the Public Surplus website and other auctions and has seen some vehicle go up for sale that might be a good deal for us, but we don't have authorization to move forward and get a used replacement at this time. Therefore, we are requesting approval to have an authorized not to exceed amount from the BOS and the BOF so that if the right vehicle comes up for sale we would be able to purchase it.

MOTION (6)

Mr. Seery moved to approve a special appropriation and transfer of "up to" \$7,500 for a used vehicle for the Building Official from the Capital Non Recurring Fund 32 account number 32-60-120-100-002 (Proceeds from the Sale of Vehicles) to an account to be established titled, (Vehicle – Building Official) and forward to the Board of Finance for approval.

Seconded by Ms. Cheeseman.

Aye: Mr. Nickerson, Mr. Seery, Ms. Hardy.

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

2e. Resolution – Purchase of Regional Equipment

Director of Public Works Joe Bragaw noted the he was recently approached by the City of New London to team up with them to purchase a piece of equipment through a State of Connecticut “Inter-town Capital Equipment Purchasing Incentive (ICE) program” administered by the Office of Policy and Management. I have included a memorandum from the State OPM with regards to this program for your reference. Towns can apply for joint acquisition of equipment, and if awarded the grant, then the State would pay either 60% or 80% of the purchase price of the equipment. If one of the communities is classified as a distressed community, which New London is, then the State would contribute 80% towards the purchase of the equipment. East Lyme would then need to pay only 10% of the cost of the equipment and New London would have to pay the other 10%.

With this being said, New London is interested in procuring a grapple truck to assist them with bulky waste pick up in their city. Although the East Lyme Public Works Department could use a grapple truck for everyday tasks as needed, the true value of this equipment would be after a major storm hit in cleaning up tree and other debris along the side of the road. I have already spoken with the Interim Director of Public Works in New London and we are comfortable that we could work out an inter-municipal agreement with regards to maintenance, storage and usage of the equipment. New London provided us with a quote of a grapple truck that they might be interested in that was \$126,500 new (see attached quote). With the 80% state reimbursement, East Lyme’s share for a truck like this would only be \$12,650. Right now we are not looking to purchase that specific vehicle but we were trying to get a gauge of how much a grapple truck would cost.

At this point, the application is due on December 1, 2015 and New London will be taking the lead on the application. What we need at this time is a resolution from the Board of Selectman that they *endorse* this proposal. I am attaching a copy of the resolution that is part of the grant application. If we were awarded the grant, then it is my understanding that we would need to go through the appropriation process to procure our 10% match. Two years ago, the Town sold two garbage trucks to New London for \$80,000 so there should be money still available in the Capital Non-Recurring Account to help cover our 10% match.

Therefore, I respectfully request that the Board approves this resolution so that we can leverage State funds to procure a valuable piece of equipment for use by the Town..

MOTION (7)

Resolved, that the East Lyme Board of Selectmen, which is the legislative body of the Town, hereby endorses the Inter-Town Capital Equipment (ICE) Purchase Incentive Program proposal described below, referenced in Connecticut General Statutes Section 4-66m, as amended by PA15-170;

The purchase of a "grapple truck" in accordance with an agreement to be negotiated between the Town and the City of New London, which will be the lead municipality for this project. The vehicle will be used in the performance of required governmental functions and services in the respective municipalities.

Seconded by Ms. Cheeseman.

Ms. Hardy inquired if New London will be able to store this equipment inside and wondered if we could use this vehicle for bulky waste pickup.

Director Bragaw noted that he was not sure if it could be stored inside and added that it could be used for bulky waste pickup.

Ms. Hardy inquired about the maintenance and asked if replacement parts would be included in this.

Director Bragaw responded that the cost of replacement parts would be outlined in the municipal agreement.

Motion passed 4-0.

3a. Continued Blight Ordinance Discussion

Mr. Nickerson noted that Zoning Official Bill Mulholland was working on a draft ordinance which will be reviewed by Town Attorney and then sent to the Board for review.

5a. Ex-Officio

Ms. Cheeseman had no report.

Ms. Hardy had no report.

Mr. Seery noted that he was the Ex-Officio for the Board of Education this month and he had attended the presentation by the architect for the elementary schools. He said the proposed plan is to build a new Flanders School and to renovate Niantic Center School as new and to add an addition to the building. He said they were hoping to have a referendum in March on this project. If approved, the construction would start at the end of school in 2017. He said that they planned presentations to the Boards and Commissions and the public. He added that after the State reimbursement, the cost for this project was approximately \$63 million dollars.

Mr. Seery noted that there was going to be a food drive on November 14th at Tri Town.

5b. First Selectman's Report

Mr. Nickerson congratulated everyone who participated in the election. He congratulated his fellow Selectmen and Dan Cunningham and offered a special thanks to Steve Carpenteri who is a gentleman and a good guy. He added that he hopes that Mr. Carpenteri will continue to contribute to the Town.

He added that the Siting Council will host a public hearing regarding cell tower proposed for Boston Post Road on December 15th. He noted that he had instructed the Town Attorney to file an intervenor status for the town.

Ms. Hardy noted that she would not be here for the next meeting.

Mr. Seery said that the new ladder truck was in North Haven and we hope to have it in service in about two weeks.

6. Public Discussion

David Godbout said that the item to purchase equipment with New London would utilize Federal grant funding and it is not worth tacking on an additional \$175,000 pay back to our grand kids to save a few days on storm cleanup and added that it wasn't needed. He added that the special appropriation of \$4000 to paint a vehicle to make it look nice was unnecessary. He said that we have enough laws already and there is no need for a blight ordinance – neighbors should talk to neighbors and handle things.

7. Selectman's Response.

Mr. Nickerson noted that he stands by his statement about insurance rates being lower if properties are within 1000 feet of a fire hydrant (Class 9). He added that the blight ordinance was needed and requested since we have several properties in town that are in severe disrepair and abandonment.

MOTION (8)

Mr. Seery moved to adjourn the November 4, 2015 meeting of the East Lyme Board of Selectmen at 9:01 p.m.

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

Respectfully submitted,



Darlene C. Stevens, Recording Secretary

Attachment A

224 Chesterfield Rd, East Lyme, CT

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Jean 25 Mail



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224 CHESTERFIELD RD

Location 224 CHESTERFIELD RD

Assessment \$109,130

Mblu 40.0/ 6/ / /

Appraisal \$155,900

Acct# 006065

PID 7870

Owner SAWICKY WILLIAM

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2014	\$0	\$155,900	\$155,900
Assessment			
Valuation Year	Improvements	Land	Total
2014	\$0	\$109,130	\$109,130

Owner of Record

Owner SAWICKY WILLIAM

Sale Price \$0

Co-Owner

Certificate

Address 425 DROZDYK DR #344
GROTON, CT 06340

Book & Page 191/ 701

Sale Date 01/11/1982

Ownership History

Ownership History
No Data for Ownership History

Building Information

Building 1 : Section 1

Year Built:

Living Area: 0

Replacement Cost: \$0

Building Percent

Good:

Replacement Cost

Less Depreciation: \$0

Building Attributes	
Field	Description
Style	Vacant Land
Model	
Grade:	
Stories:	

Building Layout

 Building Layout

Building Sub-Areas	Legend
No Data for Building Sub-Areas	

Assessors Online Database For East Lyme, CT

[New Search](#)

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[Google Map](#)

[Log Out](#)

224 CHESTERFIELD RD

NO
PHOTO

MBLU : 40.0/6/111

Location: 224 CHESTERFIELD RD

Account Number: 006065



Parcel Value

Item	Assessed Value
Buildings	0
Extra Building Features	0
Outbuildings	0
Land	109,130
Total:	109,130



Land Line Valuation

Size	Zone	Assessed Value
15.74 AC	R40	109,130



Construction Detail

Item	Value
STYLE	Vacant Land
MODEL	Vacant



Building Valuation

Item	Value
Living Area	0 square feet
Replacement Cost	0
Year Built	
Depreciation	100%
Replacement Cost Less	

29 GOLDFINCH TERR

Building 1 of 2 Next Building >>

NO
PHOTO

MBLU : 36.0/ 34/ 111

Location: 29 GOLDFINCH TERR

Account Number: 006657

SEARCH FOR SIMILAR
SALE PROPERTIES



Parcel Value

Item	Assessed Value
Buildings	0
Extra Building Features	0
Outbuildings	0
Land	237,090
Total:	237,090



Land Line Valuation

Size	Zone	Assessed Value
200.41 AC	R40	237,090



Construction Detail

Item	Value
STYLE	Vacant Land
MODEL	Vacant



Building Valuation

Item	Value
Living Area	0 square feet
Replacement Cost	0
Year Built	
Depreciation	100%
Replacement Cost Less Depreciation	0

I'm submitting, for the record, the following information in support of the proposal for the town to purchase 224 Chesterfield Road to continue its conservation. The purpose is to review important aspects of the proposal and to provide specifics to assist the BOS with their evaluation.

224 Chesterfield Rd. is located approximately two and a half miles in a northerly direction from Flanders 4 corners as shown on satellite map number one. This tract of forested land is 15.5 acres as shown on the print out for the tax assessment. This tract of land has existed since the construction of route 161 around the time I was born in 1931. Route 161 cut it off from a larger tract known as Meadowbrook Farm. Since that time this smaller tract of land, owned at different times by different members of the Sawicky family, was at different times used for harvesting cranberries and harvesting wind-damaged trees for firewood. Since I became the owner it was used as habitat for wildlife in opposition to habitat for humanity. Recently, I changed its classification to open-space, due to the increased popularity of recreation for humanity at the expense of wildlife sanctuaries.

I said I will attempt to show the purchase of this forested land at 224 Chesterfield Rd. may equal or surpass the quality of life benefits to the public as the 166 acre section of 29 Goldfinch Terrace. That was before I looked up the true meaning. A computer's dictionary definition of quality of life is "the degree of enjoyment and satisfaction experienced in everyday life as opposed to financial or material well-being." Recreational use may fall under the experience of enjoyment and satisfaction while education, revenue source and land prices may fall under "financial and material well-being".

In comparing the recreational use of the two tracts, I learned that the managing owner of the 166-acre tract indicated that DEEP would allow passive recreation such as hiking. 29 Goldfinch Terrace may have nothing more than forest for hikers to view. As shown in the satellite map a hiking trail at 224 Chesterfield Rd. may extend beyond the width of a pond. Hikers may have a view of the picturesque Darrow Pond and enjoy the ambiance as they watch the sun slowly setting over the hill behind the pond, allowing for a more enjoyable hiking experience.

In addition, hikers may see other residents fishing from the shore of 16 Mostowy Rd. potentially hooking onto a record breaker. They may see kayakers quietly paddling along the lily pads on calm waters. The town's purchase of 224 Chesterfield Rd. will be more beneficial for these aspects of recreation, than the 166-acre section of 29 Goldfinch Terrace.

In comparing the educational use of the two tracts, I borrowed a familiar three-word phrase "location, location, location". 224 Chesterfield Road is strategically located for a high school laboratory facility for the scientific study of a wetland and its buffer zone. Strategically, runoff water from land maintained in its natural condition and water from a driveway and roadway, referred to as impervious surfaces, converges at a storm drain before entering this wetland thru an existing pipe under Mostowy Road. This runoff water is naturally processed in this wetland. Some of it ends up in the aquifer and some leaves the wetland thru another existing pipe located under Chesterfield Road, close to Latimer Brook.

A Connecticut College Science Professor testified that wetlands act like a sponge and absorb pollutants before they enter the Latimer Brook waterway. In the study of some science subjects, lab work is included, confirming the concept that important learning takes place in a laboratory. Students will learn first hand how the existence of wetlands, along with its swamps, vernal pools, flora, fauna and buffer zone, are beneficial to the management of pollutants before it enters Latimer Brook on its way to the Niantic River.

Textbooks teach students what has happened. In the lab, they learn first hand how and why things happen and afford students an opportunity to make things happen. Students will study samples, taken at various locations and depths of the wet and dry components of the wetland and its buffer zone. They will take samples of runoff water at its source and at various locations as it passes through the buffer zone and through a wetland containing a swamp.

Students will examine all the water and soil samples under a microscope or other latest equipment to learn, first hand, how the sponge material works or does not work to filter out pollutants. Students will learn first hand how airborne pollutants affect a wetland. Students will learn first hand how, and if, a wetland prevents or minimizes pollutants from reaching aquifers and the Niantic River headwaters. Students may produce, under controlled conditions in a support facility, other known pollutants associated with the development of land for housing. These pollutants will be sent thru another existing pipe under Mostowy Road, into the buffer zone and the swampy wetland to further study the value of this natural resource and its ability to absorb these pollutants as they travel thru the wetland on their way to the Niantic River.

Students may add and remove material from the buffer zone and many parts of the wetland to study its effect on the wetlands ability to function as it did in its natural condition. That is, to cleanse polluted water and other polluted materials before it gets to the Niantic River.

It has been reported in the Day newspaper that a soil scientist has been called upon to examine soils and discovered a vernal pool. Wetland studies, by young students, should be the first step in producing a future soil scientist with the talent to discover the technology needed to improve efficiency and productivity of vernal pool soils and all other wetland soils. These studies should produce a soil scientist with the ability to discover technology that will manage pollutants effectively and economically, from chemically treated private lawns, runoff from impervious surfaces, as well as liquid and solid waste from septic systems serving individually owned housing in rural areas. These studies should lead to the protection and conservation of one of the American Dreams. That is, the dream to own a newly built house in a rural setting. A house that new technology will make it environmentally safe, economically priced, readily available and closer to shopping and recreation facilities.

224 Chesterfield Rd. is more beneficial for this aspect of education than the 166 acres slated for an open classroom with minimal wetlands.

I examined the revenue generating use of the two tracts of forestland. The purchase of 224 Chesterfield Rd. will be without any easements restricting, in perpetuity, the free use of the land. The town will be free to sell trees to gain revenue. The tree sales revenue from the 166 acre section of 29 Goldfinch Terrace, may go to a tax-exempt organization from another state. There is the possibility of leasing this property for a visiting self-contained recreational vehicle's seasonal rest area, making picturesque Darrow Pond one of the attractions.

The conservation of forestland, as open space in perpetuity, is effecting the free market law of supply and demand. This will create a reduced supply of land available for building new houses. This will favor investors in rental housing by reducing housing competition.

Consider the construction going on in Flanders. What will be available first, a building for increasing the tax base and rental units for people's shopping needs or buildings with rental units for people's housing needs?

As this open space movement continues reducing the supply of land for building new houses, the monetary value of 224 Chesterfield Rd., as a source for additional revenue, will increase dramatically for a sizeable gain. A "walk-ability" factor has been introduced in reference to building affordable housing within walking distance to community facilities, shopping and recreational opportunities.

A drive-ability factor will play a roll in increasing the value of 224 Chesterfield Road with a shorter driving distance to community facilities, shopping and recreational opportunities.

I have shown that the town's purchase of 224 Chesterfield Rd. will be more beneficial, for these aspects of future revenue sources, than the 166 acre section of forestland at 29 Goldfinch Terrace.

I said I would prove, mathematically, that the \$250,000 selling price for 224 Chesterfield Rd. is a good value relative to the \$1,225,000 selling price for the 166 acre section of the 200 acres at 29 Goldfinch Terrace.

Taking into consideration that the comparative physical components of the two properties and the need for pollution control have not significantly changed since the previous appraised values that were used for tax purposes, my method of proof is to compare the previous and currant appraised values of the two properties and to compare the selling prices relative to the appraised values.

\$155,900 is the previous appraised value for 224 Chesterfield Rd. and \$469,700 is the previous appraised value for the 200 acre tract at 29 Goldfinch Terrace. I calculated the previous appraised value of the 166 acre portion of the 200 acre tract relative to the previous appraised value of \$469,700 for the 200 acre tract, as follows. $A \times B = C$

A equals a unknown fraction. B equals the currant appraised value for the 200 acre tract. C equals the currant appraised value of the 166 acre tract.

$$A \times 1,640,000 = 1,208,000$$

$$A = 1,208,000 / 1,640,000$$

$$A = 0.736$$

Multiplying .736 by 100 makes the currant appraised value for the 166 acre tract to be 73.6% of the currant appraised value for the 200 acre tract. I multiplied the previous appraised value \$469,700 by .736 and got \$345,699, as the previous appraised value of the 166 acre tract. Now I have enough quantities to calculate a currant appraised value for 224 Chesterfield Rd. and it was done as follows. $A/B = C/D$

A = the unknown currant appraised value for 224 Chesterfield Rd.

B = \$155,900 as previous appraised value for 224 Chesterfield Rd.

C = \$1,208,000 as the currant appraised value for the 166 acre section of 29 Goldfinch Terrace.

D = \$345,699 as the previous appraised value of the 166 acre section of 29 Goldfinch Terrace.

$$A/B = C/D$$

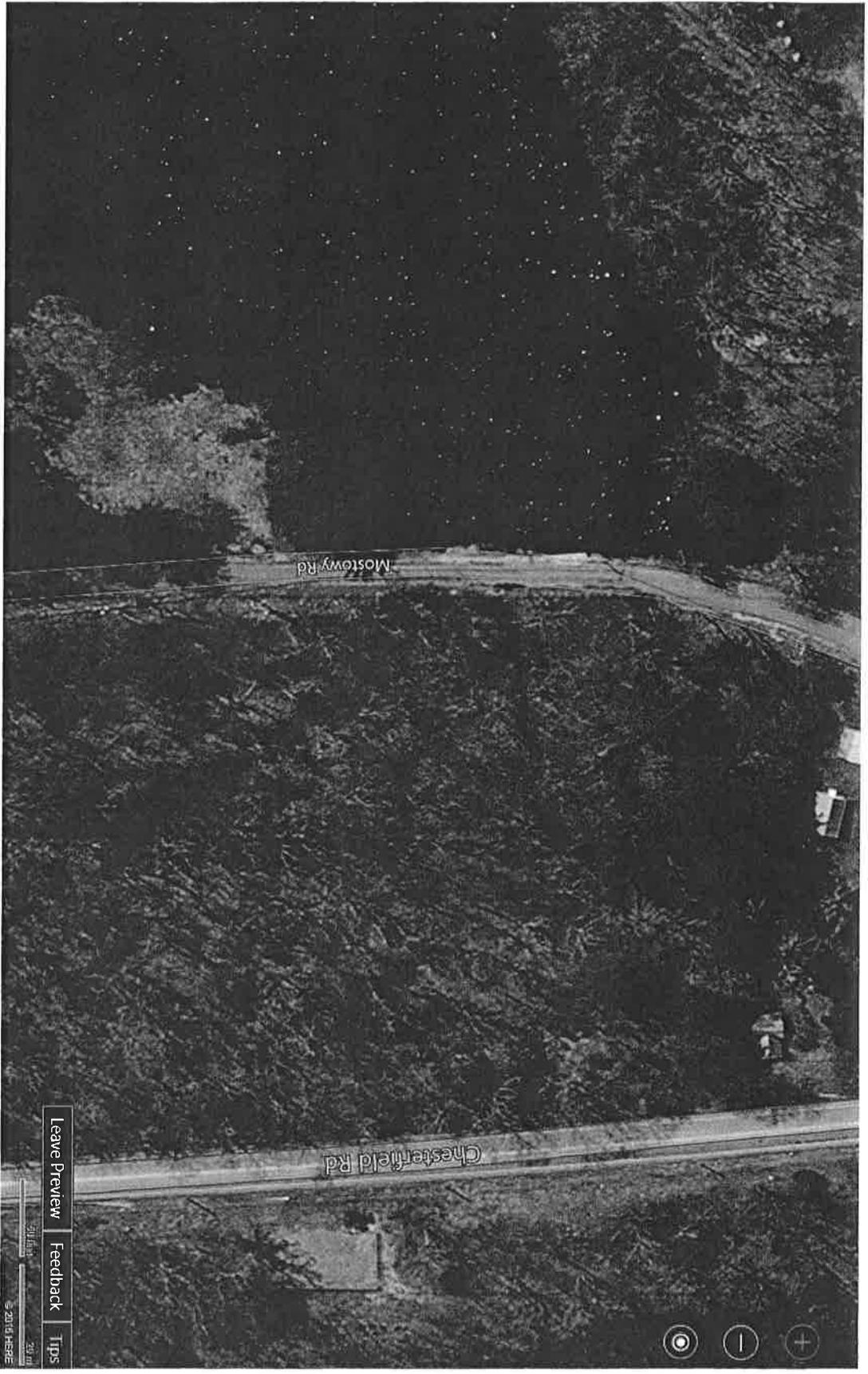
$$A = C/D \times B$$

$$A = 1,208,000/345,699 \times 155,700$$

$$A = 544,073$$

The current appraised value for 224 Chesterfield Rd. is \$544,073. It is notable that the \$250,000 selling price is considerably lower than the \$544,073 appraised value. It is also notable that the \$1,225,000 selling price is higher than the \$1,208,000 appraised value of the 166 acres. This proves that the \$250,000 selling price for 224 Chesterfield Rd. is, by far, a good value relative to the \$1,225,000 selling price for the 166 acre section of 29 Goldfinch Terrace. Some organizations apparently approved the \$1,225,000 selling price that exceeds the appraised value. This approval, by reputable organizations, confirms the \$250,000 selling price to be a very good value, if not a better value.

I have shown certain aspects of recreation, education and revenue to be more beneficial in the purchase of 224 Chesterfield Road than the 166-acre section of 29 Goldfinch Terrace. I have proven that the selling price for the forestland at 224 Chesterfield Road is a better value relative to the selling price for the forestland at the 166 acre section of 29 Goldfinch Terrace. The purchase of 224 Chesterfield Road, by the Town of East Lyme will relieve me of the financial burden of borrowing money to pay property taxes. I find no enjoyment and satisfaction in every day life having run out of financial resources and too old and unhealthy to earn money to pay the full taxes and maintenance to continue conservation of this forestland as open space or wildlife habitat.



Mostoway Rd

Chesterfield Rd

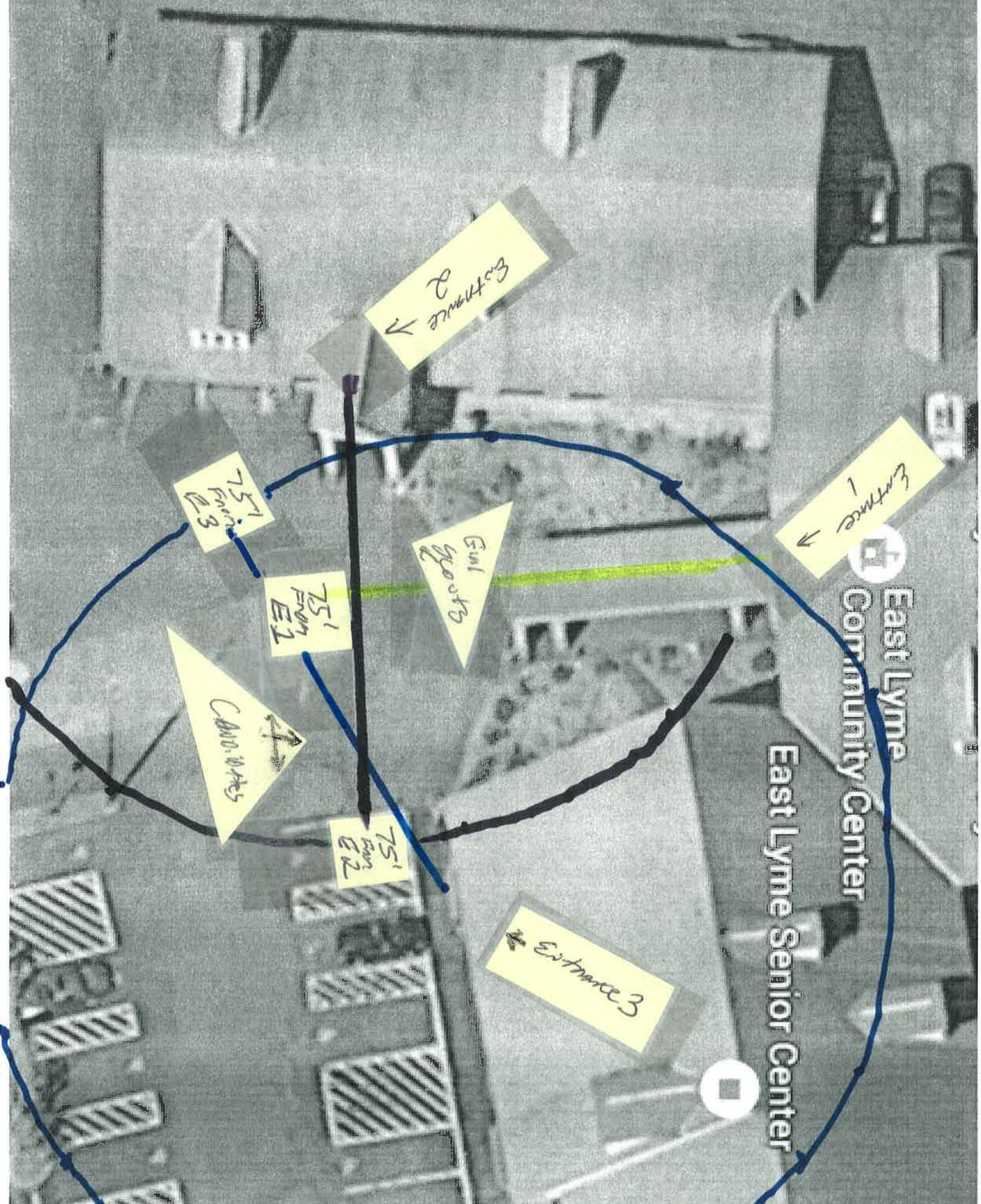
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Entrance 2

Entrance 1

East Lyme Community Center

East Lyme Senior Center

Garage

75' from E3

75' from E1

75' from E2

Entrance 3

C.A.M. 10445

Town of East Lyme
Water & Sewer Commission

Orig

Citizen Submission for 27 OCT 15 Regular Meeting
David Godbout 15 Cardinal Road

OPPOSITION TO HOOKING UP SEWER/WATER TO CARDINAL
ROAD

ADDRESSING FALSE STATEMENTS MADE IN PRIOR MEETINGS - NO
SAVINGS TO INSURANCE COSTS TO HOMEOWNERS

In recent meetings, on 25 SEP 15 and 28 JUL 15, the First Selectman, Mr. Nickerson, made false statements to the people of the town.

On 25 SEP 15 he stated that the installation of fire hydrants would result in insurance savings of 25% and on 28 JUL 15 this savings was stated as being 40%.

I contacted my insurance agent to examine the actual true savings to my homeowner's policy. The agent responded that the savings would be ZERO. There would be no savings on my homeowner's policy even if a hydrant was placed directly in front of my residence. In fact, my insurance agency laughed at any such statement that hydrants would lower the policy cost.

See attachments paginated pages 1 thru 5 which are segments of the meeting minutes of this commission for 28 JUL 15 and 25 SEP 15. On page 3 of the attachment Mr. Nickerson is noted as claiming a 25% savings. On page 5, it's 40%.

Mr. Nickerson clearly made these false statements to sway residents' opinions on supporting the proposed installation of sewer and water to the block of Cardinal Road.

Not just once but twice and it shows a pattern of dishonesty being exhibited by Mr. Nickerson to the people of this town.

COSTS ARE TOO HIGH AND MAY LOWER PROPERTY VALUES

A cost analysis of each residential property that would be assessed property tax to cover the cost of the installation being proposed. The meeting minutes show a cost of about \$25000 being estimated (see pg 1 of attachments) however, I don't believe that that cost is accurate and included an additional estimate of a \$40000 cost being considered in the cost examination.

The yearly cost to each homeowner would be between about \$2000 to \$3000 per year over twenty years or about an additional monthly costs between \$150 to \$250. See attachment page 6 for the cost assessment, done via a regular on-line calculator.

Speaking with several real estate agents this may negatively effect the selling prices of the homes on Cardinal road due to this extra heavy tax burden being placed upon homeowners. While no exact dollar figure is currently able to be assigned to such an impact it was the general consensus that the additional tax would negatively effect house pricing even given the "improvement" value of the water and sewer proposal as the realtors I spoke with did not indicate that the inclusion or lack of sewer and water has any impact on home pricing.

SOURCE OF DRINKING WATER FROM EAST LYME TO RESIDENTS

East Lyme has several well (see page 7 of attachments). This is well water, not glacial water or spring water but just regular well water that gets treated.

This is not the extent of the water source for East Lyme's water distribution as East Lyme additionally obtains water from New London through their reservoir system. New London treats their water differently than East Lyme according to East Lyme's Public Works department.

TEST RESULTS OF EAST LYME WELLS - WATER QUALITY TESTS

East Lyme, as other water companies do, adds chemicals to the water that include fluoride and sodium hypochlorite [i.e. chlorine] to effect the water quality.

The fluoride and chlorine "residual or contained in the drinking water" results are shown in page 8 of the attachment set for a typical sampling from an East Lyme well. While these compounds are added for various reasons, current Cardinal Road well water do not contain these unless added by a homeowner, which is doubtful that any do. Some find fluoride to be an objectionable compound not needed to be in drinking water at all and chlorine can add an unpleasant taste to water.

Other testing results are shown in the page 9 attachment, obtained from Phoenix Labs testing results of the 16 SEP 15 well #1 testing performed by East Lyme. The water hardness is small but the iron content is slightly high as well as calcium, magnesium, manganese, and sodium being shown as well as other testing results. Iron removal is not being performed by the town in all their wells per the Public Works Dept.

TEST RESULTS OF NEW LONDON & WELLS OF CARDINAL ROAD

New London tests their water as East Lyme does; however, records requests to the city for their test results ended up in the city denying me access to these public records. This is a violation of our open records laws and I have filed a lawsuit to obtain these records. However, I did speak with the East Lyme's Public Works Department regarding issues of their water quality that they were aware of and the department noted that New London adds much more chlorine to their water than is needed and their water has a distinctly offensive taste due to the addition of too much chlorine.

Private wells in East Lyme have been tested for their water quality by the Ledge Light Health District which is a public agency in this state. I have contacted them for test results and while they have done testing, they did not keep the results. Of course, this is a violation of our open records laws and I have filed a lawsuit in respect to requiring them to provide me with the records requested that I believe that they can re-acquire through the laboratories that they used that likely kept copies of the work that they performed; so currently, I have no actual test results regarding the water quality of wells on Cardinal Road.

What I can provide to the commission is my knowledge of the water quality of the wells on Cardinal Road. Also to note, I am a PhD level chemist who has examined water quality and either personally performed testing (like those shown here) or had laboratories perform it for me on thousands of occasions so I am familiar with the testing of water for its quality and how to take results and explain how the various compounds can effect water quality.

I know that some people on Cardinal Road don't treat their water at all. I know that some treat their water to lower water hardness. I know that some treat their water to lower iron content. And still others treat their water to control pH. So I see homeowners on Cardinal Road doing what most well water supplied homeowners do and that is to treat their water as needed and for their unique personalized tastes. It maybe that even people who get

well water from the town still decides to further treat their water based on their own personal tastes too.

? IS WATER QUALITY BETTER FROM PRIVATE WELLS V. EAST LYME

My water quality? I only treat my water for a slightly low pH and that would not be needed except for the copper piping in the dwelling; if it was plastic piping delivering my water to my faucets I would not have needed to do anything to my water. I drink it right from the tap and have drunk well water for over twenty years...I'm alive and well as I'm sure most people are who get their water from East Lyme.

However there are differences in those two compounds that are added to the water supplied by East Lyme water system, being notably chlorine and fluoride addition. I have several siblings who get fluorinated water and they have no more or no less dental issues than me so from my observations the addition of fluoride to water offers no benefit to the end user. The chlorine addition, especially that of New London, is a concern to the taste character of the water.

So if people think that switching from a private well to East Lyme water will result in better water quality I would say that this has not been shown to be true. I see no test results that would indicate this and the observations and information provided by East Lyme's Public Works Department do not support such a conclusion.

I can only state this with certainty: the water I get out of the water fountain at the town hall is not as good tasting as the water I get out of my taps at home, from my personal experience. I may do a difference test to see if people can tell the difference between the two water sources and if positive, a preference test would then be performed. If performed I shall provide this commission the results of such testing. I have experience in performing such taste testing of consumables.

FIREFIGHTING ASPECT OF THE PROPOSED IMPROVEMENTS & OTHER

I was at the scene of the recent fire wherein a family pet perished, a sad day of course.

I come from a fire department family with numerous members of my family serving in fire departments including my father who is a retired fire chief from Chicago. I have seen my fair share of dead bodies being pulled from dwellings that burned. My father has told me that he never pulled a dead body out of any dwelling that had working smoke detectors, so a word of advice: insure your smoke detectors are always functional. Additionally, from my military service, I have put out numerous fires and was a first responder for fire fighting duties.

My insurance company has noted that the fire services for Cardinal Road is excellent today; indeed if an insurance company could find a reason for raising rates they would have done so. But no, my insurance company gives the highest rating possible for my house on Cardinal Road.

In respect to the house fire, I spoke to members of the fire department that detailed to me that it was due to a lightning strike and that the house was on fire for some time before they go the call and by that time the fire's progression already decided the fate of the dwelling.

I also spoke to other residents of the block and asked them if they were now going to spend \$2000 to \$3000 to place lightning rods on their house, all said no, seeing the incident as a minimal risk.

And just because you may have a hydrant in front of a particular house does not insure that the hydrant is useful in fighting a fire; I have seen plenty of frozen hydrants in wintertime.

Right now, the fire department lays hose(s) down to the nearest hydrant and obtains hydrant water. The current system works fine although the laying down of hose is an inconvenience for Cardinal Road residents due to the limited vehicle traffic allowed down the road simply due to the physical presence of the fire hoses. Its not an inconvenience that is worth \$3000/yr to eliminate in my opinion.

CONCLUSION

I would not support the proposed water/sewer addition to the block of Cardinal Road.

I can find no evidence that water quality would be improved.

I see costs, just associated with the installation being not justified in a cost-benefit examination, and this does not include the monthly charges for users beyond the repayment of the installation (i.e. monthly water bills, sewer bills etc.) which makes the costing of the services unreasonable.

I cannot find any benefit to hydrants being installed per the current proposal.

And the possible negative effects on property values is a concern.

Submitted by:



David Godbout
15 Cardinal Rd.
East Lyme, CT 06333
860-691-8053

ps nine pages of attachments continued on following pages

variety of ways of assessing the properties benefiting from a water extension, but ultimately the levying of the assessment rests with the Board of Selectmen.

Mr. DiGiovanna asked about the cost of hydrants. Mr. Kargl confirmed that seven hydrants were shown in the estimate for a total cost of \$35,000.

Mr. Bond asked if Cardinal Road would be assessed for \$21,000 per household? Attorney O'Connell stated the Town could bear a certain portion of the cost and the homeowner would owe the rest by way of assessment. It used to be 30% of the cost for water for fire protection.

Mr. Mingo stated the majority of times the Town paid 30% when there was a hydrant. Benefits are reflected in insurance rates.

Mr. DiGiovanna suggested a survey of property owners. Mr. Bragaw replied that we could do that. Mr. DiGiovanna felt the homeowners would like to know what it will cost. It was stated that the cost could be between \$15,000 and \$21,000 and would require review by the Board of Selectmen. Mr. Bond asked would this be bonded? Ms. Johnson added that \$40,000 was projected for bonding costs. Every year we go to the market. In order to move this project forward in July 2016, we will need to have the project authorized by June 2016.

Ms. Russell understood if we go forward with this project, everyone would be required to pay an assessment but not become a customer. Attorney O'Connell replied there is no requirement that a resident would have to buy water from the Town.

Mr. Bond asked what happens if you get thirty people who want it? Ms. Russell stated there are folks who don't want to be hooked up to the Town water. If a decision is made by the Town to bring water to the neighborhood, they would have to pay an assessment. Attorney O'Connell stated the amount of the assessment is the value of the property without and with water. Mr. Zoller asked what is the responsibility of the owner to pay regarding the connection? Mr. Kargl stated that the homeowner would pay for the connection from the property line curb value to the house

Mr. DiGiovanna stated if you have a well water system, you are not exceeding the value. Attorney O'Connell replied an appraiser would determine this.

Ms. Russell felt there was recent evidence of the importance of fire hydrants. There are discounts in homeowner's insurance if there is ready access to a fire hydrant.

Mr. Nickerson stated he is not sure if the Town can be convinced right now to accept a \$250,000 charge to bring water to 39 customers. Mr. Bond asked can it be bundled with another water project? Mr. Kargl stated that in the short term, a fire hydrant could be installed at the beginning of Cardinal Road. At least it would provide some access for fire protection without having to cross Rte. 161 with hoses, and thereby shutting down the road. This might satisfy everyone's concern for now. Ms. Russell felt fire protection

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is a Town service. Mr. Mingo felt the issue is water quality. Mr. Bond asked what are the savings on homeowners insurance if the hydrant is near your home? Chairman Nickerson replied 25%. Ms. Russell stated fire protection is an appropriate function of the Town. Mr. Bond stated this was not in our Capital Plan. Ms. Russell felt we are saying to the taxpayer in the past that the water shortage was an issue. This neighborhood has a need for improved water quality.

Attorney O'Connell stated this would be water main extension #15. Around #7 or #8 the Town stopped contributing any portion.

Mr. Kargl agreed to put together a draft survey for review by this Commission. Mr. Mingo suggested asking the Fire Marshal what the capabilities of the Fire Department are. It was agreed that the Fire Department would be contacted for information on their capabilities.

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EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
Tuesday, JULY 28th, 2015
MINUTES

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, July 28, 2015 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson called the Regular Meeting to order at 7:04 PM.

PRESENT: Mark Nickerson, Chairman, Dave Bond, Dave Murphy, Joe Mingo,
Carol Russell, Roger Spencer

ALSO PRESENT: Joe Bragaw, Public Works Director
Brad Kargl, Municipal Utility Engineer
Anna Johnson, Finance Director

FILED IN EAST LYME
CONNECTICUT
Aug 3 2015 AT 10:00 AM/PM
T. W. Halpin
EAST LYME TOWN CLERK

ABSENT: Steve DiGiovanna, Dave Zoller

3. Delegations

Mr. Nickerson called for anyone who wished to speak under Delegations.

Ernie Callegari, 40 Cardinal Road said that he has lived at this address for 17 years. However, on July 17, 2015 he was on vacation with his family and received a call that his house was on fire and that the pets were in it. He then received another call telling him that they needed to knock down the house as they could not get the fire out. He said that he was 1000 miles away in Florida and that there are no words to express how it felt to drive up to see just a chimney standing where the house once was. The entire community came out to help and he heard that they ran a fire hose from the beginning of the street – three quarters of a mile to get the water there. They had the people available but had to pump water from that distance. He said that this time it was him and he was very fortunate that his family was not hurt. He thinks that they need the fire fighters to have the right tools to do the job.

Ellery Kington, 23 Cardinal Road thanked them for listening and said that he was speaking on behalf of all the others present this evening – also from Cardinal Road. He said that East Lyme was on the news and that it was not good news. He thanked the fire fighters for their efforts and said that he was glad that no people were hurt; however the family pets were lost. There is no water or a hydrant on Cardinal Road and valuable time was lost running the hose such a distance. There is no municipal water on Cardinal road and they need to do something about that as there is now an adequate water supply. It is time to place hydrants to service them; further the people on Cardinal Road are willing to hook up to

(4)

municipal water as while there is a cost for it – it will mean lower insurance costs to them and higher resale values for their homes. This means that the Town would get more tax dollars. They do realize that there is an associated cost paid over a period of time and they are willing to pay. They want to expedite this process and asked that it is moved forward.

****MOTION (2)**

Mr. Mingo moved to add item 3.b. to the agenda – Discussion – Cardinal Road Water Connection.

Mr. Murphy seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

3.b. Discussion – Cardinal Road Water Connection

Mr. Mingo said that he had driven out to that area and the good thing was that they had great water pressure. There are other areas just like this throughout the Town. He said that he is in favor of looking into this.

Mr. Bond asked the process.

Mr. Kargl said that a survey of all of the residents of Cardinal Road would be the first thing – but the people present this evening do serve as testimony that people there do want it.

Mr. Bragaw noted that they would not be digging into a road that is scheduled for repair right now.

Mr. Kargl said that there is 3,000 feet of road to the cul-de-sac.

Mr. Bragaw said that if there are 40 homes there that they would all have to be in agreement as they all would be benefitting from this.

Mr. Nickerson said that it would be an assessment to everyone although they would not have to hook up to public water, they could just have the fire protection. He also noted that when homeowners bring a request that it is a 100% assessment to them. When the Town proposes it there is a cost sharing. He noted however that there is about a 40% insurance savings and value added to the property.

Mr. Bond added that there would be an extension to the Town's water system and that it would behoove them to come and support this as there will be others who will come to speak against it when it goes to public hearing.

Mr. Mingo said that they should ask Mr. Formica for some of the State money for this.

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Home Value: \$ 25000

Loan amount: 25000 \$

Interest rate: 4 %

Get Today's Best Mortgage Rates

Loan term: 20 years

Start date: Oct 2015

Property tax: 0 %

Mortgage Repayment Summary

\$151.50	\$36,358.82
Monthly Payment	Total of 240 Payments

\$11,358.82	Sep, 2035
Total Interest Paid	Pay-off Date

\$0.00	\$0.00
Total Tax Paid	Total PMI Paid

(\$1812 / yr)

Home Value: \$ 40000

Loan amount: 40000 \$

Interest rate: 4 %

Get Today's Best Mortgage Rates

Loan term: 20 years

Start date: Oct 2015

Property tax: 0 %

PMI: 0 %

Mortgage Repayment Summary

\$242.39	\$58,174.11
Monthly Payment	Total of 240 Payments

\$18,174.11	Sep, 2035
Total Interest Paid	Pay-off Date

\$0.00	\$0.00
Total Tax Paid	Total PMI Paid

Monthly PMI	Mar, 2021
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(\$2904 / yr)

Costs

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