

**EAST LYME BOARD OF FINANCE  
SPECIAL MEETING MINUTES  
BUDGET REVIEWS – FY 2016-2017  
Monday, MARCH 28th, 2016**

Members In Attendance: Steve Harney, Chairman  
Lisa Picarazzi, Secretary  
Camille Alberti  
Beth Hogan  
William Weber

FILED IN EAST LYME  
CONNECTICUT  
APR 1 2016 AT 10:05 AM  
Camille Alberti  
EAST LYME TOWN CLERK

Also In Attendance: Mark Nickerson, First Selectman  
Anna Johnson, Finance Director  
Matthew Walker, Zoning Commission Chairman  
William Mulholland, Zoning Official  
Steve Mansfield, Director, LLHD  
Joe Bragaw, Director, Public Works  
Bill Scheer, Assistant Director, Public Works  
Victor Benni, Town Engineer  
Luane Lange, Historic Properties Commission Chairman

Absent: Jason Pazzaglia

**A. Call Special Meeting to Order**

Chairman Harney called this Special Meeting of the East Lyme Board of Finance to order at 6:30 PM.

**B. Pledge of Allegiance**

The Pledge was observed.

**C. Delegations**

Mr. Harney called for Delegations.

Dave Godbout, 15 Cardinal Road said that he had served all of the members today regarding the Statute that requires all agency records shall be kept in a public office and if there is none – in the Office of the Town Clerk. He said that he found agendas and minutes in the Clerk's Office but nothing else. He said that it took 183 days for his last request of records to be done. His latest request is for records from the past six months and things that they might have. He submitted information on record keeping. (Copy attached)

Mr. Harney asked Mr. Nickerson if Ms. Johnson's Office of Finance is considered their office. Mr. Nickerson said yes and added that he would collect and forward their emails and that the Town Attorney is also involved with this.

Mark Christiansen said that he is the Vice-president of the Friends of the Samuel Smith House and that some other members are also present this evening. He noted the things that they have done for the House and that this all costs money and that it is time for the Town to step up and fund them.

Luane Lange, Chairman of the Historical Properties Commission said that she wants them to have a budget account of their own. She submitted information on this that she had also submitted to the Board of Selectmen. (Copy attached)

**D. New Business**

**a. Budget Reviews – FY 2016 - 2017**

- ◆ Planning Department & Commission (117) – presented by Mr. Nickerson, First Selectman

Mr. Nickerson asked if they had any questions on this budget.  
Mr. Harney asked if the salary for Mr. Goeschel involved a step increase.  
Mr. Nickerson said yes.

◆ **Inland Wetlands Agency (132) – presented by Mr. Nickerson, First Selectman**

Mr. Nickerson said that this was pretty much the same as the previous. He noted that they had increased the PT Clerical line item here and in Planning as well as the meetings tend to run on the rather lengthy side.

◆ **Zoning Commission (116) – Matthew Walker, Zoning Commission Chairman, William Mulholland, Zoning Official**

Mr. Walker, Chairman of the Zoning Commission noted that the budget is pretty much the same and that they had voted on it. He added that they are also the Aquifer Protection Agency for the Town.

Mr. Mulholland said that the Aquifer Protection Agency is an unfunded State mandate that they seem to be handling so far. He then went over the line items.

Ms. Picarazzi asked if they used the consultant line item as it did not appear to have been used.  
Mr. Mulholland said that they have not however if it were not in the budget they would not have the turnaround time to go through the process to get it should they need it.

Ms. Alberti asked about the new blight ordinance and if they have anything to do with it.  
Mr. Seery said that it has not been decided yet as to who would be responsible for it and they have not appointed anyone yet. The Attorney is still working out the details. It could be a shared responsibility but they do not know at this time.

◆ **Ledge Light Health District (108) – Steve Mansfield, Director LLHD**

Mr. Mansfield explained that the cost to the Town had gone up by 2% as wages per contract had increased by that amount. The fee is based per capita (\$7.15 to \$7.29 pp) and is showing a 3.05% increase over the current year. The population as reported to the DPH for East Lyme is 19,040 up from the 18,937 last year.

◆ **Smith Harris House Commission (134) – Gary Lakowsky, Chairman**

Mr. Lakowsky provided information on the history of the House and that they now have a Curator. They went without one for many years until 2014 when they acquired one that the Friends paid for. The Friends will no longer fund this person/position. He said that he is requesting \$14,040 for her for additional hours and that her title would be changed to Director. He said that the big increase is for her and that he hoped that they will re-instate the money that he has requested for her. He noted that the line item is funded at \$5000. He said that they have worked on some cost saving measures with electricity and other items to help offset this.

Ms. Hogan asked how much the Friends were giving.  
Mr. Lakowsky said that they were giving the \$5000 previously.  
Ms. Johnson explained that it was from revenues as the Friends had subsidized this.

Ms. Alberti said that the \$5000 now for the Curator in the budget is going to be paid by the Town so the increase would be a further hit to the Town.

Ms. Hogan asked if there was any change that he could go back to the Friends to ask for some funding from them.  
Mr. Lakowsky said that he would ask but they have said that their fundraisers did not net as much revenue as they had expected and that they do not have the funds.

Ms. Picarazzi asked if the utilities line item at \$4100 could be reduced.  
Mr. Lakowsky said that they could however they could not predict the weather and they may not have a winter like the one that we had this year which afforded some cost savings.

◆ **Town Engineer (105) – presented by Joe Bragaw, Director, Public Works**

Mr. Bragaw said that they were very fortunate that they have had a mild winter. He said that this department as well as Building Maintenance, Information Technology and Public Works are all under his purview. He passed out a comparison sheet of the departments that he covers showing an overall 1.96% increase when

averaged together. This equates to \$95,836. He noted that they had increased the waste fees that they charge to be more in line with the surrounding Towns. He explained that Victor Benni, Town Engineer does pavement management along with his other duties. The Civil Engineer is paid 60% by the Town and 40% from Water; the Administrative Assistant will be paid 75% by the Town and 25% from Water; the Engineer Inspector does road inspections.

Ms. Picarazzi asked about line 312 and the 2.5% increase.

Ms. Hogan noted that they took the Administrative Assistant and charged it to the Water department for fire protection (hydrants)

Mr. Nickerson explained that when they raise hydrant fees that they have to get it from the taxpayers.

Ms. Alberti said that she does not see that we are gaining as the .25 FTE is going to Water & Sewer so it still has to be paid by the people.

◆ **Building Maintenance (113) - presented by Joe Bragaw, Director, Public Works**

Mr. Bragaw said that this was pretty straight forward. It covers the Town expenses for the custodians, utilities and service contracts, etc.

Mr. Weber noted that the Overtime line item #314 has gone up a bit.

Mr. Bragaw said that is for call-ins and for events in the Community Center, etc.

Ms. Picarazzi said that based on the actual figures that she thought that it could be budgeted a bit lower.

◆ **Public Works (317) – presented by Joe Bragaw, Director, Public Works**

Mr. Bragaw explained that they are still carrying the same overtime and storm overtime however they had a light winter this year. In the previous winter they went over budget. With the years figures he said that he wants to fill the new dome salt shed as it will take them through the year for salt. He explained that they had cut the PT Seasonal as he will use the people that they have. While he would have liked a few people, he said that he was trying to keep the budget down. He explained the tipping fees noting that approximately \$300,000 is offset by revenues – the commercial trash is up a bit while the residential is flat.

Ms. Hogan asked if the LoCIP numbers were on assumptions.

Mr. Nickerson said yes – whatever the State gives us is what we will end up with in the budget.

Ms. Hogan asked if the streetlight program is like the one that they read about for New London.

Mr. Bragaw said that there is a difference in that New London already owns their lights and we do not. Once we own them and change out to LED's – we will have a savings in six to seven years.

Ms. Picarazzi asked about Road Reconstruction line #224 and why it was lower last year.

Mr. Bragaw explained that when they go over budget such as with the winter we had last year that he takes the dollars from there to cover.

Mr. Nickerson said that last year it was \$3.6M and this year it is \$3.8M, \$173,000 is TAR so the difference is \$77,662.

Mr. Weber asked about Fleet Maintenance as they are increasing it from last year.

Mr. Bragaw said that they have not been growing the fleet. This line item covers Parks & Rec vehicles, Police vehicles, Senior Services and the vehicles that are used throughout the Town. They have to keep them on the road and he expects that the \$205,000 is reasonable.

Mr. Nickerson noted that the Boardwalk is done and open and thanked Mr. Scheer for all of his work on it.

◆ **Information technology (109) – presented by Joe Bragaw, Director, Public Works**

Mr. Bragaw said that IT covers multiple departments and that Mr. Scheer, Deputy Public Works Director helps with keeping it going. Star Computers is under contract for a large part of this. The Town copier maintenance contract is also in this department.

◆ **Board of Finance (126) – Anna Johnson, Finance Director**

Mr. Nickerson explained that the increase is driven by the audit.

Ms. Picarazzi asked why the audit is increasing by \$5000.  
Ms. Johnson said that it is a projection.

Ms. Alberti asked if they are covering themselves in anticipation of the results of the RFP.  
Ms. Johnson said yes.

◆ **Animal Control (226) – presented by Mark Nickerson**

Mr. Nickerson explained that this budget represents 50% of what it costs for the Animal Control Agent who is a police officer in Waterford. We pay for the vehicle and they provide the facility. He said that he is working with Waterford on perhaps trying to hire a regular ACO as the Officer who is doing it now is retiring. He said that they are also in discussions with Montville. They have dropped the cost in anticipation of some sort of change where we hire the ACO and Waterford pays us for half. There would also be a revenue side if this should happen of approx. \$29,000.

◆ **Services to Community (115) – presented by Mark Nickerson**

Mr. Nickerson noted that these items have been kept at the same level with a new item added – EL Historic Properties for \$2750.

Ms. Hogan said that she recalled that this was not in the budget last year and now it is in Community Services. She feels that they should move it to its' own budget at a later time.

Mr. Nickerson said that they would probably move it at another time. They would have this and they would also fund raise and write grants as our relationship is only to maintain the house.

Ms. Picarazzi said that she would be happy to give a donation and recalled that when the Town bought the Samuel Smith House that they were told that it was not going to cost them anything and that the original agreement was that it would be self-sufficient. Even with that people were on the fence about getting it and probably would not have if they knew that this would happen. She said that she has trouble wrapping her head around this.

Ms. Lange said that she thinks they have to support history and that when she looks at the money that they have given for Open Space she thinks that this should be supported.

Ms. Hogan said that this still is not a plan and that it needs to be an actual budget and presented as such.

Ms. Picarazzi said that she really thinks that they need to pursue funding in a different venue.

Mr. Christiansen said that when they first bought this that they received some money from the Sportsman's Club.

Ms. Picarazzi said that the agreement was that it was not going to cost the town anymore money.

Mr. Carlson said that the agreement was that the programs would not cost the Town money but they would have to take care of the property.

Mr. Nickerson said that he was the deciding vote on the board of Selectmen that evening as it was a 3 – 3 vote and it was going down. He changed his vote to save it because it was not going to cost the Town anything and he said that he has those minutes of that meeting on his desk in his office.

Marvin Schutt said that he felt that his integrity was insulted as he was instrumental in this. He further thought that it would be more like a nature preserve project where there was someone who wanted to help take care of it.

Ms. Picarazzi said that she had no intention on insulting his integrity and that there was probably a miscommunication issue and that it is a different project from what it was thought that it would be.

Mr. Weber said that he did not think that any insult was intended. He said that the intent was that it would be cost neutral.

Mr. Nickerson said that it was bought on the pretense that the group would come forward and it would not cost the Town any more money.

Mr. Harney said that he thought that they should get some determination from the Attorney on this and on the definition of preservation for these purposes.

Ms. Hogan said that she would wait to hear from the Board of Selectmen and the Attorney as to what is supposed to be done.

### **E. Public Discussion**

Mr. Harney called for any comments from the Public.

Gary Lakowsky, 12 Methodist Street thanked them for their time and patience and said that he does hope that they consider the increase for the Curator/Director for the Smith Harris House Commission.

Luane Lange, Chair of the Historic Properties Commission said that they have received some grants for the Samuel Smith House and that she had been doing the grants for them as it was a large part of her previous career.

Diane Swan, 7 North Beechwood Road said that she is the parent of a child in the school system and an educator in Town. Her children are the fifth generation of Swans in Town and she feels that the Boardwalk is nice but it is the history that is very important to the Town. She said that she was also disappointed that this meeting is being held when there is a BOE meeting on an important issue also being held. The BOE meeting is important – she said that she works at Niantic Center School and wanted to save it but has come to think that it may not be fiscally prudent to do so and feels that they have to think of the elderly within the Town and try not to burden the people who live here. She said that it was mentioned at a meeting here that they should move on the project but she does not feel that they should right now or that people know all the facts that they need to make an informed decision. They also do not know what will happen at the State level. Some of the meetings are televised and some are not and with two meetings on the same night things are getting missed and it creates a sense of mistrust when this happens. She said that she came over from the BOE meeting to speak here after speaking there.

### **F. Board Comments**

Mr. Harney called for Board Comments.

Ms. Picarazzi said that she was not sure about the comment on mistrust as all of the Board members try to put forth the best for the whole Town.

Ms. Swan said that she was concerned that the BOE would take a vote this evening however they are going to hold off on it. Voting this evening would have fostered mistrust of the process.

Mr. Harney said that this Board is NOT a part of that process and that he has said to the BOE many times not to involve or put this Board into the middle of it. When they have something to move forward – they will.

Ms. Picarazzi said that there was no intent of this Board to schedule a meeting at the same time – our Special Meetings for the budget are set every year at this time. We are not a part of what the BOE does with their project and she said that she thinks that those comments would be better if they were directed to the BOE.

Mr. Nickerson said that there is a perception that the Board of Finance is typing this to the budget process when they are not. This has to get to the Board of Selectmen first and they will determine whether or not to send it on to the Board of Finance.

Ms. Swan cited from the March 17, 2016 minutes where a member spoke about bringing it forward.

Mr. Harney said that he still thinks that it should be addressed to the BOE.

Ms. Alberti said that those were her comments and that she stands behind them – especially when she sees a bloated budget; the need for two elementary schools and they are paying for three schools. They cannot keep funding something that is not necessary and it is not fair to the taxpayers of the Town. She added that she is a taxpayer and it is her opinion that she is in favor of closing Niantic Center as that makes the most sense. However, they have to bring forth a proposal to the Town.

Ms. Swan said that there are a whole bunch of rumors out there about the whole issue and that it comes down to communication and when the Boards change it seems to be a different agenda.

Mr. Harney said that there is no agenda except to be fiscally prudent.

Ms. Picarazzi said that if they want to bring the community together that she would suggest that the parents work together to achieve this rather than to spread some of the information that she has seen that is divisive.

## **G. Adjournment**

### **\*\*MOTION (1)**

Ms. Picarazzi moved to adjourn this Special Meeting of the East Lyme Board of Finance at 9:45 PM.

Mr. Weber seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary

1

**Case Example of Effects of not Keeping Records at the Place  
that The Law Requires**  
**[BOAA Record Request of SEPTEMBER 2015]**

MARCH 2016

- member of public asked for records on 15 SEP 15 (records that should have been kept at town clerk's office in accordance with CGS Sec. 1-210(a) [copy attached of this section of our open records law])
- member obtained records 183 days later .. more than ½ yr later [see some of the records obtained that are attached]
- even after the records were pulled out of private email accounts they still have yet to be deposited with the town clerk's office as the law requires; continuing to violate the state's open records law.
- the time to provide access to these public records are when the records are created via giving them to the town clerk's office – not when a requester seeks it from the individual members
- the effects of not keeping the agency's records in a place that the law requires is apparent:
  - \* causes undue delay to access to public records (if these records were provided to the town clerk, as the law requires, access would not have taken over ½ yr)
  - \* likely resulted in a loss of records

Submitted BOA Spec. Mtg. 3/28/2016

## Freedom of Information Act – Where Records are to be Kept

**Sec. 1-210. (Formerly Sec. 1-19). Access to public records. Exempt records.**(a) Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212. Any agency rule or regulation, or part thereof, that conflicts with the provisions of this subsection or diminishes or curtails in any way the rights granted by this subsection shall be void. Each such agency shall keep and maintain all public records in its custody at its regular office or place of business in an accessible place and, if there is no such office or place of business, the public records pertaining to such agency shall be kept in the office of the clerk of the political subdivision in which such public agency is located or of the Secretary of the State, as the case may be. Any certified record hereunder attested as a true copy by the clerk, chief or deputy of such agency or by such other person designated or empowered by law to so act, shall be competent evidence in any court of this state of the facts contained therein.



March 16, 2016

HUGHES GRIFFIS  
EDWARD B. O'CONNELL  
TRACY M. COLLINS\*  
PHILIP M. JOHNSTONE\*  
CHARLES C. ANDERSON  
KERIN M. WOODS\*  
ELLEN C. BROWN\*  
KARL ERIK STERNLOF  
MARK S. ZAMARKA  
CATHERINE A. MARRION  
MATTHEW R. KINELL  
TIMOTHY D. BLEASDALE

David Godbout  
15 Cardinal Drive  
East Lyme, CT 06333

OF COUNSEL  
WILLIAM W. MINER  
ROBERT W. MARRION  
ROBERT P. ANDERSON JR.  
FREDERICK B. GAHAGAN

Re: FOIA request dated September 15, 2015

\* ALSO ADMITTED IN RI  
\* ALSO ADMITTED IN MA

Dear Mr. Godbout:

Please be advised that this office represents the Town of East Lyme. This will acknowledge your Freedom of Information Act request dated September 15, 2015, directed to Susan Graham of the East Lyme Board of Assessment Appeals ("BOAA"), wherein you requested the following:

"I am seeking to inspect any and all types of records and any and all records that memorialize any communication that you have received or created or been copied; as a member of the East Lyme BOAA these records are public records. This would include any type of record produced or created or otherwise came into existence from any type of device whether it is a government owned device or personal device." (Emphasis added).

Your request also seeks "... any type of record that would memorialize any communications to or from the town attorney Mark Zamarka," as well as "... records that would show who your [Ms. Graham] internet service provider, telephone provider, or any other communication provider that was used to create any record is." (Emphasis added). You further state that you need this information for a lawsuit and that failure to disclose by October 1 may result in criminal charges.

As a member of the BOAA, Ms. Graham falls under the definition of public agency. C.G.S. §1-200(1)(A). General Statutes §1-200(5) defines a public record" as "... information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency ..." (Emphasis added). Here, your request is not limited to records involving the BOAA but instead seeks any and all communications received or created by Ms. Graham over a 26 month period - including her internet and telephone providers - regardless of whether those records relate to public or BOAA business.



WALLER  
SMITH &  
PALMER, P.C.  
ATTORNEYS AT LAW

To the extent that your request seeks information that is beyond the scope of §1-200(5), that request is denied. To the extent that your request seeks information that is within the scope of §1-200(5), Ms. Graham conducted a diligent search of her records and files and the records that are responsive to your request are enclosed.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark S. Zamarka", is written over a circular stamp or seal.

Mark S. Zamarka, of  
Waller, Smith & Palmer, P.C.

Encl.

Cc: Susan Graham

**From:** Mike Foley <mfoley1956@aol.com>  
**Date:** March 18, 2014 at 10:38:06 AM EDT  
**To:** [DBekech@eltownhall.com](mailto:DBekech@eltownhall.com), [susangraham@snet.net](mailto:susangraham@snet.net), [rmapman1@aol.com](mailto:rmapman1@aol.com),  
[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com), [isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)  
**Subject:** Re: BAA time sheets

Hello:

Donna has the time sheets in her office. If you want your stipend, stop at the Town Hall and sign.

Mike

-----Original Message-----

**From:** Donna Price-Bekech <[DBekech@eltownhall.com](mailto:DBekech@eltownhall.com)>  
**To:** 'MFoley1956@aol.com' <[MFoley1956@aol.com](mailto:MFoley1956@aol.com)>; 'susangraham@snet.net' <[susangraham@snet.net](mailto:susangraham@snet.net)>; 'rmapman1@aol.com' <[rmapman1@aol.com](mailto:rmapman1@aol.com)>; 'maryann.salvatore@cbmoves.com' <[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com)>; 'isadoreschwartz@sbcglobal.net' <[isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)>  
**Sent:** Wed, Feb 26, 2014 10:21 am  
**Subject:** BAA Appeal Packets

Good morning

BAA appointments have been scheduled for Monday, March 10th (6:30 to 9:00) and Tuesday, March 11th (6:30 - 7:30). There a total of 14 appeals. BAA appeal packets have been prepared for each member if you wish to pick them up before the informal hearings begin.

Regards, Donna

Donna Price-Bekech, CCMA II  
Assessor  
Town of East Lyme  
PO Box 519  
Niantic, CT 06357-0519  
Phone (860) 739-6931  
Fax (860) 739-6930

**From:** Stephanie Kosoff <stephaniek@elltownhall.com>  
**Date:** September 27, 2013 at 3:26:03 PM EDT  
**To:** "ptd33@aol.com" <ptd33@aol.com>, "MFoley1956@aol.com" <MFoley1956@aol.com>, "susangraham@snet.net" <susangraham@snet.net>, "rnapman1@aol.com" <rnapman1@aol.com>, "isadoreschwartz@sbcglobal.net" <isadoreschwartz@sbcglobal.net>  
**Subject:** last night's minutes.....

.....interesting reading for the weekend. ....enjoy !!

Stephanie Kosoff CCMA I  
Assistant Assessor  
Town of East Lyme  
108 Pennsylvania Ave  
PO Box 519  
Niantic, CT 06357

P (860) 739-6931 ext 124  
F (860) 739-6930

**From:** "Salvatore, Maryann" <[maryann.salvatore@coldwellbankermoves.com](mailto:maryann.salvatore@coldwellbankermoves.com)>  
**Date:** November 19, 2013 at 11:41:12 AM EST  
**To:** [rnapman1@aol.com](mailto:rnapman1@aol.com)  
**Cc:** [mfoley1956@aol.com](mailto:mfoley1956@aol.com), [DBekech@eltownhall.com](mailto:DBekech@eltownhall.com), [susangraham@snet.net](mailto:susangraham@snet.net),  
[isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)  
**Subject:** Re: BAA Organizational Meeting

Jan 8th works for me too. Let me know the decision. - Mary Ann Salvatore

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**From:** [rnapman1@aol.com](mailto:rnapman1@aol.com)  
**To:** [mfoley1956@aol.com](mailto:mfoley1956@aol.com), [DBekech@eltownhall.com](mailto:DBekech@eltownhall.com), [susangraham@snet.net](mailto:susangraham@snet.net),  
"maryann salvatore" <[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com)>,  
[isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)  
**Sent:** Monday, November 18, 2013 6:50:10 PM  
**Subject:** Re: BAA Organizational Meeting

Any of the proposed dates works for me.

Ralph

We really need to discuss the entire meeting process. According to the FOI meeting the other night, all meetings are open to the public and must be scheduled and noticed, including any deliberation meetings. So all appeal meetings are open and if we choose to deliberate on a another day, the deliberation days should be scheduled and notice given so anyone that wants to attend and sit through the deliberations or discussions can do so.

Ralph

-----Original Message-----

From: Mike Foley <[mfoley1956@aol.com](mailto:mfoley1956@aol.com)>  
To: DBekech <[DBekech@eltownhall.com](mailto:DBekech@eltownhall.com)>; susangraham <[susangraham@snet.net](mailto:susangraham@snet.net)>, rnapman1 <[rnapman1@aol.com](mailto:rnapman1@aol.com)>, maryann.salvatore <[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com)>; isadoreschwartz <[isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)>  
Sent: Mon, Nov 18, 2013 12:15 pm  
Subject: Re: BAA Organizational Meeting

Wednesday is usually a good night for me. How about Jan 8th?  
Mike Foley

-----Original Message-----

From: Donna Price-Bekech <DBekech@eltownhall.com>  
To: 'MFoley1956@aol.com' <MFoley1956@aol.com>, 'susangraham@snet.net'  
<susangraham@snet.net>, 'rnapman1@aol.com' <rnapman1@aol.com>,  
'maryann.salvatore@cbmoves.com' <maryann.salvatore@cbmoves.com>,  
'isadoreschwartz@sbcglobal.net' <isadoreschwartz@sbcglobal.net>  
Sent: Mon, Nov 18, 2013 12:07 pm  
Subject: BAA Organizational Meeting

Good Morning

Town Clerk, Leslie Bias has sent out the attached notice to all Boards and Commissions regarding the filing of regular meetings for the coming year. The meeting schedule shall be filed with the Town Clerk's office no later than January 31st, 2014 (as the BAA meetings do not start until March).

I'd like to propose a couple of dates in January for the BAA organizational meeting which would be approximately a 30 minute meeting.

Wednesday, January 8th at 6:30  
Thursday, January 9th at 6:30  
Tuesday, January 14th at 6:30  
Wednesday, January 15th at 6:30

When you have a moment, please check your calendars and let me know.

Also, newly elected and re-elected BAA members, Mary Ann and Joan, are invited to attend a swearing in ceremony on December 2nd, at 3:00 pm at the High School Commons. Invitations will be directly sent to you in the next few days.

Thank you, Donna

-----Original Message-----

From: mailroom@eltownhall.com [mailto:mailroom@eltownhall.com]  
Sent: Monday, November 18, 2013 11:09 AM  
To: Donna Price-Bekech  
Subject: Attached Image

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**From:** [mapman1@aol.com](mailto:mapman1@aol.com)  
**Date:** December 5, 2014 at 4:49:44 PM EST  
**To:** [DBekech@eltownhall.com](mailto:DBekech@eltownhall.com), [mjfoley@wpsir.com](mailto:mjfoley@wpsir.com), [susangraham@snet.net](mailto:susangraham@snet.net),  
[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com), [isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)  
**Subject:** Re: BAA Organizational Meeting

Hi Donna,

Any of those dates works for me

Ralph

-----Original Message-----

**From:** Donna Price-Bekech <[DBekech@eltownhall.com](mailto:DBekech@eltownhall.com)>  
**To:** '[mjfoley@wpsir.com](mailto:mjfoley@wpsir.com)' <[mjfoley@wpsir.com](mailto:mjfoley@wpsir.com)>; '[susangraham@snet.net](mailto:susangraham@snet.net)' <[susangraham@snet.net](mailto:susangraham@snet.net)>;  
'[mapman1@aol.com](mailto:mapman1@aol.com)' <[mapman1@aol.com](mailto:mapman1@aol.com)>; '[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com)'  
<[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com)>; '[isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)'  
<[isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)>  
**Sent:** Fri, Dec 5, 2014 3:20 pm  
**Subject:** BAA Organizational Meeting

Good Afternoon

Attached is a notice from Town Clerk, Leslie Bias to all Boards and Commissions regarding the filing of regular meetings for the coming year. The meeting schedule shall be filed with the Town Clerk's office no later than January 31st, 2015 (as the BAA meetings do not start until March).

I'd like to propose a couple of dates in January for the BAA organizational meeting which would be approximately a 30 minute meeting.

Monday, January 5th at 6:30  
Tuesday, January 6th at 6:30  
Tuesday, January 13th at 6:30  
Wednesday, January 14th at 6:30

When you have a moment, please check your calendars and let me know so I can post the meeting

Thank you,  
Donna

-----Original Message-----

**From:** ISADORE JOAN SCHWARTZ <[isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)>  
**Date:** December 6, 2014 at 8:59:34 AM EST  
**To:** Donna Price-Bekech <[DBekech@eltownhall.com](mailto:DBekech@eltownhall.com)>, "[mjfoley@wpsir.com](mailto:mjfoley@wpsir.com)" <[mjfoley@wpsir.com](mailto:mjfoley@wpsir.com)>, "[susangraham@snet.net](mailto:susangraham@snet.net)" <[susangraham@snet.net](mailto:susangraham@snet.net)>, "[mapman1@aol.com](mailto:mapman1@aol.com)" <[mapman1@aol.com](mailto:mapman1@aol.com)>, "[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com)" <[maryann.salvatore@cbmoves.com](mailto:maryann.salvatore@cbmoves.com)>  
**Subject:** Re: BAA Organizational Meeting  
**Reply-To:** ISADORE JOAN SCHWARTZ <[isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)>

Good Morning Donna - Any of those dates will work for me

.....Joan

On Friday, December 5, 2014 3:20 PM, Donna Price-Bekech <[DBekech@eltownhall.com](mailto:DBekech@eltownhall.com)> wrote

Good Afternoon

Attached is a notice from Town Clerk, Leslie Bias to all Boards and Commissions regarding the filing of regular meetings for the coming year. The meeting schedule shall be filed with the Town Clerk's office no later than January 31st, 2015 (as the BAA meetings do not start until March).

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When you have a moment, please check your calendars and let me know so I can post the meeting

Thank you,  
Donna

-----Original Message-----

**From:** [mailroom@eltownhall.com](mailto:mailroom@eltownhall.com) [mailto:[mailroom@eltownhall.com](mailto:mailroom@eltownhall.com)]  
**Sent:** Thursday, December 04, 2014 1:24 PM  
**To:** Donna Price-Bekech  
**Subject:** Attached Image

**From:** Michael Foley <[mjfoley@wpsir.com](mailto:mjfoley@wpsir.com)>  
**Date:** January 5, 2015 at 8:23:58 PM EST  
**To:** Susan graham <[susangraham@snet.net](mailto:susangraham@snet.net)>  
**Subject: Re: Reminder**

No problem, we had four. March meetings on the ninth, 10th, 11th, and Saturday the 14th.

Mike Foley  
Wm. Pitt Sotheby's Intl. Realty  
860 405 5880

Sent from my iPad

On Jan 5, 2015, at 8:12 PM, Susan graham <[susangraham@snet.net](mailto:susangraham@snet.net)> wrote:

My fault, I never saw this and forgot the date..I apologize

Sent from my iPad

On Jan 5, 2015, at 8:29 AM, Donna Price-Bekech <[DBekech@elctownhall.com](mailto:DBekech@elctownhall.com)> wrote:

Good morning

Just a quick reminder of the BAA organizational meeting scheduled for this evening. Monday, January 5th at 6.30 pm - Conference Room 1, Town Hall.

Regards,  
Donna

Donna Price-Bekech, CCMA II  
Assessor  
Town of East Lyme  
PO Box 519  
Niantic, CT 06357-0519  
Phone (860) 739-6931  
Fax (860) 739-6930

**From:** Mike Foley <[mfoley1956@aol.com](mailto:mfoley1956@aol.com)>

**Date:** March 12, 2015 at 9:54:57 AM EDT

**To:** [DBekech@eltownhall.com](mailto:DBekech@eltownhall.com), [susangraham@snet.net](mailto:susangraham@snet.net), [mapman1@aol.com](mailto:mapman1@aol.com),  
[maryann.salvatore@cbmoyes.com](mailto:maryann.salvatore@cbmoyes.com), [isadoreschwartz@sbcglobal.net](mailto:isadoreschwartz@sbcglobal.net)

**Subject:** church property

I've been doing some reading re church property and taxes. Don't want to violate FOI. so will discuss Saturday at scheduled meeting.

<http://www.churchlawandtax.com/cltr/1997/march-april/taxation-of-undeveloped-church-property.html>

Michael Foley



103 Halls Rd.  
Old Lyme, CT 06371

860 405 5880 - cell  
860 434 2400 - office

**From:** Mike Foley <[mfoley1956@aol.com](mailto:mfoley1956@aol.com)>  
**Date:** September 9, 2015 at 8:24:30 AM EDT  
**To:** [hoganlady04@aol.com](mailto:hoganlady04@aol.com), [susangraham@snet.net](mailto:susangraham@snet.net)  
**Subject:** Re: Letter for Board of Appeals meeting

This is confusing. Even if Anne is appointed, it will be to complete Joan's term, which is done this year. Anne will have to be elected in November anyway.

I have no objection to Anne joining the Board, but I do not like to rush. We can hear appeals with as few as a single member present, but I do not know if there is a quorum requirement to fill a vacancy. I am certainly open to discussing it Saturday.

Mike

---Original Message---

**From:** Beth Hogan <[hoganlady04@aol.com](mailto:hoganlady04@aol.com)>  
**To:** [susangraham@snet.net](mailto:susangraham@snet.net); [mfoley1956@aol.com](mailto:mfoley1956@aol.com)  
**Sent:** Wed, Sep 9, 2015 7:28 am  
**Subject:** Re: Letter for Board of Appeals meeting

Also I was told last night there will be no quorum Saturday. I will check with Mark. I guess I should leave Anne's name on the ballot. So sue and Anne will be elected automatically by default/minority representation. If have a full board is not an issue then an appointment is not an issue if the vacancy is not acted upon prior to the election by the board of selectmen.

Sent from AOL Mobile Mail

---Original Message---

**From:** Susan graham <[susangraham@snet.net](mailto:susangraham@snet.net)>  
**To:** Mike Foley <[mfoley1956@aol.com](mailto:mfoley1956@aol.com)>  
**Cc:** Beth Hogan <[Hoganlady04@aol.com](mailto:Hoganlady04@aol.com)>  
**Sent:** Wed, Sep 9, 2015 07:10 AM  
**Subject:** Re: Letter for Board of Appeals meeting

All true, let me check with Nickerson and see if he wants to make this a political issue

Sent from my iPad

On Sep 8, 2015, at 9:17 PM, Mike Foley <[mfoley1956@aol.com](mailto:mfoley1956@aol.com)> wrote:

What's the rush? I'm sure we'll have a quorum for Saturday

Once Joan delivers her resignation to the town clerk, we have 30 days to appoint a replacement. If we don't do it, the Selectmen have another 30 days to pick someone. That will put us just past election day. If Anne is the only Democrat candidate, she'll be on the Board by default

After Saturday, we have no business until the scheduling meeting in January. We'll have a full Board again then.

Mike

-----Original Message-----

From: Susan graham <[susangraham@snet.net](mailto:susangraham@snet.net)>  
To: MFoley <[MFoley1956@aol.com](mailto:MFoley1956@aol.com)>  
Sent: Tue, Sep 8, 2015 7:01 pm  
Subject: Re: Letter for Board of Appeals meeting

She is doing the letter today, can we create a small meeting ahead accept Joan's resignation and accept Anne Thurlow?

Sent from my iPad

On Sep 7, 2015, at 5:26 PM, MFoley <[MFoley1956@aol.com](mailto:MFoley1956@aol.com)> wrote:

Sue  
Is Joan well? It will be strange meeting without her.  
Has she submitted a letter of resignation to the town clerk?  
Mike

Sent from my iPad

On Sep 7, 2015, at 4:02 PM, Susan graham <[susangraham@snet.net](mailto:susangraham@snet.net)> wrote:

Sent from my iPad

Begin forwarded message

**From:** Susan graham <[susangraham@snet.net](mailto:susangraham@snet.net)>  
**Date:** September 7, 2015 at 3:38.47 PM EDT  
**To:** Mike Foley <[mfoley1956@aol.com](mailto:mfoley1956@aol.com)>  
**Subject:** Fwd: Letter for Board of Appeals meeting

Joan has to resign her position on the BAA due to personal reasons, we would Anne to assume this position, is it possible to vote on this ASAP. Thank you

Sent from my iPad

Begin forwarded message

2

Board of Finance Special Meeting  
Budget Review  
Monday, March 28, 2016

Luane Lange, Chair E.L. Historic Properties Commission  
160 Pennsylvania Ave., Niantic

I am here to speak to the Budget, Dept. No.115, Service to the Community

A budget for this Commission is included, this year for the first time, in Service to the Community. That is under \$300. The budget also includes a total of \$2500 to address the Town's responsibility for the operation/maintenance/preservation of the Samuel Smith House. The placement of these funds within the Historic Properties Commission is resulting from the Town's responsibility as identified in a 20-year Preservation Easement, resulting from a \$151,000 State grant to toward the purchase of the historic farmstead and acreage, and the need for a Town legal entity as the recipient of Town funds and the dispersal of these funds for payment of expenses.

It is time to for the Historic Properties Commission to have an account if its own.

I'd like to take a moment to update you on the position of the Commission.

First: This Commission was formed by Town Ordinance in 2009. Its duties were identified in that Ordinance: oversight of the Thomas Lee House, Little School House and structures on the surrounding property, and amended in 2015 to include the Samuel Smith House and Property. These premises are to be administered by the East Lyme Historic Properties Commission by the "provisions of the CT General Statutes relative to the historic properties now or hereafter designated by the Town of East Lyme with all the authority, powers and responsibilities of historic properties commissions set forth in Sec 7-147r of the CT General Statutes, as amended from time to time."

Second: Within the State Statute, the local designated historic properties commission can accept funds to carry out the mandate for preservation and maintenance.

Also, a word on the unique position East Lyme has in the world of historic properties. A new Historic properties tourism brochure is in production for the SE CT Cultural Coalition. East Lyme is the only town to have **three** properties.

Submitted by Luane Lange BOF Spec. Mtg. 3/28/16

While undoubtedly, by chance, it is also one of the few municipalities to purchase an historic property only because it was the thing to do, the preservation for posterity, a 1685 farmstead and acreage. Most municipalities, as did East Lyme with the Smith Harris property, have an agenda, usually the purchase of acreage, location, or perhaps buildings of use to the town for its municipal use.

East Lyme has the unique potential for a destination of three properties, a 1660 timber house, untouched, of a special colonial family, a 1685 farmstead of the hard-tack land use of the period (with potential linkages to the Maritime history of the Town), and a Town Museum showcasing the role of a home in the 1800's.

We need to be proud and consistent in the support and future of these properties.

Attachments: Feb. letter to BOS  
3-Year Proposal for Samuel Smith Preservation developed by Friends of  
Samuel Smith

February 5, 2016

East Lyme Board of Selectman:

Mark Nickerson, First Selectman

Holly Cheeseman

Dan Cunningham

RoseAnn Hardy

Marc Salerno

Kevin Seery

This letter is to correct an oversight about the materials the Historic Properties Commission (HPC) left with the First Selectman on January 7. The letter from the HPC neglected to list the other documents officially as "enclosures."

As the quasi link between the Town and the Friends of Samuel Smith House and Property (FOSSHAP) that exists on behalf of the Samuel Smith House and property, it is important that their information be appropriately forwarded by our commission to the Town. decision makers.

Please find below, the listing of the documents as "enclosures."

Sincerely,

Luane Lange, Chair  
E. Lyme Historic Properties Commission

enc.: January 6 letter to BOS  
FOSSHAP Lease Proposal  
FOSSHAP Proposed 3-Year Plan of Samuel Smith House Preservation  
HPC Guidelines for Historic Properties Leases

Proposed 3-Year Plan of the Samuel Smith House Preservation  
(encompassing FY 2015, 2016,2017)

Acct.	Account Descpt.	16/17 Budget	Supporting Description
<b>200</b>	<b>Services-Contracted/Operating</b>		
222	Building Maintenance	\$ 1,400	Replace fire/security alarm system per Fire Marshall. Town Insurer recommendation. <b>One time cost.</b>
222	Building Maintenance	\$25,000	Re-side exterior of house with red cedar clapboards (includes corner and ridge boards, exterior window and door moldings/trim, water table board. <b>One time cost.</b> 50% match available through SHPO or 1772 Foundation. In-kind volunteer hours as match also available.
222	ADA Restroom construction	\$ 5,500	Construct unisex/ADA public restroom facility with tank and leach field to code. To be contained with a period woodshed. (FOSSHP to provide labor to construct woodshed.) <b>One time cost.</b>
222	Building Maintenance	\$ 1,000	Routine maintenance
<b>300</b>	<b>Operating Expenses</b>		
210	Utilities	\$ 600	Routine electric service and security

Work in progress using FY funding of \$2700.

**200 Services Contracted/operating**

222 Building Maintenance	\$600	Eversource remove overhead electric service line and install new underground service line from telephone pole to meter box (Underground conduit previously installed by FOSSHP) ; install new meter box
222 Building Maintenance	\$800	Licensed Electrician to wire meter box to service panel in SSH basement ; install circuit breakers and new wire run(s) from service panel to water pump and designated receptacle(s) ; disconnect/isolate/de-energize old service panel and all existing wiring (to permit removal of all old wiring).
222 Building Maintenance	\$1000	To repair and re-point chimney
222 Building Maintenance	\$ 300	Contingency for pro bono correction of southeast corner foundation

# COMPARISON OF EXPENDITURES & REVENUES FROM FY 15/16 AND 16/17

## EXPENDITURES



DEPARTMENT	AMENDED* FY 15-16	PROPOSED FY 16-17	DIFF \$	DIFF %	Main Increase/decrease
Engineering	\$ 262,451	\$ 259,048	\$ (3,403)	-1.30%	Decrease is mainly due to 25% of admin asst salary to Water Dept
IT	\$ 119,649	\$ 122,506	\$ 2,857	-2.39%	flat budget & services, only increase is salary
Maint Town Buildings	\$ 724,376	\$ 743,096	\$ 18,720	-2.58%	\$8.5k salary, \$12.5k fire protection, \$5k decrease in Heating Oil
Highway/Sanitation	\$ 3,789,415	\$ 3,867,077	\$ 77,662	2.05%	\$44k salary, \$10k fleet maint, \$26.4k wtr materials, \$8.5k streetlights
	\$ 4,895,891	\$ 4,991,727	\$ 95,836	-1.96%	

## REVENUES

Description	AMENDED* FY 15-16	PROPOSED FY 16-17	DIFF \$	DIFF %	Main Increase/decrease
Solid Waste License	\$ 525	\$ 1,000	\$ 475.00	90.48%	We increased the fees closer to neighboring Towns
MSW Cans	\$ 2,500	\$ 5,000	\$ 2,500.00	100.00%	We are taking in more revenue from can sales
Transp. Subsidy	\$ 46,000	\$ 42,500	\$ (3,500.00)	-7.61%	The \$42.5k is similar to this fiscal year and is a formula by SCRRA
Tipping Fees - Comm	\$ 279,000	\$ 288,300	\$ 9,300.00	3.33%	We increased the fees closer to neighboring Towns
Recycling - Card/Paper	\$ 4,500	\$ 3,500	\$ (1,000.00)	-22.22%	We are getting less for recyclables per ton than in the past
Recycling - Scrap	\$ 20,000	\$ 4,250	\$ (15,750.00)	-0.7875	The scrap market has gone down significantly in just the last year or so
Landfill Deposits	\$ 140,000	\$ 140,000	\$ -	0%	No real change estimated
Streetlight Rebate	\$ -	\$ 122,000	\$ 122,000.00	0%	This a one time rebate when we buy our lights and convert to LED
	\$ 492,525.00	\$ 606,550.00	\$ 114,025.00	23.15%	

Net Increase/(decrease) to the FY 16-17 Budget \$ (18,189.00)

The Engineering, IT, Building Maintenance and PW/Highway & Sanitation have a combined \$18.8k net decrease on the coming year's proposed budget on \$4.992 million in expenditures

\* Please note that these figures are amended and not adopted as we are operating off of the amended budgets

Submitted

Bob Spac. WTS. 3/28/16