

**EAST LYME BOARD OF FINANCE  
SPECIAL MEETING MINUTES  
Tuesday, JUNE 16th, 2015**

**Members In Attendance:** Steve Harney, Chairman  
Lisa Picarazzi, Secretary  
Camille Alberti  
Steve Carpenteri  
Beth Hogan  
Steve Kelley

FILED IN EAST LYME  
CONNECTICUT  
JUN 22 2015 AT 2:15 AM/PM  
*Lesly A. Blain*  
EAST LYME TOWN CLERK

**Also In Attendance:** Anna Johnson, Finance Director

**Absent:** No One

**A. Call Special Meeting to Order**

Chairman Harney called this Special Meeting of the East Lyme Board of Finance to order at 6:00 PM.

**B. Pledge of Allegiance**

The Pledge was observed.

**C. Delegations**

Mr. Harney called for delegations.

Michael Meinz, 1 Goldfinch Terrace read from a statement that he had prepared indicating that he was in favor of doing whatever must be done to preserve the property on Sodom Hill in the area of Goldfinch Terrace as a forest trust based on his experience living across the street from the entrance to the property for several years. (Statement submitted and attached to minutes)

Barbara Johnston, 35 Sea Crest Ave. said that she is a member of the Harbor Commission but is speaking this evening as a resident of the Town. She said that she is familiar with most of the property that is up for purchase and that she is against this purchase as the Town would not be purchasing the property as they would not own it and Route 11 may or may not be coming through that area. If they do it would be taken through eminent domain. And, if they are purchasing it, why just an area for easement rights.

**D. New Business**

- o **Discussion/Action New England Forestry Foundation re: Special Appropriation \$350,000 from Open Space Fund 59 for KSK Assoc. LLC property off Goldfinch Terrace.**

Mr. Harney said that he would recuse himself from this part of the meeting as he is involved with KSK Associates. He turned the Chair over to Ms. Picarazzi.

Ms. Picarazzi said that this was up for discussion and noted that Mr. Carlson was present this evening from the Natural Resources Commission.

Art Carlson, 30 Dean Road said that he was speaking on behalf of the Natural Resources Commission. He explained that the property is part of the Open Space Plan and POCD of properties that they feel should be purchased and preserved. He explained the attributes of open space and noted that this would keep a forest block and filter the ground water better that leads to the river and eventually the Sound. This would not cost much per taxpayer and for what it would cost coming off of the tax rolls they would save as they would not have to build another school or more roads, etc. if this were developed. It will be held in perpetuity. Also, forestry can be done as there is a science to it to be good stewards of the earth. He noted the memorandum with information that he had prepared for the Board of Selectmen and copied to them. (Attached to Town Clerk copy)

Ms. Picarazzi asked what the acreage was that they are talking about here.

Mr. Carlson said that it is about 170 acres and is useful for the forestry part of it. There is a ridge on the property and it is the land east of the ridge.

Mr. Carpenteri asked what acreage is left.

Mr. Carlson said about 33 acres.

Ms. Alberti asked about the 31¢ is for that was mentioned in his report and if it covers the taxes that are lost.

Mr. Carlson said that the answer is one more detailed than he could provide. He said that Mr. Beals from the New England Forestry Foundation could possibly answer those questions.

Whitney Beals, Director of Land for the New England Forestry Foundation said that they are one of the oldest conservation groups in New England and they own over 150 community forests. They are headquartered in Massachusetts. They became involved in this because of Mr. Harney who originally was involved with another foundation who was unable to come up with the money. He said that he has been working for a year now to try to get the Town to put in \$350,000 of the \$500,000. Mr. Harney obtained a grant from the State for \$500,000 and time is running out on it as the State will reclaim it if it is not used for the purpose that it was intended. The sale price and appraised value of the property is \$1.225M but they are hopeful of negotiating a lower price with KSK Associates. There are an additional 31-40 acres that KSK has held back from the transaction and he does not know if it is for sale. It is located to the west side of the property in the Goldfinch Terrace area. This price comes to \$2200/acre which, when compared to Darrow Pond that came in at \$13,000 to \$14,000 per acre; is a bargain.

Written into the conservation easement would be the right of the Town to use the trails, etc. Their goal as an organization is to bring better forestry to the neighborhood. They harvest the forests from time to time by the green stamp certification of approval process. They will look to the Town to help with the trail management, etc. by way of volunteers.

Ms Hogan said that during delegations that a neighbor listed a number of things that he would want to see regulated.

Mr. Beals said that they would discourage any vehicles other than those used for forest management. Up north in Maine they sometimes have snowmobile trails and they would also like to keep the hunting option open. There is a limited liability clause in Connecticut where if you allow people the use of the property that you cannot be sued.

Mr. Kelley said that he would discourage the use of ATV's and dirt bikes and the like. He said that they own the property and the Town has an easement to the property – he asked if the steering committee says no to certain things then who enforces this – the steering committee or the Town.

Mr. Beals said it would be both. He added that they also put up signs and have volunteers who try to discourage other uses.

Ms. Picarazzi asked – this isn't something that the Town would have to police -

Mr. Beals said no.

Mr. Kelley said that in Mr. Carlson's letter to the Board of Selectmen that it spoke of the Route 11 issue and it said that each party could get back their original investment. Is that a possibility?

Mr. Beals said yes, absolutely, by percentage of ownership.

Mr. Kelley said that there are about 40 acres held from this and if they were split into 50 half acre lots and houses were built – doesn't the drainage to LI Sound decrease.

Mr. Carlson said that the other side would hold as the side with the 40 acres drains away from LI Sound which is much less detrimental than building on the east side.

Mr. Kelley asked if it was easier to build on the west side than the east side.

Mr. Carlson said that he did not know.

Mr. Kelley asked about logging and where it comes out.

Mr. Beals said they are all good questions – if the 40 acres are not part of the deal and are developed then planning would have to be watchful to make sure that the 166 acres remains accessible. Forestry harvesting

would be done no less than every 10 years and probably every 15 years. It would be based upon an inventory done on the property. This all gets wrapped into a well vetted plan.

Ms. Picarazzi asked what the easements might contain.

Mr. Beals said that they are complicated documents with a lot of WHEREAS and what is protected and a list of prohibitions and also of activity that is permitted.

Ms. Picarazzi asked who pays for the legal services.

Mr. Beals said that they work it into the project and that they always encourage Town Counsel and the DEEP to review it.

Ms. Picarazzi asked about the pricing of \$1.225M.

Mr. Beals said that \$500,000 is from a grant, \$350,000 from the Town and the Forestry foundation has to come up with \$375,000.

Ms. Johnson explained that utilization of the money would require various actions.

Mr. Carlson said that this property would help Save the Sound; there are other properties more desirable that would feed and help the aquifers in Town.

Mr. Kelley said that he wished that they had better answers on the 40 acres.

Ms. Alberti said that she is prepared to vote on this as she feels that it is important to protect the natural resources. She is also concerned about declining property values in Town and believes that when land abuts conservation land that it increases property values.

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

Ms. Hogan moved, Resolved, to allocate the sum of \$350,000 from Open Space Fund #59 for the purpose of purchasing a conservation easement on property to be owned by the New England Forestry Foundation, consisting of approximately 166 acres with an entrance at the intersection of Goldfinch Terrace and Cedarbrook Road in East Lyme. The conservation easement shall be in a form satisfactory to the Board of Selectmen and the Town Attorney.

Also resolved, that said amount shall not be paid unless and until other funds from the following sources are made available to the New England Forestry foundation at the closing of the purchase and sale of the property; \$500,000 from the Connecticut Department of Energy and Environmental Protection; \$375,000 from private or public funding received by the New England Forestry Foundation.

Ms. Alberti seconded the motion.

**Vote: 5 – 0 – 0. Motion passed.**

Mr. Harney returned to Chair the meeting.

#### **E. Old Business**

##### **o Discussion/Update – Flanders Fire Department Fire Apparatus**

Mr. Harney called upon Mr. Levandoski for an update on this item.

Mr. Levandoski, Mr. Summers and Mr. Rix were present for this item.

Mr. Summers, 5 Nelson Drive said that at the last meeting they had asked them to look for demos and they did look and were able to locate a Smeal demonstrator on the assembly line now. If they purchase this now, they would have delivery for September of this year. The estimated cost would be \$1,142,152.00. If they were to wait and order the one they presented previously it would not be delivered until July of 2016. He said that the price is actually an NJPA price. (Comparison sheet attached) They think that this is a good option and hope that they think the savings and earlier delivery are acceptable.

Mr. Kelley asked if the ladder has the same horizontal reach.

Mr. Summers said yes.

Mr. Carpenteri asked if the truck satisfies their needs and if they would be happy with it.

Mr. Summers said yes. He added that there are some changes that they can make regarding storage and cabinet space and that they can make them while it is on the line but they would have to do that very soon.

Mr. Rix added that as of yesterday, they only have two weeks to make any of the changes that they want. In order to make changes they would have to lock in that they are taking the vehicle.

Mr. Harney and Ms. Picarazzi thanked them for looking into this and getting back to them so soon. She asked Ms. Johnson what the next step would be.

Ms. Johnson said that when Mr. Summers brought this to her attention and the price change from \$1.3M to \$1.1M that she thought that the Board of Selectmen and this Board would have to consider it as it is a purchase without a competitive bid. Due to the time element here, she suggested that both the Board of Selectmen and this Board do a motion to waive the competitive bid process to move this forward so that they can work the purchase order piece out.

Mr. Harney asked if they were so inclined to waive the competitive bid process relative to the bonding process as it is in the best interest of the Town to do so.

**\*\*MOTION (2)**

Ms. Alberti moved to forego the bidding process for the ladder truck as it is in the best interest of the Town. Ms. Hogan seconded the motion.

Mr. Kelley asked if they do that and do not get bids if it would open them up to any liability. Ms. Johnson said that was why she suggested the motion to waive the process.

Mr. Harney said to Mr. Summers that he thought that they had presented them with some bids at their last meeting.

Mr. Summers said that Smeal quoted them a price of \$1,299,571.79 with a 7% increase as of 7/1/15 and that Ferrara was similar with a 2% increase as of 7/1/15 so both would bring them over the \$1.3M. Further, a used demo is similar in price but it will not fit under the bridge.

Ms. Picarazzi said that this would also save them the cost of doing repairs to keep the old truck going until a new one arrived next year. Plus, there was the issue of liability with something that could not pass certification.

Mr. Summers also noted that someone is coming to look at their old truck and is potentially interested in it.

Mr. Harney called for a vote on the motion.

**Vote: 6 – 0 – 0. Motion passed.**

The Board thanked them for their prompt attention to this.

**F. Public Discussion**

Mr. Harney called for public discussion.

There was no public discussion.

**G. Board Comments**

Mr. Harney called for comments from the Board.

There were none.

**H. Adjournment**

**\*\*MOTION (3)**

Mr. Kelley moved to adjourn this Special Meeting of the East Lyme Board of Finance at 7:28 PM.

Ms. Alberti seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary

Michael Meinz  
1 Goldfinch Ter  
East Lyme, CT 06333-1342

I am in favor of doing whatever must be done to preserve the property on Sodom hill in the area of Goldfinch Terrace as a forest trust. I hope that you will approve the agenda item tonight.

That said, based on my experience living across the street from the entrance to this property for several years, I ask that the following be considered:

1. That the property be cleared of all of the debris that has been dumped by various landscaping companies over the past several years.
2. That the property be cleared of the debris left by the company that conducted logging operations on the property over the past couple of years.
3. That use policies or regulations are developed and clear signage be posted stating these policies or regulations. Use policies or regulations should address:
  - a. Times when the area is open to the public.
  - b. Whether or not the use of off-road motorized vehicles is allowed on the property including four-wheelers, dirt bikes and snowmobiles.
  - c. Whether or not the use of on-road vehicles is allowed on the property including automobiles and pick-up trucks.
  - d. Whether or not hunting is allowed and when non-hunters should avoid the area for their safety.
  - e. Whether or not the harvesting of logs or other materials is allowed by anyone not authorized by the New England Forestry Foundation and/or the Town of East Lyme.
  - f. Whether or not overnight camping is allowed.
  - g. Whether the Town of East Lyme, the New England Forest Foundation or both are accountable for enforcement of the policies.
  - h. Whether the Town of East Lyme, the New England Forest Foundation or both will purchase liability insurance coverage for accidental injury or death on the property.

June 16, 2016

Attachment  
Submitted - Root Spec. Mtg. 6/16/15

(1)

# Flanders Fire Department

## Tower Ladder Replacement

### Our Tower Specification

- Delivery estimate July 2016
- Estimated cost \$1.3M
- 1,500 gpm pump
- Ferrara 6 man, flat roof cab w/ 5 SCBA seats
- Height 10'-4", length 47'-7"
- 170 cubic feet of cabinet space
- Air bag system only activated by roll over

### Smeal Demo Tower

- Delivery estimate September 2015
- Estimated cost \$1,142,152.00
- 2,000 gpm pump
- Spartan 6 man, 6" raised cab w/ 5 SCBA seats
- Height 10'-10", length 48'-10"
- 155 cubic feet of cabinet space
- Advanced Protection system w/ air bag system activated like passenger car systems plus a vehicle stability system

*Attachment*  
*Submitted Prot Spec. Met. 6/16/15*