

EAST LYME BOARD OF SELECTMEN
MEETING OF DECEMBER 5, 2012
MINUTES

PRESENT: Paul M. Formica, Mark Nickerson, Kevin Seery, Rose Ann Hardy, Rob Wilson.

EXCUSED: Ms. Cheeseman. Mr. Formica noted that Ms. Cheeseman's husband had passed away suddenly and that the memorial service would be held next Tuesday at St. John's Church. He noted that the Board's thoughts and prayers were with the Cheeseman family during this time of sorrow.

1b. Additional Agenda & Consent Calendar Items

MOTION (1)

Mr. Nickerson moved to add item 2b1 – Miscellaneous Appointments to the December 5, 2012 agenda.

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

1c. Delegations

There were none.

1d. Approval of Minutes, Special Meeting of November 7, 2012

MOTION (2)

Mr. Nickerson moved to approve the minutes of the Special Meeting of November 7, 2012 as submitted.

Seconded by Ms. Hardy.

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

Nay: None.

Abstain: Mr. Wilson. Motion passed 4-0-1.

Approval of Regular Minutes, Meeting of November 7, 2012

MOTION (3)

Mr. Seery moved to approve the minutes of the regular meeting of November 7, 2012 as submitted.

Seconded by Ms. Hardy.

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

Nay: None.

Abstain: Mr. Wilson. Motion passed 4-0-1.

FILED IN EAST LYME
DEC 6, 2012 AT 2:20 PM

Karen Galbo, ATC
EAST LYME TOWN CLERK

East Lyme Board of Selectmen Meeting of December 5, 2012 minutes

1e. Consent Calendar

MOTION (4)

Mr. Nickerson moved to approve the Consent Calendar for the meeting of December 5, 2012 in the amount of \$4,771.77.

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

Mr. Formica introduced Mike Silvestrini, President of Greenskies.

Mr. Silvestini reviewed the proposed solar project at the north end of town. He said that his company's primary focus is on large commercial businesses where they place solar panels on the roofs of these buildings, but that at the end of 2011, a request was put out for projects generating power. He said they had been chosen since they were more cost effective than their competitors and the location for the program would be on a parcel owned by partner Bob Landino on the corner of Walnut Hill Road and Grassy Hill Road. He added that the solar farm's panels would not be seen from either road and in lieu of a residential development on this land, they were proposing to place 17,000 modules which would generate approximately 14% of East Lyme's homes.

Mr. Nickerson inquired about the initial proposal including a relationship with the schools.

Mr. Silvestrini responded that the legislation as drafted was not applicable to virtual net metering and value therefore; there would be no relationship with the schools at present. He added that they had to go before the CT Siting Council for their permitting process. He said the project would include a 25 acre fenced in parcel with access only by those who worked there. He said the panels would be 8-12 feet off the ground and the only building would be a storage barn. He noted that there would be a number of public hearings and meetings and this was just the beginning of the process. He urged the Board to view their website www.greenskies.com. for more information.

Ms. Hardy said that she had viewed their website and it was very well done. She inquired if this was the first project on the ground that they would construct.

Mr. Silvestrini responded in the negative noting that the closest one would be in Springfield Massachusetts. He said that in order to get the site ready for this project, the area would need to be leveled out, but it would be very quick construction lasting approximately 3-4 months and that no noise is generated by this solar farm.

Ms. Hardy inquired about water run off from the panels and the life span of the equipment.

He replied that the equipment is warranted for 25 years with a 20 year contract with CL&P. He added that the equipment is highly recyclable.

Mr. Formica noted that his concerns were about the potential of tax credits and the abatement of property taxes on this site due to legislation that had been passed.

Mr. Silvestrini noted that if this property were utilized for a solar farm in lieu of a residential development, the community would save money in services and school needs. He added that his company was proposing some type of formula for cost per megawatt.

2a. Ex-Officio Assignments

Mr. Formica reviewed the Ex-Officio Assignments, identified as Attachment A.

MOTION (5)

Mr. Nickerson moved to approve the Ex-Officio Assignments for the 2013 Calendar Year as submitted.

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

2b. Appointments

MOTION (6)

Mr. Nickerson moved to appoint Tom Bowlen of 37 South Street, Niantic, CT to serve on the Waterford / East Lyme Shellfish Commission through January 4, 2016.

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

MOTION (7)

Mr. Nickerson moved to appoint Paul M. Formica of 20A Bush Hill Road, Niantic, CT and William Scheer of 251 Whistle town Road, East Lyme, CT to serve as representatives to SCRRRA for the Town of East Lyme through January 4, 2016.

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

MOTION (8)

Mr. Nickerson moved to appoint Pierce F. Connair of 3 Winchester Court South, East Lyme, CT to serve as SE CT Tourism Representative for the Town of East Lyme through January 6, 2014.

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

MOTION (9)

Mr. Nickerson moved to appoint Joseph Palazzo of 43 Sleepy Hollow Road, Niantic, CT to serve on the Commission on Aging through January 4, 2016.

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

MOTION (10)

Mr. Wilson moved to appoint Paul Holmes of 9R Center Road, Waterford, CT to serve as a Special Constable in the Town of East Lyme through June 30, 2013.

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

2c. SEAT Resolution

Mr. Formica noted that the fuel spill and problems of SEAT had been the subject of numerous articles in the newspaper. He said that the member municipalities of SEAT were potentially trying to improve the regional network over a period of time under different management. He added that the next step was for the Board members of SEAT to vote to accept this resolution after the nine member towns had passed it. He added that we were the last town to approve the resolution. He added that this is the only transit district where member towns do the funding. He noted that they want to make sure that this grows to be a regional transit district while removing us from liability and with the CT DOT funding 100% cost of operation.

MOTION (11)

Mr. Nickerson moved the following:

CERTIFICATE OF AUTHORITY

WHEREAS, the Southeastern Area Transit (SEAT) district was formed by the action of the original eight member municipalities in 1975; and

WHEREAS, in April of 2011, the nine current SEAT member municipal chief elected officials first learned of the fuel release that had been discovered by SEAT in August 2010 at the SEAT facility in Preston; and

WHEREAS, nine current SEAT member municipal chief elected officials request the assistance of the State of Connecticut, Department of Transportation in responding to this fuel release, and specifically, in payment for the cost of cleanup, including past, present and future expenses, in return for SEAT withdrawing its related claim against the State of Connecticut in the development of the new operations and management model for the provision of transit in Southeastern Connecticut; and

WHEREAS, the nine current SEAT member municipal chief elected officials wish to see a better future for, and provision and growth of quality transit service in their municipality and throughout southeastern Connecticut; and

WHEREAS, the nine current SEAT member municipal chief elected officials, along with the SEAT Board, will undertake a full evaluation of the management and operations of SEAT and the facility in Preston, including but not limited to, standard operating procedures, fuel delivery, storage, and dispensing procedures, inventory controls, testing protocols, employee training and insurance issues;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SELECTMEN OF THE TOWN OF EAST LYME that the nine municipal chief elected officials and their signature below respectfully requests that the Connecticut Department of Transportation take on the responsibility for the cleanup of the fuel release and it's full associated costs;

BE IT FURTHER RESOLVED, that the chief elected officials from SEAT'S nine member municipalities hereby request and express their support for the Connecticut Department of Transportation to assume responsibility for the operation and management of transit service in the Southeastern Connecticut region, and the SEAT Board of Directors be replaced by an advisory panel comprised of the Chief Elected Officials from the municipalities or their designee, acting by and through Southeastern Connecticut Council of Governments, whose staff will provide administrative and technical support as needed to the Connecticut Department of Transportation.

BE IT FURTHER RESOLVED, that the First Selectman is authorized to affix his signature to a resolution of the chief elected officials of the nine member municipalities that is substantially similar to this resolution.

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

2d. Discussion – SCCOG's Possible Formation of a Regional Ethics Commission
The Board decided to table this matter until the next meeting since some of the pages had been inadvertently omitted when reproducing the document.

Mr. Formica noted the draft noise control ordinance on the table this evening. He said this had been brought about by complaints about ATV use and other noise problems. He said that Zoning Official Bill Mulholland had compiled this document from parts of other ordinances from other towns and that Town Attorney had reviewed it. He suggested that the Board review it and there would be discussion at the 12/19/12 meeting.

Ms. Hardy noted that this type of ordinance had been attempted 2-3 times before with no success.

5a. Ex-Officio

Mr. Seery noted that he had attended the Board of Education meeting where the main discussion had been full day kindergarten. He said that this was strongly recommended by the panel but it would result in the need to hire 5 additional teachers and aides at a cost of approximately \$360,000. He noted that there would be some savings in the transportation costs. He added that they had also talked about offering ½ day kindergarten by choice, but that this program had not proven viable in other towns.

Mr. Wilson had no report.

Ms. Hardy noted that she and Mr. Nickerson had attended the Darrow Pond property presentation where the main speaker had been a biologist speaking about invasive species. He had identified several on the property and said that there was no need to take care of them all at once, but that a program should be started as soon as possible. He had noted that volunteers could be used however, special equipment would be needed and Parks and Recreation did not have the type necessary.

Mr. Nickerson had no report.

5b. First Selectman's Report

Mr. Formica noted that the Pro Act Prescription Drug Program was moving forward and residents would receive a mailing after the holidays. He added that it seemed to be a good program for those who did not have insurance.

He noted that he had attended several Veterans Day celebrations.

He added he had attended a number of wakes and funerals.

He attended a musical fund raiser for Friends of Oswegatchie Hills.

He attended the Mirma Annual Meeting.

He hosted a department head meeting.

He attended a Rotary meeting where Veterans were honored.

He noted that Dominion's public hearing with the Siting Council was scheduled for December 20, 2012 in Waterford. He added that he was writing a letter to the Siting Council asking them to move the hearing to the new year due to the date being so close to the holiday.

He noted that the Board of Finance had acted on all the items that we had sent them.

He said that the regional water interconnection project was moving forward.

He attended a Council of Government legislative meeting and they again discussed the state police billing issue. He noted that we are billed for the annual salary and for fringe benefits. He noted that last year he had persisted noting the amount of fringe benefits towns had to pay was 70% although we had been billed and have been paying 100% for as far back as the computers allowed us to track and he had won. Then the legislature had changed the law to show 100% payment with fringe added so that we were billed and paying 159%. He said we had just received a bill for the new quarter and we were being charged 173% and added that the math just did not make sense. He said that the State deficit which had been reported before the election as \$50 million has increased to \$400 million and said that municipal aid might not be protected next year.

Mr. Wilson said that the resident state trooper program has gone backwards and either we figure it out or get out.

Mr. Formica noted that the state police dispatch would be moving to Tolland, CT and it might be time to look at the status of the program again. He added that he was very happy and supportive of our present Resident Trooper Sergeant Blanchette.

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He said he attended a celebration honoring the Middle School held at the Aqua Turf.

He hosted a preliminary discussion with the commercial fishermen regarding their leases, adding that the leases expire at the end of the year.

He had discussion with First Selectmen Dan Steward and Bonnie Reemsnyder about a regional ACO program.

He noted that the Light Parade would be on December 9th at 5:00 p.m.

He commented that he would be meeting with Congressman Courtney on Thursday and viewing the Boardwalk damage.

He attended a conference about innovative budgeting where they talked about bonding and borrowing money for new social programs.

He attended the football pre game dinner.

He attended the stroll and the tree lighting and added that downtown Niantic looks great.

MOTION (12)

Mr. Seery moved to adjourn the December 5, 2012 meeting of the East Lyme Board of Selectmen at 8:53 p.m.

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

Respectfully submitted,

Darlene C. Stevens, Recording Secretary

Town of

108 Pennsylvania Ave.
P.O. Drawer 519
Paul M. Formica
First Selectman



East Lyme

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EX-OFFICIO 2013

Paul Formica	Finance Water and Sewer Chair	2 nd Wednesday at 7 pm 4 th Tuesday at 7 pm
Mark Nickerson	Parks and Rec Water and Sewer Dep. Chair Youth Services	2 nd Thursday at 7 pm 4 th Tuesday 7 pm 3 rd Thursday at 6 pm
Holly Cheeseman	Zoning Library	1 st / 3 rd Thursday at 7:30 1 st Monday every other month at 7 pm
Kevin Seery	Inland Wetlands Town Building Harbor Mgt	2 nd Monday at 7 pm 3 rd Thursday at 7:30 3 rd Tuesday at 7:30
Rose Ann Hardy	Planning Comm. On Aging Comm. Natural Resources	1 st and 3 rd Tuesday 7 2 nd Monday at 7 pm 2 nd Wednesday at 7 pm
Rob Wilson	Smith Harris Safety Committee Member WELSCO	4 th Wednesday at 7 pm 3 rd Thursday at 7:30

Board of Education rotation as follows:

January and July – Cheeseman

February and August - Formica

March and September - Hardy

April and October – Seery

May and November – Nickerson

June and December - Wilson

*Selectman's
Agenda
Item 2a.
12-5-12*