

EAST LYME BOARD OF SELECTMEN
MEETING OF FEBRUARY 3, 2010
MINUTES

PRESENT: Paul Formica, Mark Nickerson, John Birmingham, Rose Ann Hardy, Rob Wilson.

EXCUSED: Jack Hogan – Mr. Formica noted that Mr. Hogan would not be present at the next three meetings.

Mr. Formica called the meeting to order at 7:50 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items

MOTION (1)

Mr. Nickerson moved to add Item 2h. Appointment Harbor Management / Shellfish – Eric Kanter to the February 3, 2010 agenda.

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

1c. Delegations

John Bialowans of 6 Walnut Hill Road read a letter into the record (identified as attachment a).

Ms. Hardy requested that Item 2a – Discuss Budget Review Meeting Dates be moved to the end of the agenda.

Mr. Formica agreed to relabel this item as 3c.

1d1. Approval of Minutes, Special Meeting of January 20, 2010

MOTION (2)

Mr. Nickerson moved to approve the minutes of the Special Meeting of January 20, 2010 as submitted.

Seconded by Mr. Birmingham.

Aye: Mr. Formica, Mr. Nickerson, Mr. Birmingham.

Nay: None.

Abstain: Ms. Hardy, Mr. Wilson. Motion passed 3-0-2.

1d2. Approval of Minutes, Regular Meeting of January 20, 2010

MOTION (3)

Mr. Nickerson moved to approve the minutes of the meeting of January 20, 2010 as submitted.

Seconded by Mr. Birmingham.

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

Nay: None.

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

1e. Consent Calendar

MOTION (4)

Mr. Birmingham moved to approve the Consent Calendar for the meeting of February 3, 2010 in the amount of \$192.69.

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

2a. Discussion – Budget Review Meeting Dates

Moved and identified as 3c.

2b. \$200,000 Appropriation STEAP (Small Town Economic Assistance Program) Grant

MOTION (5)

Mr. Wilson moved to appropriate the \$200,000 STEAP grant to construct the downtown Main Street Streetscape Phase II and send to the Board of Finance for their approval.

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

2c. Road Acceptance – Hallas Subdivision – Whistletown Road

MOTION (6)

Mr. Nickerson moved the following:

WHEREAS, the East Lyme Planning Commission has recommended that the Town accept for public highway purposes a certain strip of land along the easterly side of Whistletown Road adjacent to the “Hallas Subdivision”, as more particularly described on a map depicting said strip and a deed describing said strip; and

WHEREAS, the Town Engineer and Director of Planning had determined that said strip may be accepted in accordance with the Town’s highway standards and approved plans;

IT IS RESOLVED, that the Board of Selectmen hereby accepts as a portion of its public highways said strip of land along the easterly side of Whistletown Road, subject to the developer’s execution and delivery of deeds and related documents as approved by the Town Attorney.

Seconded by Mr. Wilson.

Attorney O’Connell noted that this was a two lot subdivision and when it was approved, it was noted that a strip of land would be conveyed to the Town for highway purposes. He added this land will be owned by the Town and available for public passage as needed.

Motion passed 5-0.

2d. Special Appropriation - \$357,500 – Autoloader Recycle Carts

MOTION (7)

Mr. Wilson moved to appropriate \$357,500 in principal and interest for a minimum of 6468 Autoloader Recycling Carts from the FY 2009/2010 Capital Improvement Plan. This is to be financed through a 5-year loan agreement with SCRRRA with a \$45,000 down payment to finance \$295,000. First annual payment is estimated to be \$62,500 and forward to the Board of Finance for their approval.

Seconded by Ms. Hardy.

Mr. Formica noted that this was a low interest loan from SCRRRA which will enable us to purchase the rest of the carts needed to jump start the new recycling program.

Director of Public Works Mike Giannattasio said that there is no separation of recyclables necessary any more and only Styrofoam and plastic bags cannot be recycled.

Mr. Nickerson was enthusiastic about the new recycling program.

Motion passed 5-0.

2e. Special Appropriation \$225,000 for an Autoloader Recycle Truck

MOTION (8)

Mr. Nickerson moved to appropriate \$225,000 for the Autoloader Recycle Truck from the following budgets: \$210,000 from Public Works Equipment CNRE and \$15,000 from FY 2009/2010 Budget 0-01-30-317-210-222 Recycling and Miscellaneous and forward to the Board of Finance for their approval.

Seconded by Mr. Birmingham.

Mr. Giannattasio said that we are looking at a demo truck and it is the same make and model truck as we have, but a new year. He said if purchased, we will retire two of the older recycling vehicles.

Ms. Hardy noted she would support this purchase since it would benefit everyone in town and it was a matter of public health.

Motion passed 5-0.

2f. Special Appropriation – FY 2009/2010 Equipment Acquisition Plan

MOTION (9)

Mr. Wilson moved to appropriate \$655,000 for principal and interest for the Equipment Acquisition Plan paid over 5 years and forward to the Board of Finance for their approval.

Seconded by Mr. Nickerson.

Mr. Formica said that the purpose of this item is to replace a number of vehicles in our 5-year acquisition program.

Mr. Giannattasio noted that one of the Commission on Aging buses will be purchased with a state grant where the state pays 80% and the town has a 20% share.

Mr. Formica noted that the police car price reflects the price necessary for the car and all the necessary equipment.

Motion passed 5-0.

2g. Sign Call – Special Town Meeting – February 17, 2010

MOTION (10)

Mr. Nickerson moved the following call:

TOWN OF EAST LYME
NOTICE OF SPECIAL TOWN MEETING

Notice is hereby given of a Special Town Meeting to be held on February 17, 2010 at the East Lyme Town Hall Upper Meeting Room at 7:00 p.m. to take action on the following:

1. Special Appropriation \$79,119 Energy Efficient Conservation Block Grant
2. Special Appropriation \$200,000 Main Street Streetscape Phase II STEAP grant.
3. Special Appropriation \$357,500 – Autoload Recycling Carts
4. Special Appropriation \$225,000 – Autoloader Recycling Truck
5. Special Appropriation \$655,000 – Municipal Lease Purchase for Various Vehicles

Dated at East Lyme, CT this 3rd day of February, 2010.

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

2h. Appointment – Harbor Management/ Shellfish – Eric Kanter

MOTION (11)

Mr. Wilson moved to appoint Eric Kanter of 27 Wells Street, Niantic, CT to serve on the Harbor Management / Shellfish Commission through January 2, 2012.

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

3a. Discussion – Agricultural Commission Ordinance

Attorney O’Connell reviewed the draft ordinance.

The consensus of the Board was as follows:

- 5 member commission appointed within 90 days after adoption of ordinance. 3 terms shall be filled by appointment until the first Monday of January, 2012, at which time they shall be filled by appointment for four years and 2 terms shall be filled by appointment until the first Monday of January 2014, at which time they will be filled by appointment for four years.
- Paragraph 4, second line – replace the word validity with the word **viability**.
- Strike paragraph 5.
- Paragraph 6 becomes paragraph 5.

MOTION (12)

Ms. Hardy moved to forward the draft ordinance establishing an Agricultural Commission to Public Hearing on March 3, 2010 at 7:00 p.m. at the East Lyme Town Hall Upper Meeting Room.

Seconded by Mr. Wilson.

Mr. Nickerson said he has a problem with adopting an ordinance for this, but he does support the people who are behind this. He suggests that they might be going about it the wrong way. He added that creating a government commission to support agriculture might not be the right way and suggested that all the goals listed could be done with a local bureau of farmers and the farmers could all buy in and have a voice and act as one instead of forming a government commission subject to FOI and with all the restrictions and costs of a government commission.

Mr. Formica included a letter received from Selectman Jack Hogan into the record (identified as attachment b.).
Motion passed 5-0.

3b. Status Update – Brainerd Road Cell Tower

Mr. Formica said that they had met with the Town Attorneys and crafted a process. He reminded everyone that on February 23rd the Siting Council would be meeting from 3:00 – 5:00p.m. and then again from 7:00 – 9:00 p.m. at Nett Hall. They will also be flying a balloon at the location from 7:00 a.m. – 5:00 p.m. He added that it was his understanding that the public hearing would be continued to March 23rd at the Siting Council's office in New Britain.

3c. Budget Review Discussion

The consensus of the Board was to meeting of February 9th at 5:00 p.m. The budgets to be reviewed that evening would be Parks and Recreation from 5:30 p.m. – 6:15 p.m. and the Police from 6:15 p.m. until 7:00 p.m.

5a. Ex-Officio

Mr. Wilson had no report.

Ms. Hardy had no report but added that she would be unable to attend the Zoning Commission meeting tomorrow evening.

Mr. Nickerson offered to attend in her stead.

Mr. Birmingham did not make the Board of Education meeting although he did attend the Smith Harris meeting. He said that they will be needing volunteers for Heritage Weekend and will have an open house on June 12th.

Mr. Nickerson attended the Town Building Committee meeting where they discussed the vibration / noise on the high school roof system and added there is also a railing issue that must be addressed. He said they have received 9-11 bids for a new boiler system and Acorn is helping to review the bids. He said that he attended the special Board of Education meeting on Monday where the Superintendent presented a 1.97% alternate budget and the Board is to vote on this new budget on Monday.

5b. First Selectman's Report

Mr. Formica noted that he had attended a meeting with DEP regarding an increase in stream flow regulations where he spoke against the changes.

He attended a ribbon cutting event for Clinical Laboratory Partners, a partner with Charter Oak Walk In Clinic in Flanders.

He attended an Affordable Housing Forum in Hartford where they discussed the best ways to promote workforce housing and the benefits of it.

He attended a Financial Policy Subcommittee meeting, a Pension Committee meeting, a Capital Improvement Plan meeting and a meeting with the DOT regarding the potential closure of Exit 75 northbound. He said that he and First Selectman Stewart from Waterford informed them that closing Exit 75 northbound without modifying Exit 74 will create the same problem if not worse than we already have. After discussion, DOT agreed with this.

He attended a retirement luncheon for Sue Saunders who had retired from the Assessor's Office after 18 years of service.

6. Public Discussion

Bob Gadbois of 358 Boston Post Road said that the Superintendent spoke about the roof leaking at the high school and yet, people are still talking about a turf field.

Mike Schulz of Lovers Lane inquired about the problems with the video system.

Mr. Formica responded that we are taping the meeting, but we have lost the live feed.

Mr. Schulz said that the roof replacement at Haynes School should be moved up and that we also need to correct the roof at the high school and these repairs are much more

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important than grass or parking lots. He stressed that we need to make the town buildings our top priority.

Ms. Hardy requested a list of all town employees and their positions for the budget book.

MOTION (12)

Ms. Hardy moved to adjourn the February 3, 2010 meeting of the East Lyme Board of Selectmen at 9:52 p.m.

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

Respectfully submitted,

Darlene C. Stevens, Recording Secretary