

EAST LYME BOARD OF SELECTMEN  
MEETING OF JANUARY 7, 2015  
MINUTES

FILED IN EAST LYME  
CONNECTICUT  
Jan 8 20 15 AT 12:00 AM/PM  
Brookline, Conn ATC  
EAST LYME TOWN CLERK

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

Deputy First Selectman Mark Nickerson called the meeting to order at 7:30 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items.

There were none.

Mr. Nickerson noted that Mr. Formica had submitted his resignation as First Selectman and was sworn in as our new State Senator today.

1c. Appointment of First Selectman

MOTION (1)

Mr. Seery moved to appoint Mark C. Nickerson of 15 Jean Drive, East Lyme, CT to serve as First Selectman through December 7, 2015.

Seconded by Ms. Hardy.

Ms. Hardy noted that she was pleased to second this motion since Mr. Nickerson has served admirably and conscientiously.

Motion passed 4-0.

Attorney O'Connell swore in Mr. Nickerson.

Mr. Nickerson said he was gratefully accepting this position and he thanked everyone for their support. He made several comments (attached to these minutes and identified as Attachment A).

Mr. Wilson entered the meeting at 7:34 p.m.

1d. Appointment of Member to fill vacated seat on Board of Selectmen

MOTION (2)

Ms. Hardy moved to appoint Daniel R. Cunningham to serve on the Board of Selectmen through December 7, 2015.

Seconded by Mr. Wilson.

Mr. Cunningham, a local Attorney, noted that though he had been unsuccessful in a previous run for the Board of Selectmen, he was committed to preserving the quality of life that we enjoy here and was anxious to serve the community as an elected official.

Mr. Nickerson called for any other nominations.

MOTION (3)

Mr. Seery moved to appoint Marc Salerno to serve on the Board of Selectmen through December 7, 2015.

Seconded by Ms. Cheeseman.

Mr. Salerno, an engineer noted that he had been raised in East Lyme and that he, his wife and now his two children are part of the East Lyme School System. He added that he has been on the Zoning Commission since 2001, with part of that time serving as Chair. He noted that while on Zoning, he found it valuable to meet with business owners to understand how regulations affect them and added he would continue his impartial decision making taking into account public comment.

Hearing no other nominations, Mr. Nickerson asked for a vote on Motion (2) regarding Mr. Cunningham.

Aye: Ms. Hardy, Mr. Wilson.

Mr. Nickerson asked for a vote on Motion (3) regarding Mr. Salerno.

Aye: Mr. Nickerson, Mr. Seery, Ms. Cheeseman. Motion passed 3-0.

He noted that Mr. Salerno had a Zoning meeting on Thursday evening, but would then resign and be sworn in for the Board of Selectmen. He thanked Mr. Cunningham for his interest and requested that he continue to stay involved.

1e. Appointment of Deputy First Selectman

MOTION (4)

MS. Hardy moved to appoint Kevin A. Seery of 25 Quailcrest Road, East Lyme, CT to serve as Deputy First Selectman through December 7, 2015.

Seconded by Mr. Wilson.

Ms. Hardy noted that Mr. Seery has acted very responsibly in his role as 2<sup>nd</sup> Selectman and his has filled in many times for Ex-Officio assignments.

Motion passed 5-0.

MOTION (5)

Mr. Seery moved to appoint Holly H. Cheeseman of 16 Mitchell Drive, Niantic, CT to serve as Second Deputy First Selectman to serve when First Selectman and Deputy First Selectman are not available, through December 7, 2015.

Seconded by Mr. Wilson.

Mr. Seery noted that Ms. Cheeseman has been extremely active in Town with the Children's Museum and has done great work there.

Motion passed 5-0.

1f. Delegations

There were none.

1d1. Approval of Minutes, Special Joint Meeting of December 17, 2014

MOTION (6)

Mr. Seery moved to approve the minutes of the Special Joint Meeting of the Board of Selectmen and Board of Finance of December 17, 2014 as submitted.

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

1d2. Approval of Minutes, Regular Meeting of December 17, 2014

MOTION (7)

Mr. Seery moved to approve the minutes of the regular meeting of December 17, 2014 as submitted.

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

1e. Consent Calendar

MOTION (7)

Mr. Seery moved to approve the Consent Calendar for the meeting of January 7, 2015 in the amount of \$1335.49.

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

2a. Resolution - Authorize First Selectman to Sign Check Registers

MOTION (8)

Mr. Seery moved the following resolution:

Resolved, that the Board of Selectmen delegates to the First Selectman and upon the absence or disability of the First Selectman, to the Deputy First Selectman, the Board's obligation to sign the orders

of the Board of Selectmen on the Town Treasury for payment of regularly budgeted expenses of the Town, with exception of those of a capital nature over \$50,000 where bids are required; and further that the signed orders, covering the period subsequent to the previous regular meeting of the Board, be presented at each regular meeting of the Board for review.

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

#### 2b. Proclamation - Loving Parting Day

Town Historian Elizabeth Kuchta reviewed the history of the parting of Lyme and Old Saybrook which took place 350 years ago. She was present this evening to have the proclamation signed and added that it would also be signed by the other First Selectmen of Old Lyme, Lyme, and Salem.

#### MOTION (9)

Mr. Seery moved the following:

#### **Whereas . . .**

- in 1631, the English Earl of Warwick granted an extensive tract of land in the Connecticut River Valley to Lord Saye and Sele, Lord Brooke and several others; and
- this land, extending north on both the east and west sides of the Connecticut River, became the Saybrook Colony, one of the earliest settlements in New England; and
- in 1644, the Saybrook Colony was incorporated into the Connecticut Colony by order of the Connecticut General Court in Hartford; and
- in 1663, the Saybrook Colony requested the Connecticut General Court “to set up a plantation on the east side of the great River”, known as East Saybrook; and
- on February 13, 1665, representatives of the settlers from both sides of the river signed an agreement, known as “The Loving Parting”, making East Saybrook, a self- supporting community, separate from the Saybrook Colony; and
- in 1667, the Connecticut General Court assigned the name “Lyme” to this new community.

#### **Therefore . . .**

in recognition of the 350<sup>th</sup> Anniversary  
of the signing of the “Loving Parting” and

of the shared history of the Saybrook Colony with  
the present towns of Old Saybrook, Lyme, Old Lyme, East Lyme and Salem,

*February 13, 2015 is hereby proclaimed "Loving Parting Day".*

*East Lyme Board of Selectmen*

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

Mr. Nickerson thanked Ms. Kuchta for "carrying the torch" and preserving the history of our town.

2c. Transfer from Payroll Contingency to Police Payroll

Mr. Nickerson noted that during the 2014/15 budget process we were in the process of negotiating a successor agreement for the Police Union, therefore, we included a provision for estimated wage increases in a Payroll Contingency budget account. Their contract was approved at your November 5, 2014 meeting with a 3% wage increase for the current fiscal year. The following amounts are needed in the salary accounts:

MOTION (10)

Mr. Seery moved to transfer \$47,364 from account 01-01-120-100-500 (Contingency Pending PR Change) to the following accounts: \$43,992 to account 01-25-216-100-511 (Salaries Constables) and \$3,372 to account 01-01-114-100-121 (FICA/Medicare) due to the timing with the budget process and negotiating a successor agreement and forward to the Board of Finance for their approval.

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

2d. Transfer from Contingency to Fire Fighter budgets due to timing of budget process and wage re-opener

Mr. Nickerson noted that the Firefighters Union negotiated a one year wage contract for the 2014/15 fiscal year. Typically, we include funding in the wage contingency account. Wage increases for Police and non-affiliated staff members exhausted funding available in the wage contingency account; therefore, this request is from regular contingency. At the July 2, 2014 meeting you approved the wage increase of 3% for the Firefighters. This request also includes an additional \$6,656 for NFD and \$4,992 for FFD. During my analysis for purposes of this request, I noted a shortfall in the amounts funded for the fiscal year. The following amounts are needed in the salary accounts in these departments:

MOTION (11)

Mr. Seery moved to approve a motion to transfer \$25,392 from account 01-01-120-200-500 (Contingency) to the following accounts: \$13,479 to account 01-25-217-100-611 (Salaries NFD Firefighters) \$10,109 to account 01-25-218-100-611 (Salaries FFD Firefighters) and \$1,804 to account 01-01-114-100-121 (FICA/Medicare) due to the timing with the budget process and negotiating the wage re-opener and forward to the Board of Finance for their approval.

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

2e. Transfer of Funding required in various budget line items for Non-Affiliated Employees for fiscal year ending June 30, 2015

Mr. Nickerson noted that at the Board of Selectmen meeting on July 2, 2014 a 3.0% wage increase for non-union employees and elected officials of the Town of East Lyme was approved for the current 2014/2015 fiscal year. Effective 1.5% on July 1, 2014 and 1.5% on January 1, 2015. In the budget funds were set aside for this purpose in a wage contingency line item. A transfer needs to be approved to fund the wage increases.

|                                       |                 |                                  |                 |
|---------------------------------------|-----------------|----------------------------------|-----------------|
| Original Payroll Contingency Balance: | \$75,000        | Regular Contingency Balance:     | \$118,170       |
| Less: Police Wage Funding             | (47,364)        | Less: Pending Lawsuit Settlement | (50,000)        |
| <u>Less: Un-affiliated</u>            | <u>(27,636)</u> | <u>Less: This request</u>        | <u>(14,434)</u> |
| Balance                               | \$0             | Balance                          | \$ 53,736       |

MOTION (12)

Mr. Seery moved to approve a transfer in the amount of \$42,070 as follows: \$27,636 from account 01-01-120-100-500 (Town Payroll Pending PR Change) and \$14,434 from account 01-01-120-200-500 (Contingency) to various budget line items as itemized on the attached worksheet titled, "Town of East Lyme Unaffiliated COLA increases 7/1/14 - 6/30/15 additional Funding Required and forward to the Board of Finance for their approval.

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

2f. Ex-Officio Listing for 2015

Mr. Nickerson noted that members were retaining the same Ex-Officio assignments as last year with the exception of Mr. Seery. He would take Mr. Nickerson's previous assignments and Mr. Salerno would step in on Mr. Seery's assignments.

2g. Approve MOU between Town of East Lyme and Officer Tom Smith as presented.

Mr. Nickerson asked for a five minute recess at 8:10 p.m. in order to give the Board the opportunity to review the MOU.

Mr. Nickerson called the meeting back to order at 8:15 p.m.

MOTION (13)

MR. Seery moved to approve the MOU between the Town of East Lyme and Officer Tom Smith as presented.

Seconded by Ms. Cheeseman.

Mr. Seery thanked Mr. Smith for his many years of service to the Police Department and also as a shellfish warden.

Ms. Hardy requested that the First Selectman write a letter thanking Mr. Smith for his service.

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

Nay: None.

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

5a. Ex-Officio

Ms. Hardy had no report.

Mr. Seery noted that he could not speak highly enough about the Police Departments actions regarding the recent cyber threat. He noted that Resident Trooper Sgt. Blanchette was on vacation, but that Sgt. San Juan stepped up and was effective overseeing the officers. The investigation by Officer Roland was well done and the other officers did a great job. He said the entire Police Department worked tirelessly for the safety of the community.

Mr. Wilson noted how amazing it was that one paragraph could have such impact upon the community.

Ms. Cheeseman noted that she had attended the bi-monthly meeting of the Library Board and their budget was ready. She noted that last fall, they had hired a children's librarian who has become extremely successful. The Count Down to noon event at the Children's Museum was great and the partnering with the Parks and Recreation Department worked out very well. She said that they had over 300 in attendance and hoped to do it again next year.

Mr. Nickerson said that he has had the opportunity to observe our first responders first hand and he said that they always step up and are a group to be proud of.

7. Public Discussion

There was none.

MOTION (14)

Mr. Seery moved to adjourn the January 7, 2014 Board of Selectmen meeting at 8:33 p.m.

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

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Darlene C. Stevens". The signature is written in a cursive style with a large initial "D" and "S".

Darlene C. Stevens, Recording Secretary.

I humbly and gratefully accept this position. I thank you all for your support...both tonight and over the past several weeks as we transition from Mr. Formica's administration.

First and foremost, I would like to thank Paul Formica. Paul was a terrific leader in our town. Decades and generations from now, people in East Lyme and the surrounding area will still be talking about the leadership and vision that Paul Formica brought to our town. I am very thankful to have had the fortune of having a ringside seat during the past 5 years. The transition will be as seamless as possible because of Paul's willingness and determination to keep the town moving in the right direction. Lastly, I'd most appreciative of your friendship Paul. Thank you for everything.

I did not seek this job. This job found me. 15 years ago, I raised my hand and volunteered to serve the town that my wife and I adopted as "home". My wife, Marlene and I have given countless hours in service---she on the Board of Education, me on Zoning for 10 years and the Board of Selectman for 5---as a way to give back.

East Lyme is a wonderful place to live and raise a family. Marlene and I have raised two terrific boys in this town---Ryan, now a freshman in college, and Andrew, a junior in high school. We both often say that there is no better place in the whole world. We count our blessings...and that includes this town...and the fine people that make it up.

I will lead in a spirit of inclusion, transparency, and community. In the coming weeks, I intend to visit every board and commission that serve this town and introduce myself. Of course, I will make myself available to all those wishing to be heard. I am interested in listening and learning.

Once again, thank you for this opportunity. I will do my very best for the citizens of the town that we all treasure.