

EAST LYME BOARD OF SELECTMEN
MEETING OF JULY 18, 2012
MINUTES

FILED IN EAST LYME
July 20, 2012 AT 8:20A M
Kuenyalko, ATC
EAST LYME TOWN CLERK

Present: Paul Formica, Mark Nickerson, Holly Cheeseman,
Rose Ann Hardy, Kevin Seery.

Mr. Formica called the meeting to order at 8:04 p.m. and led the Pledge. He noted that there was a problem with one of the pump stations and Mr. Wilson would not be in attendance until the problem was remedied. He said some of the beaches would be closed tomorrow while they ran tests on the water samples.

Mr. Formica noted the new desk area for the Selectmen and complimented Ron Bence and George Carfi for doing a great job building it.

1b. Additional Agenda & Consent Calendar Items
There was none.

1c. Delegations

Ron Rando of 194 Boston Post Rd. said he was speaking against the purchase of the Samuel Smith house. He asked how much money the Smith Harris house brings in during the year. He suggested that the group bringing forward the purchase of the Smith house get together and purchase it themselves. He said the town doesn't want or need this purchase. He added that Mr. Mingo had said in the past that there was plenty of money in the sewer account and asked why we were bonding money to fix the sewer line to Waterford if this were true.

Karen Rak of 27 Black Point Rd. noted the Samuel Smith house has historical significance, but it is not what the town should be doing. She said she was opposed to funding this project. She added she is concerned with all the bonding the town is doing.

Joe Mingo of 397 Boston Post Rd. says that we do have money in the sewer account however that money is allocated to repaying the bonds. He said the repair at Logger Hill has to be done and we have no choice about it since the pipe has deteriorated. He said there is much misinformation about the Samuel Smith property and noted that the property was not within the level A mapping of the aquifer. He said there is no danger of harming the town's wells if this

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property is built on.

1d1. Approval of Minutes - Special Meeting of June 20, 2012
Motion (1)

Mr. Nickerson moved to approve the minutes of the Special Meeting of June 20, 2012 as submitted.

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

1d2. Approval of Minutes, Meeting of June 20, 2012
Motion (2)

Mr. Nickerson moved to approve the minutes of the meeting of June 20, 2012 as submitted.

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

1d3. Approval of Minutes, Public Hearing of June 28, 2012
MOTION (3)

Mr. Nickerson moved to approve the minutes of the Public Hearing of June 28, 2012 as submitted.

Seconded by Mr. Seery.

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

Nay: None.

Abstain: Ms. Hardy. Motion passed 5-0-1.

1d4. Approval of Minutes, Special Meeting of June 28, 2012
MOTION (4)

Mr. Nickerson moved to approve the minutes of the Special Meeting of June 28, 2012 as submitted.

Seconded by Ms. Cheeseman.

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

Nay: None.

Abstain: Ms. Hardy. Motion passed 4-0-1.

1e. Consent Calendar
Motion (5)

Mr. Nickerson moved to approve the Consent Calendar for the meeting of July 18, 2012 in the amount of \$1,222.66.

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

2a. Grant Resolution - Historic Documents Preservation
Grant

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MOTION (6)

Mr. Nickerson moved the following resolution:

Resolved, that First Selectman Paul M. Formica is empowered to execute and deliver in the name and on behalf of the Town of East Lyme, a contract with the Connecticut State Library for an Historic Documents Preservation Grant.

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

2b. 2 Requests - Use of Beer and Wine and Smith Harris Barn

Mr. Formica noted the board had received two requests for beer and/or wine to be served at the Smith Harris barn. He said the first request is for a wedding and they would like to serve beer and wine on July 20TH. The second request is to serve wine only on August 5TH for a shower.

MOTION (7)

Ms. Cheeseman moved to allow the use of beer and wine at the Smith Harris house on the occasions noted.

Seconded by Mr. Nickerson.

Mr. Wilson entered the meeting at 8:20 PM

Ms. Hardy said that this item has come before the board several times in the past. She said historically, the board has allowed a champagne toast only. She said there are many businesses in town that purchase liquor licenses and the town should not be in the business of serving alcohol.

Maggie Prokop of the Smith Harris Commission said that they are not charging for the alcohol and it will be purchased at a local liquor store.

Ms. Hardy replied that she did not believe that the townspeople should have any liability. She said she will vote against this and she does not believe that the town should allow consumption of alcohol on town property.

Mr. Wilson noted that he agreed with Ms. Hardy.

Attorney O'Connell said that there is an ordinance concerning the consumption of alcohol and it states that the Board of Selectmen may grant a special permit for the consumption of alcoholic liquor to any nonprofit organization and the ordinance lists several terms.

Mr. Wilson noted that the applicants are not nonprofits.

Mr. Formica said he is not sure he could support this adding that it was definitely a change from the past actions of the board.

Mr. Seery noted that the message needs to be sent that town and school property should be alcohol free.

Mr. Wilson agreed adding that we need to advertise the Smith Harris barn and house as "no alcohol allowed".

Ms. Cheeseman stated that given the explanation of the town attorney she would withdraw her motion.

Mr. Nickerson withdrew his second.

MOTION (8)

Mr. Seery moved to allow a champagne toast at the Smith Harris barn on the occasions noted.

Seconded by Ms. Hardy. Motion passed 6-0.

2c. Carry Over - LOCIP Funds

Mr. Formica noted that each year we include in the general fund operating budget an appropriation for our annual LOCIP entitlement. In the 2011/12 budget, there is a remaining balance in the amount of \$16,388.82. In order to complete the planned CIP projects of town wide parking lot paving (estimate \$100,000) and a handicapped entrance for the police building (estimate \$25,000 from the 11/12 CIP) the additional funds will ensure having sufficient resources available.

MOTION (9)

Mr. Nickerson moved to approve the carry-over of the \$16,388.82 remaining balance in account 01-30-317-500-100 (LOCIP) from the 2011/12 budget to the 2012/2013 fiscal year and forward to the Board of Finance for their approval.

Seconded by Mr. Wilson. Motion passed 6-0.

2d. Re-allocation of Town CIP Funds - Meeting Room Carpet

Mr. Formica noted that subsequent to the completion of the budget process, the Board of Education informed us that

they have the equipment to refinish the floor in the activity room at the community center. As a result, the cost is reduced from \$7000 to \$1000. With the construction of the new table in the meeting room and the planned removal of the expanding doors we propose to install new carpeting in the room. We obtained a quote for \$4869 to remove the existing carpeting and install carpet tile.

MOTION (10)

Mr. Nickerson moved to approve re-allocating \$4869 in account 3-01-70-724-403 (Town CIP) to be used for the removal of existing carpeting and installation of carpet tile in the Meeting Room located in Town Hall and forward to the Board of Finance for their approval. (These funds are available due to completing re-finishing of the ELLCC floors under budget.)

Seconded by Ms. Cheeseman. Motion passed 6-0.

2e. Bonding Resolution - Logger Hill Road Sewer Main Rehabilitation

Mr. Formica noted that portions of the pipe along Logger Hill are starting to deteriorate. He said the total cost for engineering and replacement of the sewer pipe is \$1,700,000 and per the agreement we have with Waterford we have to pay a percentage of that cost. He said the pipe had been expected to last up to 50 years however it has only lasted about 20 years. He said he and Attorney O'Connell met with Waterford and their attorney to negotiate a reduction of the percentage to be owed by East Lyme. He said there's a question whether this is a capital or a maintenance expense. He said they negotiated a 62% payment which would be \$1.2 million. He said they have approximately that much money in the sewer fund but they do not want to totally draw that account down. He said they've been paying depreciation funds to Waterford totaling \$345,000 and they were going to use that money toward the \$1.2 total which would leave \$855,000 to fund. He added that they would be taking \$175,000 from the sewer assessment fund which would leave a balance of \$680,000 and that this amount would be paid by the ratepayers. He said that there was no provision for Point O Woods to pay for any the capital items since they are on our owed state capacity. He stressed that we need we need to sewer Saunders Point before we bring another towns sewage through our town. He added that the Water and Sewer Commission is contractually obligated to perform these repairs.

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Ms. Hardy asked if Rocky Neck was ever going to hook up to sewers.

Mr. Formica said that the state has loaned Point O Woods some of its sewer capacity. At this point, the State has no plans to hook up Rocky Neck to the sewer system.

Ms. Hardy said we should put pressure on the state to hook up Rocky Neck.

Motion 11)

Mr. Nickerson moved the following resolution:

RESOLVED: That the resolution entitled "Resolution Appropriating \$680,000 For The Logger Hill Road Sewer Main Rehabilitation And Authorizing The Issuance Of \$680,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended for approval by the Board of Finance and the legal voters of the Town at Town Meeting.

Seconded by Ms. Cheeseman. Motion passed 6-0.

MOTION (12)

Mr. Nickerson moved the following Call:

TOWN OF EAST LYME
NOTICE OF SPECIAL TOWN MEETING

Notice is hereby given of a Special Town Meeting of the Town of East Lyme to be held on September 5, 2012 at 7:00 P.M. (E.D.T.) at the East Lyme Town Hall Upper Meeting Room for the following purposes:

1. To receive communications from the Board of Selectmen and the Board of Finance with respect to a resolution entitled "Resolution Appropriating \$680,000 For The Logger Hill Road Sewer Main Rehabilitation And Authorizing The Issuance Of \$680,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

2. To consider and act upon a resolution entitled "Resolution Appropriating \$680,000 For The Logger Hill Road Sewer Main Rehabilitation And Authorizing The Issuance Of

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\$680,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

3. To transact any other business proper to come before the meeting.

Copies of the proposed bond resolution are on file and open to public inspection at the office of the Town Clerk.

Dated at East Lyme, Connecticut, this 18th day of July, 2012.

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Seconded by Mr. Wilson. Motion passed 6-0.

2g. Appointment - Tree Warden
MOTION (13)

Mr. Wilson moved to appoint William Jezierski of 175 Whistletown Road, East Lyme, CT to serve as Tree Warden for the Town of East Lyme through June 15, 2016.

Seconded by Ms. Cheeseman. Motion passed 6-0.

2h. Action - Executive Session re: Pending Litigation
Mr. Formica noted that there will be no action on this item this evening.

3a. Continued Discussion - Samuel Smith House
Marvin Schutt of 29 N. Edgewood Rd. and a member of the Conservation of Natural Resources Commission introduced the volunteer group for the Samuel Smith house.

Bob Ramsey of 3 Stonywood Dr. said he is very familiar with all kinds of repairs and had examined the Samuel Smith house. He said he found the house to be very sound weather tight and the interior was as good as when it was built. He reviewed several items that needed to be done and are identified as Attachment A and included in these minutes.

Luanne Lange 160 Pennsylvania Ave. presented Ben Bullocks information identified as Attachment B.

Mr. Schutt said that he had reviewed the management plan for the Oswegatchie Hills nature preserve and that the group hoped to set up a similar plan for the Samuel Smith

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house once purchased.

Mr. Formica noted that he's had a few conversations with the property owner however these conversations have not concluded with a sales price.

Ms. Hardy reminded the board that the deadline for the grant was October 26.

Mr. Formica noted that this item would appear again on the next agenda for continued discussion.

5a. Ex-Officio

Due to the lateness of the hour, the board tabled their reports to a future meeting.

5b. First Selectman's Report

Mr. Formica noted that he attended a meeting of the East Lyme regional interconnection project and they were 60% complete.

He attended the Millstone drill along with Mr. Nickerson and added that the real drill will be in a few weeks.

He noted that the Water and Sewer Commission had met.

He said the town had changed insurance companies and we were now covered by CIRMA.

He met with the charter boats regarding the Amtrak bridge closure.

He chaired a public hearing for the water conservation measures and those measures were implemented last week.

He attended a police cadet event.

He met with personnel from Rite Aide about the Rotary sign that he hoped to install there.

He attended a retirement celebration for William Deakyne.

He spoke about the landing of the amphibious vehicle at McCook's during Opsail Niantic and added that 10 to 15,000 people attended this event. He personally rode on the Eagle in the parade of sail into New London.

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He said we have redone all the job descriptions and are finishing the review of the employee manual.

He hosted a Department head meeting.

He noted that the Darrow Pond Environmental Committee had met and they discussed proposed uses of the open space.

Mr. Formica said that he has begun negotiations with the dispatch union and Council #4 AFSCME.

He attended a few Council of Government meetings.

6. Public Discussion

Ron Rando said that we are not removing the pipe on Logger Hill Road we were putting in a sleeve. He said he's never understood why Old Black Point is not sewerred and he believes Saunders Point was never sewerred because we didn't want to develop Oswegatchie Hills. He asked how much money the Samuel Smith house would bring into the town. He said that he is against the purchase. He said that if the board passes this it will eventually go to referendum and he will do his best to get it defeated. He said to let the individual group that is so interested in it buy it.

Karen Rak stated again that she would like see the check register online noting it would promote transparency.

Mr. Formica responded that he was not in favor of putting the check book online. He added that Dominion was going to give a presentation on Wednesday, August 15 in Waterford about expanding the dry cask storage for spent fuel.

MOTION (14)

Mr. Nickerson moved to adjourn June 18 East Lyme board of selectmen meeting at 9:50 PM.

Seconded by Ms. Cheeseman. Motion passed 6-0.

Respectfully submitted,



Darlene C. Stevens, Recording Secretary

Samuel Smith House

House appears to be structurally sound and is weathertight; no leaks detected in roofing shingles. Interior is in good condition.

Recommended preservation actions and related costs:

1. To maintain current condition of structure, the following maintenance actions should be completed as soon as the property changes hands:
 - a. Replace wood gutters
 - i. Materials: approx. 200 LF of 1x6 #3 cedar @ \$1.15/LF, nails: \$250
 - ii. Labor: (volunteer) \$ 0
 - b. Replace four rotten window sills and window trim, as necessary
 - i. Materials: \$ 50
 - ii. Labor: (volunteer) \$ 0
 - c. Remove shrubbery in contact with structure (rhododendrons, Russian Olive bush)
 - i. Materials: \$ 0
 - ii. Labor: (volunteer) \$ 0

2. To maintain the weathertight integrity, and protect investment, the following exterior maintenance should be completed by summer 2013:

- a. Replace clapboard siding (reuse existing cut nails) and watertable, install vapor barrier; replace corner trim boards, fascias, soffits, window casings, roof trim as necessary

materials: 4000 LF clear cedar 1/2x6 clapboards, primed, @ \$1.68	\$7000
1x12 watertable, #3 cedar, 160 LF @ \$3.65	600
cornerboards (cedar), soffits, fascias, casings (#2 pine):	500
vapor wrap (3'x100' rolls) est 5 rolls @\$49 per	250
exterior paint (antique red?), 2 coats, est 8 gal @ \$35 per gal	280
Labor: remove existing siding (volunteer)	0
install all above (volunteer)	0
paint (volunteer)	0

\$8630

NOTE: Contractor's quote to do above work, NOT including gutters or paint, and replacing only 2 cornerboards, 4 window casings, and no soffits, fascias, or roofline trim: \$22,700

Contractor materials:	\$ 9000
Contractor labor:	\$13,700

All labor involved in this project is within capabilities of "handyman"

Re-siding can be accomplished one side at a time starting with side in most need; condition of sills (beneath watertable) is unknown and will be addressed as found

- b. Remove overhanging tree limbs and then remove nearby trees to eliminate potential tree falls. (This must be done by hired professional arborist)
- c. Chimney:
Repoint the chimney stones/brick.

The chimney from foundation to rafters is stone. The exterior portion of the chimney (above roof) is common brick. The mortar in the stone portion above the first floor needs to be repointed which should be sufficient to return the structure to near-original integrity (inasmuch as all settling has occurred).

The lower 2 feet of the brick portion of the chimney above the roofline has been repointed in the near past and appears to be sound. The upper 2 feet of the brickwork is in need of repointing. The chimney flashing is sound.

Materials to repair the stone/brick work are minimal (readi-mix mortar and materials to construct a site-built work platform on roof); all labor will be voluntary.

Materials:	(est)	\$200
Labor: (voluntary)		\$0

NOTE: For the siding work we propose to consult with the State Historical Preservation Specialist to verify that the existing siding/watertable arrangement is accurate and can be duplicated. Modern clapboard siding (primed) has been proposed to ensure long term (50 years+) integrity of exterior and low maintenance costs (i.e., periodic repainting): historical integrity of interior of building is the primary focus.

AQUIFER:

The Samuel Smith House sits atop an aquifer from which the town draws water. Rainwater percolates down through the porous soil into the aquifer at a slow, fixed rate and is filtered in the process. The volume of water entering the aquifer is directly proportional to the porous acreage above it. Porous acreage is reduced by paving or building; most of the runoff from impervious surfaces ends up in storm drains and streams that feed into the bay.

Samuel Smith Property

Benn Bullock – 6 Heritage Road, East Lyme

I am in favor of the purchase of the Samuel Smith **property** by the town so it will remain open space, protect part of the Bride Brook aquifer and can be used by the adult and youth population for recreation and the study / understanding of town history.

Cost of Community Services (COCS) study
from “Planning for Agriculture: A Guide for Connecticut Municipalities”

- Over 20 years of COCS studies around the country have shown that open space & working land (farms) generate more public revenue than they require in municipal services.
- COCS research in eight Connecticut towns show that for each dollar of property tax revenue generated by working lands / open space, on average only 31 cents is required in municipal services.
- **Cost to Provide Community Services per Dollar of Revenue Raised:**

Median of the eight Connecticut town study:

Residential	Working & Open land
\$1.11	\$0.31

- **Cost to East Lyme for additional Community Services:**

Using the revenue identified in the East Lyme budget information for 2012/2013, for the current Property Grand List is \$45,682,300.

Thus using the \$1.11 and \$0.31 per dollar of revenue raised, the East Lyme cost of Community Services would be:

1. Residential @ \$1.11 = \$50,707,353
2. Working & Open Land @ \$0.31 = \$14,161,513

The difference - \$36,545,840 more Community Services cost for Residential development.