

EAST LYME BOARD OF SELECTMEN
MEETING OF MARCH 21, 2012
MINUTES

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

Mr. Wilson was excused.

ALSO PRESENT: Town Attorney Ed O'Connell, Town Engineer Bill Scheer.

Mr. Formica called the meeting to order at 7:35 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items

There were none.

1c. Delegations

There were none.

1d. Approval of Minutes, Special Meeting of March 5, 2012

Mr. Formica noted on page 2, paragraph 2, the following words should be added:

“and we are exploring new revenue sources for the beach.”

MOTION (1)

Mr. Seery moved to approve the minutes of the Special Meeting of March 5, 2012 as amended.

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

1d2. Approval of Minutes, Regular Meeting of March 7, 2012

MOTION (2)

Mr. Nickerson moved to approve the minutes of the regular meeting of March 7, 2012 as submitted.

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

1e. Consent Calendar

MOTION (3)

Mr. Nickerson moved to approve the Consent Calendar in the amount of \$7496.24 for the meeting of March 21, 2012.

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

2a. Discussion / Action – Care and Share Lease

Mr. Formica said that the plan for Care and Share is to move to the Town Garage and utilize part of a bay and the offices. He said that he has had numerous conversations with

this group and the rental would probably be \$1.00 per year and they will pay the expenses of the building. He added that when the expenses were reviewed they were high however; the entire building was in use. He said now, with partial usage, they do not know how much the utilities will cost.

Mr. Nickerson asked what other uses there were for the rest of the building.

Mr. Formica responded Water and Sewer and the Fire Marshal had need of some space, a mechanics bay would be left operational, the Board of Education has many pieces of equipment that have been left outside and this would afford them the opportunity to bring them inside.

Mr. Nickerson said that we will continue to maintain this building as a town asset.

Ms. Hardy commended the members of Care and Share for all that they do. She voiced her concern about any usage of the Town Garage being made permanent. She said that we have a limited amount of Town property and we are still awaiting the report from the 20 20 Committee about the future use of our buildings. She said that she is concerned that Care and Share will invest a considerable amount of money creating the space they need and at a later time, find out that the building might be needed for some other use. She said she wanted everyone to know the term of the lease and she noted that she would not support a 15 year lease, although she would support a shorter lease with an option to renew.

Mr. Formica said that he was suggesting a lease for 5 years with a 5-year option to renew.

Mr. Nickerson said that there should be a clause in the lease that permits either party to cancel the lease at the 5-year mark.

Mae Hills of Care and Share said that their organization asked for a 5 year, 5 year, 5 year lease in case someone left them some property they could get out of the lease. She added that they had not thought about the town wanting to get out of the lease. She said that they have some donated funds which they would use to make the renovations needed and they were asking for skilled volunteers to offer assistance where possible.

Mr. Seery said that it would take several years of planning before that property would be used for another purpose.

Ms. Cheeseman said that they deliver an invaluable service and added that it is their decision whether they move into the Town Garage and make improvements with the understanding that they may not be there forever.

MOTION (4)

Mr. Nickerson moved to authorize the Town Attorney to prepare a draft lease with Care and Share taking into account the Board's comments that were made.

Ms. Hardy said that she did not want Care and Share to construe the comments made this evening as non –supportive.

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

2b. Authorize First Selectman to Sign Resolution supporting the creation of and extending the rail service between New York City and St. Albans, VT

MOTION (5)

Mr. Nickerson moved to authorize the First Selectman to sign a resolution supporting the creation of and extending the rail service between New York City and St. Albans, VT.

Seconded by Ms. Cheeseman.

Mr. Formica reviewed the information from the Central Corridor Rail Coalition and said that they would like the Selectmen to offer their support for their initiative. He added that we are presently trying to get a rail stop in Niantic and that he supports increasing rail service.

Ms. Hardy said that she utilizes Amtrak a lot and what is mentioned here is a freight line not a passenger line. She said that there is a limited amount of funding available for transportation and asked if this is a higher priority than Route 11. She added that she did not want this initiative to supplant something that we have identified as a high priority.

Ms. Cheeseman said that this is not totally a freight line and that passengers do pass.

Mr. Formica noted that they were asking for our support. He added that he did not know if this generic resolution would bind us in any way.

Mr. Seery said that he was in favor of any step toward public transportation.

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

Nay: None.

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

2c. Appointments – Economic Development Commission

Mr. Formica noted that he was not sure of the future of this Commission and that he had attended a meeting and talked to them about this. He said that the Chair had been frustrated by the lack of activity and noted that the Commission wanted more to say about economic development in town and that they wanted to speak to department heads to be more pro-active to economic development.

Ms. Hardy said that the Charter determines how long the appointments are.

Attorney O'Connell said that when people are appointed to appointive boards, the term is for four years and the terms are staggered. He said the Selectmen are not prohibited from

changing the function of the commission or if they decide to abolish it, can do so by ordinance.

Ms. Cheeseman suggested appointing the members and revisiting it in a year to see how they've done.

MOTION (6)

Ms. Cheeseman moved to appoint the following:

Brian Kennedy of 24 Marshfield Road, Niantic, CT; John Jensen of 2 Larchwood Lane, East Lyme, CT; Edward Shapiro of 8 Irving Place, Niantic, CT; Richard Gada of 77 W. Main Street, Niantic, CT and Brian Donahue of 18 Beckwith Street, Niantic, CT to serve on the Economic Development Commission through January 4, 2016.

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

2d. Authorize First Selectman to sign easement for Amtrak
Town Engineer said that Amtrak wants this easement and they are paying us for it. He added that the easement gets executed when we get the check.

Mr. Formica said the money goes into the General Fund and then we will appropriate it out for the parking lot.

MOTION (7)

Mr. Nickerson moved to authorize the First Selectman to execute an easement between CL&P and the Town of East Lyme at Cini Park.

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

2e. Authorize First Selectman to sign BOE Field Contract with Gale Associates
Mr. Formica noted that he is still working out the specifics of the contract.

MOTION (8)

Mr. Nickerson moved to authorize the First Selectman to enter into a contract with Gale Associates to perform the engineering services for the new Athletic Complex at the High School.

Seconded by Ms. Cheeseman.

Ms. Hardy said that she did not stand to benefit any more than anyone else on this item and therefore, she would vote.

Motion passed 5-0.

2f. Establishing Admin Fee – Commercial Haulers

Mr. Formica noted that this item will raise the tipping fee by \$1.50.

Ms. Hardy asked if this was consistent with fees in other towns.

MOTION (9)

Mr. Nickerson moved to approve a tipping / administrative Fee in the amount of sixty-one dollars and fifty cents (\$1.50) per ton for tipping municipal solid waste collected within East Lyme and brought to the Preston Incinerator by Commercial Haulers effective July 1, 2012.

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

3a. Discussion – Samuel Smith Property

Ms. Hardy said that we have two potential grant sources – one grant to be completed by June 28th and the second due in October of this year. She said that the June grant specifies funding for rehab of historical properties – not for a property already owned. She said the grant writer would be needed for this and when contacted, reported that she is willing and able and that it will take approximately 3 weeks. The grant potential for this submission is \$100,000. She said we would not be ineligible for the second grant if we were awarded the first and that both grants require appraisals. She said that Mr. Carlson and Ms. Lange would like to come back before the Board at the next meeting with more information. She said that they have already started work on a brochure explaining the where and why for of the purchase of the Samuel Smith House and that she and 3 other individuals have agreed to pay for the printing of this brochure.

Mr. Seery said we have to have an agreed upon price before we enter into the process of writing and applying for grants.

Attorney O’Connell agreed saying that we need to have an agreement from the property owners on a price.

Ms. Hardy said that the present appraisal might be high since values have continued to fall. She asked if the owners would be amenable to a lower offer.

Mr. Formica said he would contact them and report back to the Board.

Mr. Nickerson said we also would like to know what the costs would be to bring it up to municipal standards and costs for a maintenance program for the future. He added that we should go to the Board of Finance and referendum before the grant process.

Ms. Cheeseman said that she understood that we have to commit to spending money before we get the grants.

Ms. Hardy said that perhaps it could be drafted stating that if we do not get the grants, we don’t purchase the property.

Mr. Formica said there will be more discussion at the next meeting and an Executive Session if necessary.

5a. Ex-Officio

Ms. Cheeseman attended the Town Building Committee meeting and said that most of the discussion centered on the newly approved Athletic Complex and what their involvement would be. She added that they thought they should have a great deal of involvement.

Mr. Seery attended the Harbor Management / Shellfish Commission meeting and reported that this has been the best scallop season in ten years. He said that the members would like a tour of the Amtrak beach.

Ms. Hardy attended the Zoning meeting and said that they have been receiving an influx of requests for outdoor dining and the Main Street Grill has requested a permit to build a deck in the back.

Mr. Nickerson had no report.

5b. First Selectman's Report

Mr. Formica said that he would appoint Lesley Blais as the new Town Clerk effective April 9, 2012. He said that he has worked out the salary agreements and she will serve till the next election, where she will run for office in 2013.

He said that the Town Building Committee would be involved with the new athletic complex and that they would be engaged by both the Board of Education and the Town.

He attended a CCM meeting regarding the State budget status.

He met with the Trust for Public Land and the Darrow Pond Environmental Committee.

He led his fourth tour of Amtrak beach.

He has had continuing meetings with FEMA regarding the storm damage and we are still working on claims for the boardwalk.

He attended the swearing in ceremony for Lee Cole Chu as a Superior Court Judge.

He met with the Town Planner from Waterford and First Selectman Steward regarding the water interconnection project.

He attended a regular Council of Government meeting and an Executive Committee meeting where they discussed regional efforts.

He reviewed at his 5th dispatch model.

He presented the budget to the Board of Finance.

He met with the Downtown Business group and ELBO and offered a status of the Town.

He had a meeting with DEEP regarding an Old Lyme beach community that would like to tie into our sewers. He said we still have beach areas that are not sewered and he did not want to jeopardize our numbers for another town until our areas were totally sewered.

He toured the new Athletic Complex area.

He spoke to the seniors on St. Patrick's Day offering them a state of the town address.

He attended the Flanders Fire Department banquet.

He started the Niantic 5K road race this past weekend.

He attended an Opsail press conference with the Governor.

Ms. Hardy said that when she was acting First Selectwoman, she tried to get the land between the fire house and the pizza shop deeded to the Flanders Fire Department for their future use. She said that Town Attorney had informed her that only the Town could be deeded property. She asked that Mr. Formica be cognizant of their voiced concerns.

Ms. Hardy asked about the purchase of the Lombardi property.

Mr. Formica responded that the town will purchase property in Montville as a support property for the interconnection project. He said that since it is out of town, an 8-24 review is not necessary. He added that the property purchase was budgeted in the dollars when bonded and no appropriation process would be needed. He said that the property had not been appraised, but we will be saving double the price of the property due to the cost of the additional pipe that would have been needed.

Ms. Hardy asked if there would be any revenue from the property owner for fire protection.

Mr. Formica said that the property owner will be charged for any lateral hookups and for hydrant fees.

Ms. Hardy said that Oakdale is having a water shortage and asked if they could hook on at Route 85 as another revenue source for our town.

Mr. Formica said that we cannot supply water to anyone – we can only send water to New London and take water back when needed – all this per the State DEEP regulations.

MOTION (10)

East Lyme Board of Selectmen Meeting of March 21, 2012 minutes

Mr. Nickerson moved to adjourn the meeting at 9:27 p.m.

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

Respectfully submitted,

Darlene C. Stevens, Recording Secretary