

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

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

EXCUSED: Jack Hogan.

ALSO PRESENT: Finance Director Anna Johnson.

Mr. Formica called the meeting to order at 9:00 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items

MOTION (1)

Mr. Nickerson moved to add item 2j. Sign Call – Special Town Meeting to the March 3, 2010 Board of Selectmen Agenda.

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

1c. Delegations

John Drabik of 18 Drabik Road said that having CT Farm Bureau people who are paid lobbyists speak at our public hearings is unfair. He said that he hoped the Board would not be swayed by paid lobbyists.

1d. Approval of Minutes, Meeting of February 17, 2010

MOTION (2)

Mr. Formica noted a typo on page 3, Item 2b. the number should be \$770.

Mr. Nickerson moved to approve the minutes of the meeting of February 17, 2010 as amended.

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, Special Meeting of February 25, 2010

MOTION (3)

Mr. Nickerson moved to approve the minutes of the Special Meeting of February 25, 2010 as submitted.

Seconded by Mr. Birmingham.

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

East Lyme Board of Selectmen 3/3/10 meeting minutes

Nay: None.

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

1e. Consent Calendar

MOTION (4)

Mr. Nickerson moved to approve the Consent Calendar for the meeting of March 3, 2010 in the amount of \$4411.75.

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

2a. Action re: Public Hearing – Proposed Agricultural Ordinance

Mr. Formica said that previously, Jack Hogan had said he was in favor of this ordinance. He asked the remaining members if they had made their mind up and were ready to vote or would they like to take some time to think about it and wait until next meeting

Ms. Hardy suggested that the Board wait until the next meeting as a courtesy to Mr. Hogan, who will then be back in attendance.

The consensus of the Board was to table this item until the March 17th meeting.

2b. Appointments – Conservation of Natural Resources Alternate

MOTION (5)

Mr. Nickerson moved to appoint Penelope Howell Heller of 61 East Pattagansett Road, Niantic, CT to serve on the Conservation of Natural Resources through January 6, 2014.

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

MOTION (6)

Mr. Nickerson moved to appoint Holly Hayes Cheeseman of 16 Mitchell Drive, Niantic, CT to serve on the Board of Assessment Appeals through December 5, 2011.

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

2c. Special Appropriation \$40,000 COA Bus - \$40,000 Grant

MOTION (7)

Mr. Nickerson moved to appropriate \$40,000 in CNRE Fund 32 for the purchase of a new 12 passenger and 2 wheelchair bus to be utilized at the Senior Center – Delivery expected in late spring / early summer and forward to the Board of Finance for their approval. The \$40,000 will be received from the CT Department of Transportation 5310 Grant to offset this disbursement.

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

2d. Increase fee amount for returned non sufficient fund checks

Mr. Formica noted that this was being done to match the fee that the bank charges us.

MOTION (8)

East Lyme Board of Selectmen 3/3/10 meeting minutes

Mr. Nickerson moved to approve a fee in the amount of \$35. to individuals who present the town with non sufficient funds checks.

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

2e. Transfer from Payroll Contingency to Firefighter and Police Payroll Accounts
Mr. Formica noted that this was a housekeeping item.

MOTION (9)

Mr. Birmingham moved to transfer \$25,892 from account 0-01-01-120-100-500 (Contingency Pending PR Change) to the following accounts: \$21,635 to account 0-01-25-216-100-511 (Salaries Constables), \$2433 to account 0-01-25-217-100-611 (Salaries NFD Firefighters) and \$1,824 to account 0-01-25-218-100-611 (Salaries NFD Firefighters) due to the timing with the budget process and negotiating successor agreements and forward to the Board of Finance for their approval.

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

2f. Transfers within Departmental Budgets

MOTION (10)

Mr. Wilson moved to ratify departmental transfers in the amount of \$24,959.20 processed for fiscal year end June 30, 2010 and to forward to the Board of Finance for their approval.

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

2g. Special Appropriation \$49,450 from CNRE Fund 32 to Middle School HVAC System

MOTION (11)

Mr. Nickerson moved to appropriate \$49,450 in CNRE Fund 32 to an account to be established titled ELMS HVAC system and forward to the Board of Finance for their approval. This project is consistent with the FY 10 Capital Improvement Plan approved May 7, 2009.

Seconded by Mr. Wilson.

Mr. Formica noted that this item was in the Capital Improvement Plan for \$300,000 and that the Building Committee had reviewed ways to do it more efficiently. The money from the Learn rental will be used for this.

Board of Education Business Manager Don Meltabarger said that this repair was necessary to adjust the humidity levels.

Ms. Hardy stated that the building was only 7 years old and inquired about a warranty.

Mr. Meltabarger responded that there was no warranty.

East Lyme Board of Selectmen 3/3/10 meeting minutes

Motion passed 5-0.

2h. Ratify Expenditure of \$2259.78 from CNRE Cad Software and Survey

MOTION (12)

Mr. Birmingham moved to ratify the expenditure of \$2,259.78 from CNRE Account # C-32-01-105-200-215 for Engineering Cad Software upgrade and forward to the Board of Finance for approval.

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

2i. Approval 2010 / 2011 Budget

Mr. Formica reviewed the budgets and noted that the Board members had a few budgets that they wanted to discuss before moving the budget.

Ms. Hardy noted that if the Agricultural Commission passed, it would take a large bite out of the Conservation of Natural Resources budget to remove \$500.

After discussion, it was decided to have the \$500 in the Contingency Fund if the ordinance was approved, to take it from there.

EMERGENCY MANAGEMENT:

Mr. Formica noted that there was an increase for two full time dispatchers \$100,000, an increase of \$33,000 for part time dispatchers and an increase of \$5000 in overtime.

Mr. Nickerson suggested adding just one person and have the department head decide when the coverage is most needed.

Mr. Wilson stressed the Board had to support this increase or not.

Mr. Formica said that he believed we will regionalize eventually and the second seat will come from the joining town. He added that he could not guarantee he could have a deal to join in 3 months.

Ms. Hardy suggested supporting the increase now and if Dispatch is regionalized, remove the money from the budget.

Mr. Birmingham noted he could support this and asked that personnel be used as efficiently as possible.

Mr. Wilson said that the Police Department should be involved in this since the increase in calls was due to their department.

Mr. Nickerson likened the increase requested as going from a Fred Flintstone car to a Cadillac. He suggested taking incremental steps and fund the part time line more. He said then the manager double the coverage at certain times. He suggested giving the manager

the flexibility to maneuver the personnel to when they are most needed. He added that they received no documentation on how many calls are being dropped or not answered.

Mr. Wilson said that this request has come in for the last three years.

Ms. Hardy suggested moving it forward to the Board of Finance and let Mr. Morris go there prepared to answer these questions.

Mr. Birmingham said that the manager should be able to predict the volume and when it would occur.

Mr. Nickerson inquired what if we miss one call next year; do we add another \$100,000? He said they need to manage the calls not man the calls.

The consensus of the Board was to move the number forward and request Mr. Formica to do more work and see how to change this.

ANIMAL CONTROL:

Ms. Hardy said she understood Waterford paid their employees more than East Lyme and this is a shared position, but noted there was a sizeable increase requested.

Mr. Formica said that we pay for 50% of the Animal Control Officer's salary and we also have an Assistant so that we do not have to pay time and a half when she works 4:00 p.m. – 12:00 p.m. seven days a week. He added that we provide the van which was donated by Dominion and they have the facility. He said that he has talked to other communities about boarding and regionalizing.

Ms. Hardy stressed that this was an excessive salary.

Mr. Birmingham noted that there was no alternative to this at present.

Mr. Formica agreed noting he would work on this in the future.

CULTURE AND RECREATION (LIBRARY):

Mr. Nickerson said that the budget showed an increase of \$56,000 over two years and there should be some savings. He suggested cutting \$10,000.

Ms. Hardy agreed.

Mr. Wilson suggested a \$5000 decrease.

Mr. Birmingham agreed with a \$5000 decrease.

The final consensus of the Board was to decrease the bottom line of the Library by \$5000.

PARKS AND RECREATION:

Ms. Hardy stated that she had concerns with them setting up an independent revenue account and has Attorney O'Connell reviewed this.

Mr. Formica noted that Attorney O'Connell was initially skeptical and now has become more comfortable with it since finding out it will only concern the I9 employees however; he would like to review the percentage rates. He said that by the time this goes to the Board of Finance, the specifics would all be in place.

Ms. Hardy stated she would abstain from voting.

Mr. Nickerson noted he was fine with this budget as presented.

Mr. Wilson agreed suggesting let them try it for a year and see how it goes.

MOTION (13)

Mr. Wilson moved to forward the General Government and Capital Budget to the Board of Finance with a bottom line figure of \$21,618,236.

Seconded by Mr. Nickerson.

Ms. Hardy noted that she opposed the Parks and Recreation Special Revenue Fund.

Motion passed 5-0.

MOTION (14)

Mr. Wilson moved to forward the Debt Service, Interest and Principal budgets to the Board of Finance with a bottom line of \$5,456,688.

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

MOTION (15)

Mr. Wilson moved to forward to the Board of Finance the Board of Education budget as presented with a bottom line of \$39,974,915.

Seconded by Mr. Nickerson.

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

Nay: None.

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

2j. Sign Call – Special Town Meeting – March 17, 2010

MOTION (16)

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 March 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 \$41,702.40 Replace Niantic Center School Phone / Voice Mail and Paging System.
2. Special Appropriation \$40,000 – Purchase of a 12 passenger 2 wheelchair Senior Bus – reimbursable by a State Grant.
3. Special Appropriation \$49,450 EL Middle School HVAC Automation and Controls Upgrade – from CNRE Acct. 32.

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

EAST LYME BOARD OF SELECTMEN

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

3a. Resident Trooper Update

Mr. Formica said that he would be testifying tomorrow in front of the Legislature in support of Raised Bill 311. He said he hoped to have this all settled soon.

3b. Cell Tower Update

Mr. Formica said that there had been a Siting Council presentation and public hearing at Camp Rell on February 23rd and the Town along with the Pattagansett Group had made a good case. He said the Siting Council will meet again on March 23rd however, no public comment is allowed at that meeting.

He reminded the Board that they will start their review of the proposed Golf Cart Ordinance on March 17th.

5a. Ex- Officio

5b. First Selectman's Report

Due to the lateness of the hour, the Board members deferred their reports until the next meeting.

6. Public Discussion

Bob Gadbois of 358 Boston Post Road said enrollments are down at the schools and their budget is going up. He said people are losing their homes. He added that he had attended the last few Board of Education meetings and nothing has been said about the High School roof leaking. He stressed the leak needs to be fixed.

Karen Rak of 27 Black Point Road inquired if the Town had realized any overall savings on Animal Control? She said she goes to a lot of Board of Education meetings and has made alternative suggestions for funding extra curricular activities. She said it was hard to believe that no Board of Selectmen member suggested any recommendation for reductions to the Board of Education budget. She said there are savings to be had.

East Lyme Board of Selectmen 3/3/10 meeting minutes

Ms. Johnson reviewed the Revenues budget.

Mr. Formica said that there was a \$60,000 shortfall this fiscal year and he hopes to plug that with savings from the individual town departments. He added that the budget going to the Board of Finance reflects a .52 mill increase.

7. Selectmen's Response

Mr. Formica said that there were not any savings in the regionalization of the Animal Control position. He said we pay for one half of the Officer and we do not pay for the facility. He added that that he will check on the high school roof.

MOTION (17)

Mr. Wilson moved to adjourn the March 3, 2010 meeting of the East Lyme Board of Selectmen at 10:29 p.m.

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

Respectfully submitted,

Darlene C. Stevens, Recording Secretary