

EAST LYME BOARD OF SELECTMEN
MEETING OF NOVEMBER 17, 2010
MINUTES

PRESENT: Paul Formica, Mark Nickerson, Jack Hogan, John Birmingham, Rob Wilson.

EXCUSED: Rose Ann Hardy. Mr. Formica noted that Ms. Hardy was in Washington, D.C. with her students and noted that her comments regarding tonight's meeting items were at the members' seats.

ALSO PRESENT:

Town Planner Gary Goeschel, Town Engineer Bill Scheer, Finance Director Anna Johnson.

Mr. Formica called the meeting to order at 7:32 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items

There were none.

1c. Delegations

There were none.

1d1. Approval of Minutes, Meeting of November 3, 2010

MOTION (1)

Mr. Nickerson moved to approve the minutes of the meeting of November 3, 2010 as submitted.

Seconded by Mr. Hogan.

Aye: Mr. Formica, Mr. Hogan, Mr. Birmingham.

Nay: None.

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

1d2. Approval of Minutes, Special Meeting of November 3, 2010

MOTION (2)

Mr. Nickerson moved to approve the minutes of the Special Meeting of November 3, 2010 as submitted.

Seconded by Mr. Hogan.

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

Nay: None.

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

1e. Consent Calendar

MOTION (3)

Mr. Nickerson moved to approve the Consent Calendar for the meeting of November 17, 2010 in the amount of \$686.02.

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

2a. Accept Resignation – Jim Littlefield – Smith Harris House Commission
MOTION (4)

Mr. Nickerson moved to accept the resignation of Jim Littlefield from the Smith Harris House Commission effective immediately and to have the First Selectman send a letter thanking him for his service.

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

2b. Appointment – Barbara McGrath – Smith Harris House Commission
MOTION (5)

Mr. Nickerson moved to appoint Barbara McGrath of 8 Bishops Bay Road, Niantic, CT to serve on the Smith Harris House Commission through January 2, 2012.

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

2c. Discussion / Action – Referral – Plan of Conservation and Development Amendment
Mr. Formica stated that two updated chapters of the Plan of Conservation and Development were before the Board. He said Item 5.1.4 should say that the Town has acquired **portions** of open space in Oswegatchie Hills.

Town Planner Gary Goeschel said that if and when the Town is able to purchase land, it is suggested that they follow the prioritized list. UCONN's Peter Minuitti had explained that if you take the remaining developable land of 5 acres or greater without any structures, the Town should strive to preserve 50 % of that amount.

Mr. Formica said that the basis of these changes regarding open space is from the Randall Arendt seminar which was subsidized by a grant the town had received. He said that Section 3 of the POCD was new and this was drafted from Jane Dauphinais report that had also been subsidized by a grant. He added that Ms. Hardy said that the affordable housing chapter was ambitious in this economy but would support it and that any new development having more than 30 individual units, some should be required to be deed restricted. He said that this plan is a guidance document.

Mr. Hogan said that the 10% figure for affordable units is a goal and there is no enforcement if the Town doesn't reach that number. He said that in law apartments attached to the house and occupied by in-laws with a median income level could be used toward the 10% figure.

Mr. Formica agreed noting that this was also part of Ms. Dauphinais' report.

MOTION (6)

Mr. Nickerson moved the following:

Resolved, pursuant to Section 8-23(f) (2) CGS, the East Lyme Board of Selectmen endorses the proposed amendments to the 2009 Plan of Conservation with the following comments:

Section 5.1.4 the word “portions” of Oswegatchie Hills should be added along with any other sections which references this area.

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

2d. Authorization for First Selectman to Enter into Contract with DCS Energy for 2 4kw solar systems

Town Engineer Bill Scheer said that DCS Energy is offering the Town two 4 kW solar systems installed at no cost to the Town. The solar system will be leased for zero dollars for 5 years. At the end of 5 years the system will be sold to the Town for \$1 or removed if the Town so chooses. The Town will receive all of the electricity at no cost for the life of the system (average \$80 per month). DCS Energy receives all installation or incentive grants that apply to this project. DCS receives all clean energy credits for the project. The Town of Mansfield has had Town legal counsel review this process and is installing five of these solar systems. He added that Town Attorney had reviewed the contract and had no issues.

MOTION (7)

Mr. Nickerson moved to authorize the First Selectman to enter into contract with DCS Energy for two 4 kW solar systems at the Probate Building and the EOC.

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

2e. \$200,000 STEAP Grant Appropriation – Downtown Streetscape

Mr. Formica noted that we had been granted \$200,000 for this third phase which would enable us to finish the streetscape improvements on the western end of Main Street to Lake Avenue and to address the Hope Street parking lot and make a walkway from there to Main Street. He added that the land that the clock is located on was donated by the Mitchell Trust and that Christmas lights had been ordered today for the lamp posts.

Mr. Wilson inquired if the brick garage would come down.

Town Engineer Bill Scheer responded that it would, probably in late spring of next year.

Mr. Formica said that the new public works building when finished would free up space in the existing town garage and Care and Share could move in there.

MOTION (8)

Mr. Nickerson moved to appropriate the \$200,000 STEAP grant to construct portions of the downtown Main Street Streetscape Phase III including portions of new sidewalks,

brickwork, granite curb, trees, new parking lots and other aesthetic streetscape treatments and send to the Board of Finance for approval.

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

2f. Special Appropriation \$77,200 – DOT 2011 DUI Enforcement Program

Mr. Formica said The Town of East Lyme Police Department has applied for \$57,900.00 in federal funds for the 2011 Department of Transportation Comprehensive DUI Enforcement Program. This grant money is allotted for funding East Lyme Police Officers to conduct High Visibility DUI Enforcement. This grant is funded at 75% by the Department of Transportation with a contribution from the Town of East Lyme at 25% and will allow for officers to be on patrol during weekend nights and holidays. The objective of this grant is to reduce the number of crashes, injuries and fatalities from impaired driving through increased high-visibility DUI enforcement activities. Enforcement techniques employed will include DUI patrol activities as well as periodic DUI sobriety checkpoints. This funding will allow for two hundred and twenty seven (227) DUI enforcement shifts, which would be in addition to the minimum staffing levels of the East Lyme Police. He added that Police Department does not have sufficient funding to pay for the town contribution in their budget.

Federal Funds (75%) = \$57,900.00

Non-Federal Funds (East Lyme Contribution) (25%) = \$19,300.00

Total request for appropriation (100%) = \$77,200.00

He said that the Resident Trooper believes that this would be a benefit to the Town.

MOTION (9)

Mr. Nickerson moved to approve a special appropriation in the amount of \$77,200 in account 1-01-25-216-100-519 (Grant Overtime), \$57,900 to come from the 2011 Department of Transportation Comprehensive DUI Enforcement Program Grant and \$19,300 to be a transfer from account 1-01-01-120-100-500 (Contingency) and forward to the Board of Finance for approval.

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

2g. Public Information Session – Water

Mr. Formica said that we were moving the water interconnection forward and he informed the Board that he would like to host a special meeting of the Board of Selectmen for an informational session on this subject at Nett Hall on December 9th from 6:30 p.m. until 8:30 p.m. He said that they have been talking with New London and meeting with CT DECD and the Department of Public Health and each of these state departments was assigning a project manager to this project. He added that we have moved to the top of the list for the Drinking Water Revolving Fund and this is our future for economic development. He added that he will request the Board of Selectmen to send this item to a referendum in the future.

The consensus of the Board was for the First Selectman to file an agenda for a special meeting on December 9th to inform the public about the regional water interconnection.

3a. Discussion / Action – Resolution – Incentive Housing Zone

Mr. Formica noted that this resolution was needed for a state incentive housing program grant submission. He said that the incentive housing zones are the opportunity for the community to look, have a plan and determine where affordable housing should be. He said that this offers a definite incentive to the Town and the developer. He stressed that this would actually be an overlay zone in certain areas and does not have to be used for affordable housing, but could be. He said that the Town would receive \$2000 per zoned unit and an additional \$2000 when the unit was permitted and the developer benefits since the special incentive housing zone permits denser than normal housing.

Mr. Hogan asked if there was any money left at state level for this.

Mr. Formica said that we applied when there was funding, which has been swept by the Governor since. He said that it has been re-funded and OPM says we do not need to reapply since they are holding our application but we do need to endorse this resolution.

MOTION (10)

Mr. Nickerson moved the following resolution:

Resolved that at a meeting on November 17, 2010 the East Lyme Board of Selectmen:

1. Authorized submission of the zone adoption application under the Housing for Economic Growth Program referenced in Section 8-13(m-x) of CGS; and
2. Identifies Paul M. Formica as an individual authorized to sign the zone adoption application and administer the project. Such application is attached and made part of this record.

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

5a. Ex-Officio

Mr. Wilson said that the Parks and Recreation Commission had mailed out their winter brochure and they were now in the process of setting out the new soccer goals at Bridebrook. He said they were also draining the irrigation pipes for the winter.

Mr. Hogan attended the Board of Education's community forum reviewing the future vision of the educational system in East Lyme where they made some changes to their long range plan. He also attended the Planning meeting and he offered his thanks to Town Planner Gary Goeschel for his efforts on the Plan of Conservation and Development and the Incentive Housing Plan.

Mr. Birmingham attended the Smith Harris Commission meeting and said they will be hosting a Vision of Christmas Past from November 27 – December 3rd. They will be having a craft and resale event at the Smith Harris Barn on December 3rd and 4th.

Mr. Nickerson said that he had attended a Town Building Committee meeting where they discussed the furnaces at the high school and the sound insulation unit. He attended several Board of Education meetings where they reviewed their mission and vision, received a report on the CMT scores, heard about the Health and Balanced Living Program Curriculum, heard discussions about the proposed turf field and attended two ASAP meetings which were a joint effort of the Board of Education and Youth Services to inform about substance abuse and alcohol.

5b. First Selectman's Report

- He noted that a firm had been chosen for a design / build for the new public works facility.
- He attended a Capital Improvement Plan meeting and noted that the turf field proposal would be coming to the Board sometime in December and he would urge that it be sent to a referendum.
- He spoke to the Lions Club about the State of the Town.
- He attended a Children's Museum fund raiser.
- He met with the principals of the Gateway district and added it was showing signs of activity and there were discussions about what we can do to re-do the on and off ramps of I-74 and 75.
- He attended the Veteran's Day ceremony at the Town Green and read a proclamation.
- He attended a meeting to improve the animal control services with Waterford.
- He has attended meetings regarding the regionalization of our resident trooper program. They are also reviewing other policing opportunities such as joining another town for a regionalized police force. He said he would be appointing a committee to review these initiatives in the future.
- He spoke at the East Lyme Public Trust meeting about the progress of the Amtrak bridge project.
- He attended a CT Conference of Municipalities meeting.
- He attended a ceremony for outstanding service by Detective Don Marr and Officer Mark Cuomo for the solving of 63 burglaries.
- He attended some volleyball games at the High School and noted they would be participating in the semi finals tomorrow night and wished them luck.
- He said the Town received a check from FEMA in the amount of \$81,719 for the damage to town property from the March flooding.

Mr. Hogan inquired about the status of the Mobil Station.

Mr. Formica said he was meeting the owner and principals on Friday to review the draft report.

6. Public Comment

There was none.

MOTION (11)

East Lyme Board of Selectmen Meeting Minutes 11/17/10

Mr. Wilson moved to adjourn the November 17, 2010 meeting of the East Lyme Board of Selectmen at 8:32 p.m.

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

Respectfully submitted,

Darlene C. Stevens, Recording Secretary