

FILED IN EAST LYME  
CONNECTICUT  
Oct 3 2013 AT 2:35 AM PM  
Caren Paulsen, A.S.  
EAST LYME TOWN CLERK

EAST LYME BOARD OF SELECTMEN  
MEETING OF OCTOBER 2, 2013  
MINUTES

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

EXCUSED: Mark Nickerson, Rob Wilson.

Mr. Formica called the meeting to order at 7:30 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items  
MOTION (1)

Ms. Cheeseman moved to add Item 2i. Carry over of Reimbursable Funds – Emergency Management to the October 2, 2013 agenda.

Seconded by Mr. Seery. Motion passed 4-0.

1c. Delegations

Joe Mingo of 397 Boston Post Road noted comments made at a previous meeting by Mr. Torrance that a “meddling individual called the Army Corp of Engineers” and said he was the one who placed the call. He said the Town allowed the crossing of wetlands on Mostowy Road when there was a viable alternative and the project is still not finished. He said that there is never an attorney present at the Wetlands meeting and stressed the need for one. He asked about a deal to buy “useless property”. He asked who is going to stop him from fishing in Darrow Pond from Mostowy Road.

1d. Approval of Minutes, September 18, 2013  
MOTION (2)

Mr. Seery moved to approve the minutes of the meeting of September 18, 2013 as submitted.

Seconded by Ms. Hardy. Motion passed 4-0.

1e. Consent Calendar  
MOTION (3)

Mr. Seery moved to approve the Consent Calendar for the meeting of October 2, 2013 in the amount of \$1,362.14.

Seconded by Ms. Cheeseman. Motion passed 4-0.

2a. Checking of the Indices

Mr. Formica noted that this is a yearly budgeted task and Attorney Willetts has performed this task for twenty-five years for a fee of \$2000.

MOTION (4)

Mr. Seery moved to appoint Attorney William Willetts Jr. of 216 Broad Street, New London, CT to examine the indices of the land records for the calendar year 2011 in accordance with CGS Section 7-14.

Seconded by Ms. Cheeseman. Motion passed 4-0.

2b. Appointment – Sr. Center Director as Title VI Coordinator for Senior Center  
Mr. Formica noted that we had purchased two senior vans; one we purchased outright, the other we utilized a grant to purchase. The grant for that purchase requires that this paperwork be completed by the Town and that we appoint a Title VI Coordinator.

MOTION (5)

Mr. Seery moved to appoint Cathy Wilson of 224 Ledyard Street, New London, CT to serve as the Title VI Coordinator for the Senior Center.

Seconded by Ms. Cheeseman. Motion passed 4-0.

2c. Approval– Title VI Policy

Mr. Formica noted that this policy also had to be adopted for the grant.

MOTION (6)

Mr. Seery moved to approve the adoption of the Title VI Policy Statement as attached (Attachment A).

Seconded by Ms. Hardy. Motion passed 4-0.

2d. Ratification of Budget Transfers

Mr. Formica noted that various transfers within departmental budgets have been necessary primarily due to the storm activity from Sandy and Nemo. We did not address these accounts earlier as we were hopeful to receive the FEMA funding for at least Storm Sandy during the 60 day window after fiscal year end. Attached is the documentation for transfers made for a total amount of \$133,435.80 information presented includes: from account number, description of the budget line item, amount – to account number, description of the budget line item, amount. These requests are forwarded to you in accordance with section 6.3.4 of the charter.

MOTION (7)

Mr. Seery moved the following:

Move to ratify departmental transfers in the amount of \$133,435.80 processed for fiscal year end June 30, 2013 and to forward to the Board of Finance for their approval.

Seconded by Ms. Cheeseman. Motion passed 4-0.

2e. End of Year Contingency Transfer

Mr. Formica noted that we budget for Storm Materials and Supplies based upon a three year historical average. As you know during the 2012/2013 fiscal year we experienced

**Town of East Lyme  
Budget Transfers  
Fiscal Year 2012/13**

Agenda Item

		To Account			From Account			
Date	Dept	Account #	Description	Account #	Description	Amount	Reason for Transfer	
6/30/2013	Registrars	3-01-01-110-300-204	Postage	3-01-01-110-300-253	Voter Canvass	34.85	Final postage for fye 6/30/13	
	GG & Misc	3-01-01-114-140-235	Legal/Labor Town	3-01-01-114-140-233	Legal/Gen Govt	3,362.50	Final legal invoice for June 2013.	
	GG & Misc	3-01-01-114-140-236	Legal/Labor PS	3-01-01-114-140-233	Legal/Gen Govt	653.04	Final legal invoice for June 2013.	
	Harbor Mgt	3-01-01-136-300-320	Misc Supplies	3-01-01-136-200-225	Maint of Harbor	0.23	Final invoice submitted for fye 6/30/13	
	Police	3-01-25-216-100-115	Resident Trooper	3-01-25-216-100-314	Overtime	1,148.69	Overtime from Storm Sandy and Nemo for which we have not yet received the FEMA reimbursement	
		3-01-25-216-100-514	Overtime	3-01-25-216-100-510	Constables	23,350.21		
		3-01-25-216-100-514	Overtime	3-01-25-216-100-512	PT Constables	4,702.83		
		3-01-25-216-100-514	Overtime	3-01-25-216-100-513	Foot Patrol/Parade Duty	1,225.91	Overtime from Storm Sandy and Nemo for which we have not yet received the FEMA reimbursement	
		3-01-25-216-100-514	Overtime	3-01-25-216-100-515	OT/Boat Duty	10,003.19		
		3-01-25-216-100-514	Overtime	3-01-25-216-100-516	Lonevity/Shift Diff	3,869.58		
		3-01-25-216-100-517	Training	3-01-25-216-100-516	Lonevity/Shift Diff	2,739.28		
		3-01-25-216-100-517	Training	3-01-25-216-100-518	Training (Non-mandatory)	2,453.87		
	Public Works	3-01-25-216-100-517	Training	3-01-25-216-200-213	Mobile Radio Serv	1,764.31		
		3-01-30-317-100-315	Storm Overtime	3-01-30-317-100-311	Reg Payroll-Hwy	34,957.54	Overtime from Storm Sandy and Nemo for which we have not yet received the FEMA reimbursement	
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-100-314	OT Highway	5,123.26		
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-210-296	Bulky Waste Trans & Tipping	6,533.57		
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-200-224	Road Reconstruction &	10,966.06		
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-220-221	Veh Maint & Eng	2,411.62	Excessive expenditures from Storm Sandy and	

To Account

From Account

Date	Dept	Account #	Description	Account #	Description	Amount	Reason for Transfer
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-400-210	Street Lights	2,389.53	Nemo for which we have not yet received the FEMA reimbursement. Due to severity of storm this includes expenditures town-wide.
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-300-350	Supplies & Misc	14.16	
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-200-239	Tree Warden	175.07	
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-210-222	Recycle & Misc Disposal	7,984.36	
		3-01-30-317-310-221	Fleet Fuel	3-01-30-317-210-295	SCRARRA Tipping	7,572.14	
<b>TOTAL</b>						<b>\$ 133,435.80</b>	

two major events Storm Sandy during the hurricane season and Storm Nemo during the winter season. In order to have centralized tracking, we used this account for various town-wide expenditures during the storms. We were hopeful to receive our FEMA funding for Storm Sandy prior to August 31, 2013 to apply it as reimbursements to the various accounts that were most impacted. Since we have not received this funding in a timely manner to balance out our fiscal year ended June 30, 2013 a transfer from contingency is necessary.

MOTION (8)

Mr. Seery moved to approve a transfer in the amount of \$53,966.70 from account 3-01-01-120-200-500 (Contingency) to 3-01-30-317-300-440 (Storm Materials) and forward to the Board of Finance for their approval.

Seconded by Ms. Cheeseman. Motion passed 4-0.

2f. Special Appropriation – Smith Harris House – Curator

Mr. Formica noted that the Smith Harris Commission has received an additional \$1,260 from the Friends of Smith Harris to continue the funding of the Curator through December 2013. In order for the Commission to accept the donation, a special appropriation is needed.

MOTION (9)

Mr. Seery moved to approve a special appropriation in the amount of \$1260 in the 2013/14 budget as follows:

\$1170 in department 134 Smith Harris Commission to account 01-01-134-100-415 (Museum Curator) and \$90.00 to account 01-01-114-100-121 (FICA/Medicare) and forward to the Board of Finance for their approval.

Seconded by Ms. Hardy.

Ms. Cheeseman noted that since this is more than 10% of the budgeted amount by charter, this action will require a town meeting.

Finance Director Johnson responded that we would hold this item until we have more items for a town meeting and address all at that time.

Motion passed 4-0.

2g. Appointments – Representatives to Advisory Board of the SE CT Water Authority

MOTION (10)

Mr. Seery moved to appoint the following as representatives to the Advisory Board of the Southeastern CT Water Authority

Paul M. Formica 22A Bush Hill Road, Niantic, CT and  
Carol Russell 4 Bramble Bush Drive, Niantic, CT to serve through August 31, 2015.

Seconded by Ms. Cheeseman. Motion passed 4-0.

2h. Report from Special Meeting of October 2, 2013 – Executive Session regarding Possible Land Acquisition – Possible Board Action

Mr. Formica noted that the potential for an open space had been brought to our last meeting by Mr. Ellis. He said that more information is needed since the item was still unclear.

MOTION (11)

Mr. Seery moved to request the Attorney to draft a letter to the Woodsmen Landtrust Inc, requesting clarification of the land acquisition proposal.

Seconded by Ms. Cheeseman. Motion passed 4-0.

2i. Carry Over of Reimbursable Funds – Emerg. Mgt.

Mr. Formica noted that a request to carry-over the \$1,451.18 balance of the special appropriation approved by the Board of Selectmen on June 5<sup>th</sup> and the Board of Finance on June 12<sup>th</sup> for the electrical work for the three generators already purchased to provide backup power for direction and control radio frequencies in East Lyme had been received. These frequencies are used during incidents at the Millstone Nuclear Power Station. The allocation of these funds was approved by the Deputy Commissioner William P. Shea on April 12, 2013. In order to request the reimbursement from DESPP we need to complete the project.

Emergency Management Director Dick Morris noted that the money was not encumbered and now we have passed the spending window. This funding and task was part of the original grant, we were just unable to get an electrician to do the work in the time allowed.

MOTION (12)

Mr. Seery moved to approve the carry over of the remaining balance of \$1,451.18 from the 2012/13 fiscal year to account number 01-70-725-224-006 (NSEP – Equipment) in the 2013/14 to complete the electrical work for the three generators already purchased from this grant allocation to provide backup power for direction and control radio frequencies during an incident at the Millstone Nuclear Power Station, and forward to the Board of Finance for approval.

Seconded by Ms. Cheeseman. Motion passed 4-0.

3a. Designation of Veteran’s Service Contact Person

Mr. Formica said that State Statutes require someone be named as the Veterans Service Contact person in each town by October 1<sup>st</sup>. He added that this contact person will act as a liaison from the community to the Department of Veteran Affairs. He said there would be some training necessary and suggested holding off the appointment until the next meeting since he had not heard back from the people he had been trying to reach. He

suggested that he and his Executive Assistant act in this designation until the next meeting when we can make an appointment.

MOTION (13)

Ms. Hardy moved to table Item 3a. Designation of Veteran's Service Contact Person until the next scheduled meeting.

Seconded by Mr. Seery. Motion passed 4-0.

Mr. Seery suggested asking for input from the Veteran's associations in town.

3b. Dispatch Consolidation Update

Mr. Formica noted that he believed it was his job to bring all the options available forward and the Board could then decide. He said that he has provided the Board with a copy of a three town program (Waterford, East Lyme and New London) and Bill Allen is working on an implementation plan for this option. He added that he has applied to KX Regional from Colchester and they went before their board on Monday and made their proposal and answered questions. He said that there have been some ongoing conversations with Montville. He stressed that no offers or decisions have been made. He said he believed that eventually, there should be a 15-20 town regional dispatch center.

Ms. Hardy asked if there were any other reports to review.

Mr. Formica responded that the KX report could be made available and a one page report done by Chris Taylor.

5a. Ex-Officio

Ms. Cheeseman had no report since Zoning had been cancelled.

Mr. Seery had no report – Town Building had no meeting.

Ms. Hardy said following up the Board of Education meetings that they were researching parameters for construction aid from the state. She said that they must solicit 4-6 firms and the RFQ is out with a one month reply period. She added that most of the criteria is dictated by the state. She added that with the redistribution of LOCIP funds, they were using the additional funding for increased security items such as additional cameras in the Middle School and some on school buses.

She noted that she had attended the Planning Commission meeting where Mr. Ellis offered a similar presentation to the one he offered at the Selectmen's meeting. She said that there was discussion about tear drop islands for planting in the Darrow's Ridge development and added that a request was approved to allow the islands to be tarred which would permit a better turning access for vehicles.

5b. First Selectman's Report

Mr. Formica noted the Solar Farm informational would be held on October 3, 2013 at 7:00 p.m. and that the construction team will be presenting information, answering questions and reviewing future actions.

Ms. Hardy asked if there had been any contact with the Siting Council.

Mr. Formica responded that he had talked to their attorney and been informed that the Siting Council does not come to these meetings. He said that as a community, we can write a letter to the Siting Council and alert them of our concerns and request change (such as hours of work, etc). He said that the Siting Council has sent an inspector down and work is proceeding correctly so far.

Mr. Formica attended a Montville Wetlands meeting for the regional water connection project. He said originally the pipe was going to go over and instead they found someone to perform directional drilling and the permit for this was granted. He said that the interconnection pipe is 75% laid in 55% of the time allocated for this task.

He attended the opening for the new cancer center in Waterford.

He attended a Council of Governments meeting.

He hosted a department head meeting.

He chaired a Water and Sewer meeting.

He attended the Connecticut Conference of Municipalities convention today.

He attended a dinner meeting with the Chinese delegation and the Board of Education where they discussed setting up a sister city in China.

He attended a status update meeting with the Department of Corrections about the fuel leak at York where remediation was discussed and plans for the future.

He attended the wake of Bill Dwyer's wife and offered his condolences.

6. Public Discussion

Gary Lakowsky of 12 Methodist Street and Chair of the Smith Harris Commission thanked the Board for approving his special appropriation for the Smith Harris Commission. He said that they are still looking for two members. October 30<sup>th</sup> at the House the Youth Center will be having a trick or trunk program and a reading program in the House with appropriate Halloween readings. The annual wreath sale will be on December 7<sup>th</sup> and 8<sup>th</sup>. The Christmas Play will be on December 12<sup>th</sup>.

East Lyme Board of Selectmen October 2, 2013 minutes

Joe Mingo said that any future negotiations on the Woodsmen's Trust have to be in open session now that we know the price. He said that good fish management is to remove a certain amount of fish each year.

7. Selectmen's Response

Mr. Formica noted that the Light Parade is being moved from Sunday to Saturday and will take place on December 7<sup>th</sup> this year. He noted that he has given each board member a copy of the Samuel Smith Study report in their folders for their review.

MOTION (14)

Mr. Seery moved to adjourn the October 2, 2013 meeting of the East Lyme Board of Selectmen at 8:22 p.m.

Seconded by Ms. Hardy. Motion passed 4-0.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Darlene C. Stevens". The signature is written in black ink and is positioned above the typed name.

Darlene C. Stevens, Recording Secretary

Town of East Lyme  
East Lyme Senior Center

Title VI Policy Statement

The Town of East Lyme/East Lyme Senior Center is committed to ensuring that no person is excluded from participation, denied benefit, or otherwise subjected to discrimination under any program or activity, on the basis of race, color, national origin, sex, age, or disability.

The Town of East Lyme/East Lyme Senior Center as a recipient of federal financial assistance will ensure full compliance with Title VI of the Civil Rights Act of 1964, as amended, and related statutes and regulations in all Town of East Lyme/East Lyme Senior Center programs and activities.

Any person who believes that he or she has been subjected to discrimination or retaliation based on their race, color, national origin, sex, age, or disability may file a Title VI complaint. Complaints may be filed directly to the Town of East Lyme/East Lyme Senior Center. Complaints must be filed in writing and signed by the complainant or a representative and should include the complainants name, address, and telephone number or other means by which the complainant can be contacted. Complaints must be filed within 180 days of the date of the alleged discriminatory act.

To request additional information on the Town of East Lyme/East Lyme Senior Center's non-discrimination obligations or to file a Title VI complaint, please submit your request or complaint in writing to:

Ms. Renee Fecteau/Human Resources  
Town of East Lyme  
P.O. Box 519  
Niantic, CT 06357

or to Ms. Cathy J. Wilson/Senior Center Director  
East Lyme Senior Center  
37 Society Road  
Niantic, CT 06357

Complaint Forms can be obtained online at the Town of East Lyme website – search in the Senior Center section at [www.eltownhall.com](http://www.eltownhall.com) or can be obtained via the mail from the above mailing addresses. Additionally, Complaint Forms are available in the Senior Center office.

Town of East Lyme  
East Lyme Senior Center

Title VI Complaint Process

Any person alleging to be aggrieved by a discriminatory practice by the Senior Center may in person or through a legal representative, obtain a Title VI Complaint Reporting Form, fill it out and file said complaint with the Senior Center Director, the Town of East Lyme's Human Resources Department, or the First Selectman's Office:

- Within 180 days following the date of the alleged discriminatory action; or
- The date when the person(s) became aware of the alleged discriminatory action.

Alternatively, a representative may complete the Complaint Reporting Form and attach the Complainant's Letter on behalf of the complainant.

The Department's Title VI Coordinator, the Senior Center Director, will be notified of all Title VI complaints regarding the programs and services offered by the Senior Center. The Senior Center Director will review the complaint and inform the Town of East Lyme's Human Resources Department.

Complaints must be in writing, signed by the Complainant or representative, and include the Complainant's name, address, and telephone number, or other means by which the Complainant may be contacted. Complaints shall explain as fully as possible the facts and circumstances surrounding the alleged discriminatory action, and identify the individual(s) responsible for the alleged discriminatory action. In cases where the Complainant will be assisted in converting an oral complaint into a written complaint, the Complainant is required to sign the written complaint. Signed allegations of discrimination received by facsimile or e-mail will be acknowledged and processed. Complaints received by telephone will be reduced to writing and provided to the complainant for confirmation, revision and signature before processing.

The Senior Center Director and the Town of East Lyme's Human Resources Department will review the written complaint to ensure that the required information is provided, the complaint is timely, and is within the appropriate department. The complaint will be accepted unless it is withdrawn, is not filed timely, or the Complainant fails to provide the required information after a written follow-up request for the missing information.

Issues involving the Senior Center that do not involve discrimination or are not based upon a protected basis will not be forwarded to the Town of East Lyme's Human Resources Department. However, individuals should never be discouraged from filing a written complaint.

#2 form

Town of East Lyme  
Title VI Discrimination Complaint Form

Complainant Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Discrimination because of:  Race/  Color/  National Origin/  Sex  
 Age/  Disability/  Creed/  Other

Please provide the date(s) and location of the alleged discrimination, the name(s) of the individual(s) who allegedly discriminated against you including their titles (if known).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please provide the names, addresses and telephone numbers of any witnesses.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explain as briefly and as clearly as possible what happened, how you feel that you were discriminated against and who was involved. Please include how other persons were treated differently from you.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

You may use additional sheets of paper if necessary. Also include any written materials pertaining to your complaint.