

EAST LYME BOARD OF SELECTMEN
MEETING OF OCTOBER 6, 2010
MINUTES

PRESENT: Paul M. Formica, Mark Nickerson, John Birmingham, Rob Wilson, Rose Hardy, John Hogan (by phone)

ALSO ATTENDED: Director of Parks and Recreation Dave Putnam, Finance Director Anna Johnson.

Mr. Formica called the meeting to order at 7:37 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items

There were none.

1c. Delegations

Cheryl Whipple and Ellie Hazen presented \$500 checks to Walking Hearts for Donna and to the Wilson Children's Fund noting that this donation was derived from proceeds from their theatrical musical "This Memory of Mine" held over the summer.

William Sawicki of 425 Drozdyk Drive, Groton, CT and a tax payer of East Lyme read his letter dated October 6, 2010 into the record (identified as Attachment A).

1d. Approval of Minutes, Regular Meeting of September 15, 2010

Mr. Formica noted on page 6. under Item 4a., last sentence of first paragraph had a typo which should be corrected to the word "**the**". He also noted Ms. Hardy's comments in the second paragraph and noted that the first line should be corrected to read **the traffic signal at Flanders Fire Department was needed.**

MOTION (1)

Mr. Nickerson moved to approve the minutes of the Regular Meeting of the Board of Selectmen for September 15, 2010 as amended.

Seconded by Ms. Hardy.

Aye: Mr. Formica, Mr. Nickerson, Mr. Birmingham, Ms. Hardy.

Nay: None.

Abstain: Mr. Hogan, Mr. Wilson. Motion passed 4-0-2.

1e. Consent Calendar

MOTION (2)

Mr. Nickerson moved to approve the Consent Calendar for the meeting of October 6, 2010 in the amount of \$1690.69.

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

2a. Presentation – East Lyme Affordable Housing Plan – Jane Dauphinais

Mr. Formica introduced Jane Dauphinais and noted that she was the architect of the report which had been funded through a grant from Home CT. (identified as Attachment B). She noted that the guiding principals for this study were to:

Do No Harm; Focus on the needs of East Lyme and its residents and employees; Focus on redevelopment rather than new development and development must solve more than one problem at a time.

She added that this plan was developed as part of the 2009 revision of the East Lyme Plan of Conservation and Development (POCD). She said that a community survey was taken in 2007 and the results indicated that there was a need for more affordable housing in town and residents wanted this housing where it would strengthen village centers. Residents showed a strong desire to accommodate affordable housing to reach the 10% threshold and they desired an exemption from the Affordable Housing appeals Act (GSA 8-30g). She said that in 2007, the CT General Assembly passed the Housing for Economic Growth Program (Public Act 07-4) to incentivize towns to plan proactively for affordable housing. This program offers towns a way to have local control, exemption from 8-30g, with cash incentive payments and is voluntary in nature. As overlay zones for affordable housing, a developer is provided with an additional option for the property, but it does not replace the underlying zone. She added that incentive payments are offered and that the first payment would be received when the zone is created and the second payment to the town would be when the town issues permits. In East Lyme, the four areas were identified for Incentive Housing Zones and two were then eliminated. The two that are identified are Midway Plaza and there zones in Niantic which in total would add only 162 housing units. She commented that the Planning and Zoning Commissions wanted to be proactive on this issue and were tired of being reactive.

Mr. Formica said that he has had contact with the property owner from Midway Plaza and he was interested in utilizing the tools from this report. He continued that COG's Executive Director Jim Butler wrote revised regulations for our Zoning Board to consider and this would take place at their meeting of October 21st.

Ms. Dauphinais suggested that Mr. Formica convey the conversations with Midway Plaza to OPM.

Mr. Nickerson said that he was on Zoning when several 8-30g applications came forward for Oswegatchie Hills and that this study was great.

Ms. Hardy said that this Board had not received the results of the 2007 study.

Ms. Dauphinais responded that that survey had been done separately by Ms. Parulis.

Ms. Hardy asked if affordable housing and workforce housing were the same.

Ms. Dauphinais said that workforce housing is not a legal term.

Ms. Hardy voiced concern about any of the 30% portion of commercial land being turned to residential.

Mr. Nickerson responded that this was a decision of the Zoning Commission which was made a year and a half ago.

Mr. Birmingham asked if there were any houses with the CHFA program in town.

Ms. Dauphinais said that this was a great program and there were a few.

Mr. Formica thanked Ms. Dauphinais for her time and effort.

2b. Review of Parks and Recreation Special Revenue Fund

Director of Parks and Recreation Dave Putnam was present and reviewed his document regarding their Special Revenue Fund (identified as Attachment C). He added that this was the first year of operation since its inception and by May of 2011 (due to the Town's fiscal year requirement) the fund would be showing an approximate \$30,000+ balance.

2c. \$890.00 Expenditure from McCook Park Memorial Fund – Parks and Recreation

Mr. Putnam reviewed his request to purchase and install a cross and plaque to replace that which had been stolen from McCook's Park in 1994.

Ms. Hardy said this is one of the reasons she had objected to the setting up of these funds. The Board of Selectmen is alerted after something is done, not before. She said that a case went before the Supreme Court regarding erecting crosses in public parks and the Court decided that no religious symbols were allowed on public park lands. She said that this request is in violation of the Supreme Court ruling. She added that if it had been brought up before, Town Attorney could have reviewed it and offered his opinion.

Mr. Wilson commented that they were merely replacing something that had been stolen and this was a pre-existing object which was being made whole.

MOTION (3)

Mr. Nickerson moved to approve the request of the Parks and Recreation Commission for an expenditure of \$890.00 from the McCook Park Memorial Fund for the purchase and installation of a cross and plaque by Dominick & Sons Monument Works, LLC for McCook's Park.

Seconded by Mr. Birmingham.

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

Nay: Ms. Hardy. Motion passed 5-1.

2d. Checking of the Indices

Mr. Formica said that this is a yearly housekeeping item and Attorney Willetts has performed this task for this price for several years.

MOTION (4)

Mr. Nickerson 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 2010 in accordance with CGS 7-14 at a cost of \$2000.00.

Seconded by Mr. Birmingham Motion passed 6-0.

5a. Ex-Officio

Mr. Wilson had no report.

Mr. Birmingham attended the Harbor Management meeting where there had been discussions about moorings, rain gauge locations and the dredging of the channel at Smith Cove. He also attended the Smith Harris House meeting where they discussed needed repairs such as painting. He said that they had great weather for their Heritage Weekend.

Ms. Hardy attended the Board of Education meeting and the primary subject of discussion was the artificial turf field proposal. She said the public hearing was being held tomorrow evening at the High School and suggested people attend and become informed.

Mr. Hogan said that he attended the Planning meeting and an agreement was signed to install street lights at Darrow's Ridge. He noted two public hearings; one on the review of subdivision regulations and another on 10/19/10 on the POCD changes for open space and affordable housing. He added he will not be back until October 30, 2010.

Ms. Hardy suggested that Mr. Nickerson attend the October Board of Education meetings and Mr. Hogan can attend those in November.

Mr. Nickerson attended a joint subcommittee meeting of the Board of Education and Youth Services where youth alcohol and drug use and abuse was discussed. He added that Youth Services had requested an Ex-Officio from the Selectmen and Mr. Nickerson had agreed to accept this request. He also attended the Town Building Committee meeting and they discussed their completion of a few projects at the Planetarium. He attended Heritage Weekend and he filled in for the First Selectman as an apple pie contest judge. He said what a great time he had.

5b. First Selectman's Report

Mr. Formica said that he has been working updating the Animal Control Officer policy with Waterford.

He attended the Fire Department picnic and the Children's Museum Cow Plop Bingo event.

He said that Human Resources had held a safety fair and was in the process of updating some job descriptions.

He attended the Department of Public Safety Resident Trooper meeting regarding regionalization. He said that he hoped to have a potential plan available for the next meeting.

He attended a photo opportunity at the new Gate House at McCook's Park constructed by Grasso Tech. He started the ½ Marathon and noted that finally this year with the assistance of Mr. Hogan and working with the beach areas, there were no calls of complaint.

He received a letter from CT DOT noting that the traffic light at Giants Neck Road and Rte 156 would be installed in January 2011 and added that he received the \$9000 deposit back.

He attended the American Legion Installation of Officers and welcomed the attendees of the SCORE seminar.

There was an employee's appreciation day to recognize long term employees and those who had not utilized any sick time for several years.

He met with the Rules and Regulations Committee for the Police Department and hoped to have this document available for the Board's review in the near future.

He attended a few meetings of the Council of Governments, and two gubernatorial forums on tourism and aid to municipalities.

He said that the Water and Sewer Commission met and they were moving the water interconnections plan forward.

He attended a rehearsal of the Millstone Drill and noted that the full scale evaluated drill will take place on 10/19/10.

After discussion with the Board, , Mr. Formica said that Mr. Nickerson and Ms. Hardy will review the non union staff increase for the present year, noting that a quarter of the year had already passed.

He said that the Town had been awarded a STEAP grant in the amount of \$200,000 to expand the parking area on Hope Street.

He attended the Rotary Crossings and Clock dedication today in honor of all those who's time has been cut short in our town.

6. Public Comment

Bob Gadbois of 358 Boston Post Road said that he has a 3 bedroom ranch and if he sells to move into an affordable housing unit, he would probably sell to someone with kids thereby, bringing more kids into the system. He said that the Board of Education is

spending \$28,000 to study what will happen with their buildings and he inquired what about the Capital Plan. He said that when he was on the Water and Sewer Commission DEP told us that we could not take water from an open source and now we're talking about taking water from Lake Konomo c which is an open source. He added that he has seen nothing of the walkway from the clock to the Hole in the Wall.

Mike Shulz of Lovers Lane requested a copy of the Affordable Housing Plan which he received. He added that most people in 38 Hope Street and Sea Spray are grandparents, and very few children live there because of the size of the units. He agreed with Ms. Hardy that the cross replacement should have come to the Selectmen before it was done.

7. Selectmen's Response

Mr. Formica said that the walkway from the Hole in the Wall to the clock is not being built since the Town could not secure easements from the Lumber Company and Amtrak. He said that he has been informed that once the spur is no longer used, the Lumber Company will give the easement.

Ms. Hardy said that at the last meeting she requested a monthly report from the Police Department listing arrests, etc. She also requested a legal review of the Cash Management Policy. She noted the untimely passing of Russel Han of "The Shack". And noted he would be missed.

Mr. Formica said that the Rocky Neck Heart Walk took place last weekend and Team East Lyme had raised in excess of \$30,000.

MOTION (5)

Mr. Nickerson moved to adjourn the October 6, 2010 meeting of the East Lyme Board of Selectmen at 9:43 p.m.

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

Respectfully submitted,

Darlene C. Stevens, Recording Secretary