

TOWN OF EAST LYME
BOARD OF SELECTMEN
NOVEMBER 5, 2014
REGULAR MEETING MINUTES

Members Present:

Paul Formica, First Selectman
Rob Wilson
Kevin Seery
Mark Nickerson
Holly Cheeseman
Rose Ann Hardy

Also Present:

Anna Johnson
Attorney Mark Block
Attorney Tracy Collins

FILED IN EAST LYME
CONNECTICUT
Nov 10 2014 AT 9:10 AM PM
Karen Salas, or
EAST LYME TOWN CLERK

Mr. Formica called the meeting to order at 7:40 p.m.

1a. Pledge Allegiance to the Flag

Mr. Formica led the assembly in the Pledge of Allegiance.

b. Additional Agenda & Consent Calendar Items

There were no additional Agenda and Consent Calendar items.

c. Delegations

Joe Mingo of Boston Post Road, East Lyme discussed the value of the property at 22 Church Lane, East Lyme. He also stated they are trying to raise money for new flag poles at the town hall and the high school.

d. Approval of Minutes, Special Meeting of October 15, 2014

Motion (1) Mr. Nickerson moved to approve the Minutes of the Special Meeting of October 15, 2014 as submitted.

Seconded by Mr. Seery.

Motion Passed 6-0.

d1. Approval of Minutes, Regular Meeting of October 15, 2014

Motion (2) Mr. Nickerson moved to approve the Minutes of the Regular Meeting of October 15, 2014 as submitted.

Seconded by Mr. Seery.

Motion Passed 6-0.

e. Consent Calendar

Motion (3) Mr. Nickerson moved to approve the Consent Calendar for the meeting of November 5, 2014 in the amount of \$3,736.89

Seconded by Mr. Wilson.

Motion Passed 6-0.

2. New Business

- a. Discontinuance of a portion of Mostowy Road
Accept Darrow's Court
Accept a portion of re-aligned Mostowy Road**

Mr. Formica stated the bond was forfeited and the town took over the responsibility for finishing the improvements. There will be a new entrance from Mostowy Road to Route 161. It is the opinion of the Town Attorney that they need a town meeting for the discontinuance.

Attorney Block discussed the difference between abandonment and discontinuance. It is his opinion they should have a town meeting.

Motion (4) Mr. Nickerson moved to approve the following:

That the road shown as Realigned Mostowy Road on a plan entitled "Lot Line Modification After Road Abandonment By the Town of East Lyme, Resubdivision Darrow's Ridge Lot 25 & 70 Mostowy Road, East Lyme, Connecticut, Owner/Applicant: New England National, LLC dated January 8, 2010, scale 1"=40' sheet 4 of 4, revised through 4-23-2010" in the Town of East Lyme, together with all improvements and utilities associated therewith be accepted as a Town Road. This acceptance is pursuant to that authorization granted to the Board of Selectmen by the ordinances of the Town of East Lyme and Connecticut General Statutes §13a-48.

Seconded by Ms. Cheeseman.

Motion Passed 6-0.

Motion (5) Mr. Nickerson moved to approve the following:

That pursuant to the approval of a Town Meeting held in accordance with Connecticut General Statutes §13c-49 that the following part of Mostoway Road be discontinued: that portion of Mostoway Road shown as "Existing Mostoway Road to be Abandoned by the Town of East Lyme" on a map or plan entitled "Lot Line Modification After Road Abandonment by the Town of East Lyme Resubdivision Darrow's Ridge Lot 25, 70 Mostoway Road East Lyme, Connecticut, Owner/Applicant: New England National, LLC Date: January 8, 2010, last revised 4/23/2010 Scale 1" = 40', Sheet 4 of 4, James Bernardo Land Surveying, LLC". This action is in the interest of the public safety for the ingress and egress from Chesterfield Road. The Board of Selectmen is authorized by this motion to take such action as is consistent with this motion.

Seconded by Mr. Seery.

Motion Passed 6-0.

Motion (6) Mr. Nickerson moved to approve the following:

That the roads designated as Darrow's Ridge Road and Darrow's Court be accepted as Town roads upon conveyance of the land and appurtenances to the Town of East Lyme. This acceptance is pursuant to that authorization granted to the Board of Selectmen by the ordinances of the Town of East Lyme and Connecticut General Statutes 13a-48

Seconded by Mr. Seery.

Motion Passed 6-0

b. Discussion/Action – Abatement of Taxes of 22 Church Lane \$1561 for East Lyme/Niantic Land Trust

Mr. Formica stated this is the property that was discussed by Mr. Mingo. The Niantic Land Trust is asking for an abatement of the taxes. They have already paid a portion plus interest.

Attorney Collins stated per Town Ordinance once the Trust acquired the property it immediately became exempt. The Trust is asking to be reimbursed for taxes that they already paid.

Motion (7) Mr. Nickerson moved to approve a refund of the taxes for the Niantic Land Trust for 22 Church Lane by the Tax Collector from the date that the Trust took title to December 31, 2014.

Seconded by Mr. Seery.

Motion Passed 6-0.

Ms. Hardy thanked Mr. Mingo for his efforts.

c. Resolution – Transit-Oriented Development Planning Grant Program

Mr. Formica stated this is a Resolution to authorize the First Selectman to apply for the Grant.

Motion (8) Mr. Nickerson moved the following Resolution:

BE IT RESOLVED: that we the Board of Selectman, constituting the legislative body of the Town of East Lyme hereby authorizes:

(1) submission of a grant known as the “Niantic Shoreline East Railroad Station Capacity Analysis Study” in accordance with the Transit-Oriented Development (TOD) Planning Grant Program Request for Applications; and

(2) authorizes the individual serving as First Selectman, or their successor(s), to sign the grant application and to sign any other documents associated with administering the grant, if awarded, including any amendments thereto.

Seconded by Ms. Cheeseman.

Motion Passed 6-0.

d. Special Appropriation – up to \$505,717 Care Here Clinic

Mr. Formica stated the Town is self-insured. This is based on a cost efficiency model. Savings are borne through cost avoidance.

Anna Johnson reviewed projected savings to the town.

Mr. Formica reviewed possible locations for the clinic. He stated that he hasn't signed the contract yet because once he does that would trigger a payment schedule. The contract has been available for the Board's review since July.

Anna Johnson stated there are adequate resources in the health insurance fund to pay the costs.

Motion (9) Mr. Nickerson moved to approve a special appropriation of up to the amount of \$505,717 from the Health Insurance Fund for year one of Care Here Clinic operations and send to the Board of Finance for approval. This is to include operations, supplies, rent, utilities and facility build out. This item will need Town Meeting approval.

Seconded by Mr. Seery.

Ms. Cheeseman stated she is skeptical of this. She thinks there may be implication with the 2015 Affordable Care Act. She doesn't believe the town is in the business of running a clinic.

Ms. Hardy stated she doesn't intend to vote for this. There have been no requests from employees for this service. She also doesn't want to put money into a building we don't own. She also has concerns about the contract itself. The savings that are projected are based on 100% participation.

Mr. Wilson stated he would be abstaining from voting as he could eventually end up using this clinic.

Mr. Formica stated even if only 20% of employees use this we will still see savings. We are not operating the clinic. It is a way to look at health care in a different way. It is a way to reduce our claims. There is no cost share for employees. It is free for them.

Mr. Seery stated it is open to families as well. There is no copay and no cost for generic prescriptions. He thinks people will take advantage of this.

Mr. Nickerson stated he trusts Mr. Formica and he has been working on this for 11 months.

Ms. Hardy stated she will be voting on this as she will not benefit from this.

Mr. Seery asked that the Board receive quarterly reports on this.

Motion Passed 3-2-1 (Nay – Ms. Cheeseman and Ms. Hardy, Abstained – Mr. Wilson)

e. Re-Allocation of Capital Funds – ELLCC Painting

Anna Johnson stated this is for the painting project at the Community Center. The contractor hadn't taken into consideration that he had to rent equipment to reach the higher areas. They are being asked to share the costs of that rental. This contractor did extra painting without even being asked.

Motion (10) Mr. Nickerson moved to approve the re-allocation of seven hundred forty two dollars (\$742) in account 01-70-724-700-403 (Town-CIP) to Painting the ELCC Exterior, from as follows: \$207 from the Sprinkler Systems Project and \$535 from the ELCC Parking Fixtures Project and forward to the Board of Finance for approval.

Seconded by Ms. Cheeseman.

Ms. Hardy asked if this had been the lowest bid, and if so had the other bidders included the rental of the equipment in their bid. If that is the case then the rewarding of this bid would have been unfair to the other bidders.

Mr. Formica stated he doesn't have the other bids. If the Board would like this matter can be tabled.

Mr. Wilson stated Ms. Hardy has a good point, but if Mr. Bence recommends this then he feels we should do it.

Motion Passed 5-0-1 (Ms. Hardy abstained)

f. Enter into Executive Session – for the purpose of discussion with respect to Collective Bargaining Strategy – Police Contract

Motion (11) Mr. Nickerson moved to enter into Executive Session for a discussion with respect to Collective Bargaining strategy – Police Contract and to invite Attorney Grello and Anna Johnson to attend.

Seconded by Ms. Cheeseman.

Motion Passed 6-0.

g. Return to Regular Session

Motion (12) Mr. Nickerson moved to exit the Executive Session at 9:15 p.m. with no action taken.

Seconded by Mr. Seery.

Motion Passed 6-0.

h. Discussion/Possible Action – Police Contract

Motion (13) Mr. Nickerson moved to approve the East Lyme Police Contract effective July 1, 2014 – June 30, 2017.

Seconded by Mr. Seery.

Motion Passed 6-0.

i. Sign Call – Special Town Meeting – November 19, 2014

Motion (14) Mr. Nickerson moved to sign the following Call of the Special Town Meeting of November 19, 2014.

**TOWN OF EAST LYME
NOTICE OF SPECIAL TOWN MEETING**

Notice is hereby given of a Special Town Meeting to be held on Wednesday November 19, 2014 at the East Lyme Town Hall Upper Meeting Room at 7:00 p.m. to consider and take action on the following:

1. To appropriate as approved by the Board of Finance a Special Appropriation of up to \$505,717 from the Health Insurance Fund for year one of Care Here Clinic including operations, supplies, rent, utilities and facility build out.
2. To approve that the portion of Mostowy Road shown as "Existing Mostowy Road to be Abandoned by the Town of East Lyme" on a map or plan entitled "Lot Line Modification After Road Abandonment by the Town of East Lyme Resubdivision Darrow's Ridge Lot 25, 70 Mostowy Road East Lyme, Connecticut, Owner/Applicant: New England National, LLC Date: January 8, 2010, last revised 4/23/2010 Scale 1" = 40', Sheet 4 of 4, James Bernardo Land Surveying, LLC" be discontinued. This action is in the interest of the public safety for the ingress and egress from Chesterfield Road.

Dated at East Lyme, CT this 5th day of November, 2014

EAST LYME BOARD OF SELECTMEN

Seconded by Mr. Seery.

Motion Passed 6-0.

3. Unfinished Business

There was no unfinished business.

4. Communications

a. Response from Town Planner re comments from 10/15/14 BOS Meeting

5. Information and Reports

a. Ex-Officio

Mr. Seery stated he attended a Harbor Management meeting and they are performing a review of the Harbor Management Plan. He also attended Planning that night and they approved the Darrow's Court/Mostoway Road projects.

Ms. Hardy did not have a report.

Mr. Wilson did not have a report.

Ms. Cheeseman stated she attended the October 16, 2014 Zoning Commission meeting. They approved an electronic community bulletin board with conditions.

Mr. Nickerson stated he attended a Youth Services meeting. They are doing great work. The Youth Coalition is coming together, they are soliciting towns people to join. They are promoting prevention of prescription drug abuse. He also attended a Board of Education meeting. He congratulated Mr. Formica on a well done campaign. They are all proud of him.

b. First Selectman's Report

Mr. Formica stated he attended the Niantic Fire Department open house and the CCM convention. The Town closed on the Bayreuther property. He attended an EBOLA planning meeting at L&M. He attended a meeting with the DOT on Gateway regarding renovation of the bridge over Route 161. That is being moved forward and will probably be a 2 to 3 year process. He was honored to win the election, and he will be beginning his new position the first week of January. He has enjoyed his time as First Selectman and he will have to resign prior to being installed with the State. He has been working with Mr. Nickerson the Deputy First Selectman and he will have more information as it gets closer to that time. He thanked the people of East Lyme, the town staff, and this Board for their support and guidance and it was a privilege to be a part of.

6. Public Discussion

There was no public discussion.

7. Selectman's Response

There was no Selectman's Response.

Motion (15) Ms. Hardy moved to adjourn the meeting at 9:25 p.m.

Seconded by Mr. Seery.

Motion Passed 6-0.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Karen Miller Galbo". The signature is written in a cursive, flowing style.

**Karen Miller Galbo
Recording Secretary Pro-Tem**