

EAST LYME BOARD OF SELECTMEN  
MEETING OF FEBRUARY 19, 2014  
MINUTES

PRESENT: Paul M. Formica, Mark Nickerson, Holly Cheeseman, Rose Ann Hardy,  
Kevin Seery, Rob Wilson.

Mr. Formica called the meeting to order at 8:44 p.m.

1b. Additional Agenda & Consent Calendar Items  
There were none.

FILED IN EAST LYME  
CONNECTICUT  
Feb 20 2014 AT 10:05 AM/PM  
Paul M. Formica  
EAST LYME TOWN CLERK

1c. Delegations

Joe Hitchery of 32 Bishops Bay Road wanted to address the stop sign being proposed for Pine Street in Saunders Point. He offered pictures of the area (Attachment A). He inquired about the cost of installing a stop sign and said that there has been no accident in the past 19 years and asked why a stop sign was being suggested for this area. He said that when a vehicle stops and then accelerates away there is an increase in pollution. He added that if the sight line is insufficient, the hedge and or tree should be trimmed and no stop sign should be erected.

1d. Approval of Minutes, Meeting of February 5, 2014  
MOTION (1)

Mr. Nickerson moved to approve the minutes of the meeting of February 5, 2014 as submitted.

Seconded by Mr. Wilson.

Aye: Mr. Formica, Mr. Nickerson, Mr. Seery, Mr. Wilson, Ms. Hardy.

Nay: None.

Abstain: Ms. Cheeseman. Motion passed 5-0-1.

1e. Consent Calendar

MOTION (2)

Mr. Nickerson moved to approve the Consent Calendar for the meeting of February 19, 2014 in the amount of \$9768.25.

Seconded by Ms. Hardy. Motion passed 6-0.

2a. Action Re: Public Hearing – Amending Historic Properties Ordinance

MOTION (3)

Mr. Nickerson moved the following:

RESOLVED, to adopt “Amendment to Ordinance entitled Ordinance Designating Historic Properties and Establishing A Historic Properties Commission” in the form presented at the Board of Selectmen meeting on February 5, 2014.

Pursuant to the Town Charter, the effective date of the ordinance shall be ten (10) days after publication of the notice of its adoption.

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

The Board moved to Item 2c. while awaiting additional paperwork.

2c. Resolution Endorsing East Lyme's Nutmeg Network Connection and Grant Application

Deputy Director of Public Works Bill Scheer stated that the State of Connecticut Nutmeg Network is a high speed fiber optic statewide network that currently provides connections to the East Lyme School System, and the East Lyme Library. A Public Safety Data Network (PSDN) component of the Nutmeg Network will be installed by the State in near future that includes connections to the Police Station, Dispatch / EOC, Niantic Fire Station and Flanders fire department.

He added that the State of Connecticut is now allowing access to the Nutmeg Network from other municipal government agencies and is offering a grant to cover the infrastructure connection costs for 20 years for the Town Hall. Currently our bandwidth needs are not being met with the DSL connection that is being used at Town Hall which slows e-mail, financial software applications, and all other inter-departmental network communication. This new connection will provide almost unlimited bandwidth for the Town hall to communicate with remote locations like the Community Center, the Field services building, Dispatch, and the world wide web. The re-occurring fees for data usage will be approximately the same as our current internet connection fees. He said that the Grant application is for \$24,849.

MOTION (4)

Mr. Nickerson moved the following:

RESOLVED, The Board of Selectman of the Town East Lyme, Connecticut endorses the Town of East Lyme's Nutmeg Network connection and Grant application.

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

2b. Stop Sign Requests- Pine Grove and Saunders Point

Mr. Wilson noted that he has driven in these areas and is in favor of the stop signs.

Mr. Nickerson noted that he did not like the idea of more stop signs however; the Board had to act prudently. He said that someone had complained and we need to err on the side of caution.

Mr. Seery said that the area was identified by the highway department as an area of concern and also cited by the police department. He said that we do not want to wait until an accident occurs before we act. He was in favor of the stop signs.

Mr. Formica noted that he had been to this area in the past with Mr. Giannattasio, the town's previous Director of Public Works. He noted that the owners of the property were not amenable to trimming their hedges.

Ms. Cheeseman said that she would like the owners to be requested to trim their hedges once again, before a stop sign was erected.

MOTION (5)

Mr. Wilson moved to approve the two stop sign requests for Cherry Street where it intersects with South Street and on South Street going west at the intersection of Cherry Street in Pine Grove and a stop sign on North Pine Street going North at Hoskins Street and on Town road going west at the intersection of North Pine Street in Saunders Point.

Seconded by Mr. Nickerson.

Aye: Mr. Formica, Mr. Nickerson, Mr. Seery, Mr. Wilson, Ms. Hardy.

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

2d. Oyster Fest – Request for Alcohol Use

Mr. Formica noted Niantic Main Street is requesting a special permit under Ordinance 1.2.2 for an Oyster Festival to be held on September 27 and 28<sup>th</sup> on Methodist Street. He added that it will be an outdoor event featuring food vendors and entertainment. He said that Guinness & Co. are offering a generous sponsorship and are seeking to introduce the Irish tradition of an Oyster Festival.

Mr. Nickerson inquired if there had been any discussion by the Niantic Main Street group to hold this event on private land.

Mr. Walsh, President of the Niantic Main Street Board of Directors said that it would be best on Niantic's Main Street.

Ms. Cheeseman inquired about the proposed hours of the event.

Mr. Walsh responded from 11-8 on Saturday and 11-7 on Sunday. He added that there will be two 30x90' tents on the non residential side of Methodist Street and the entertainment would be housed in the far end. He said the sides of the tents would be enclosed and they would be checking ids and the hope is for approximately 1500 – 2000 people to attend.

Mr. Nickerson noted that if the Board approves this request, we had to approve others. He added that he thought this was a great idea.

Ms. Cheeseman disagreed noting that it would be in the interest of Niantic Main Street to make sure they met whatever objectives had been set for approval and this would not necessarily mean a guarantee that this practice was set for perpetuity.

Mr. Seery noted his approval that police officers would be present during the event.

Ms. Hardy inquired if the alcohol would be consumed within the tent and if there would be any additional vendors.

Mr. Walsh noted that the Rotary Club would be selling kettle corn but only non profits would be allowed to participate.

Ms. Cheeseman inquired if alcohol was not approved, would they go on with the event.

Mr. Nickerson asked if there was a private place to hold the event if the Board refused.

Terry Smith of 179 Main Street said that the goal of Niantic Main Street with this event is to bring people to Main Street. She noted that there would be parking at the VFW, Hole in the Wall, the Municipal Parking lot and if the trolley was running, parking could be at the Niantic Center School.

Mr. Wilson noted that he would love to see this, but the Board had always denied the alcohol waiver for the Smith Harris Barn. He said that the Lions had stopped serving beer at the art fest because of liability and costs. He said if this were approved, he would expect a similar request for Celebrate East Lyme.

Ms. Hardy noted that this decision would be precedent setting. She noted that the zoning regulations should be reviewed.

Mr. Walsh said that the Board has Director and Officer Insurance and that they have budgeted funds to pay for liability coverage and suggested the Selectmen could use the insurance requirement as a prerequisite.

Ms. Cheeseman noted that she would check with Zoning and report back at the next meeting.

Mr. Formica noted that he would check with other towns and learn of their experiences.

The consensus of the Board was to continue this discussion at the next regular meeting.

#### 2e. Special Appropriation \$58,000 – DOT DUI Enforcement Program

Mr. Formica that the Town of East Lyme Police Department has applied for \$43,500 in federal funds for the 2014 Department of Transportation Comprehensive DUI Enforcement Program. This grant money is allotted for funding East Lyme Police Officers and the Resident State Trooper to conduct High Visibility DUI Enforcement. This grant is funded at 75% by the Department of Transportation with a contribution

#### MOTION (6)

Mr. Nickerson moved to approve a special appropriation in the amount of \$43,500 to account 4-01-25-216-100-519 (Grant Overtime) and to corresponding revenue account 4-

01-04-400-409 (Police Overtime Grants). In addition, move to approve a transfer in the amount of \$14,500 from account 4-01-01-120-200-500 (Contingency) as follows: \$8,100 to account 4-01-25-216-100-519 (Grant Overtime), \$3,327 to account 4-01-01-114-100-121 (FICA/Medicare) and \$3,073 to account 4-01-01-114-100-123 (Workers Comp) for the required town share. And forward to the Board of Finance for approval.

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

2f. Special Appropriation - \$54,800 CNRE Fund 32 Elementary School Project Architect  
Mr. Formica noted that all of East Lyme Elementary schools were built in the 1950's and do not meet the current energy efficiency, ADA, LEED building codes and educational standards. The BOE established a building feasibility committee to determine the state and future building needs for East Lyme Schools. That committee forwarded its recommendations for the schools to the Board of Education.

He said that the Board of Education's next step is to develop education specifications and cost estimates for upgrading the buildings. The BOE formed a Design Firm Selection Committee to recommend an architectural firm to develop the necessary information to bring the elementary school project to a town referendum. At the February 10<sup>th</sup> regular meeting the BOE authorized the hiring of an architect in the amount of \$91,400 for the first two phases of the project. Phase one is to be performed in FY 14 at a cost of \$54,800 and phase two in FY 15 at a cost of \$36,600. The BOE is requesting \$54,800 from the CNRE account where the rental income for space rented at LBH is deposited. The \$36,600 for phase two has been budgeted in the BOE FY 15 budget.

Mr. Formica noted that the Board of Education has authorized the Superintendent to sign the contract and if the money for step two is not approved in the budget, they would have to get the money from somewhere else or not do the second part. He added that they are hoping to take the idea and cost for this project to referendum in the summer of 2015. He added that the 20/20 Committee had been in limbo trying to make a plan for town buildings while they waited to see what would happen to the elementary schools.

#### MOTION (7)

Mr. Nickerson moved to approve a special appropriation in Capital Non-recurring (CNRE) Fund 32 in the amount of \$54,800 to an account to be established titled, "Architect – EL Elementary Schools". The source of funds to be Learn Rent Fees.

Seconded by Ms. Cheeseman. Motion passed 6-0.

#### 3a. Police Subcommittee

Mr. Seery noted that due to all the storms, they had not had ample time to meet and talk. He noted they would like to continue the item to the next meeting.

#### 5a. Ex-Officio

Mr. Wilson had no report. He inquired how the High School gym floor was since the leak last month.

Mr. Formic noted that he had not heard anything.

Ms. Cheeseman noted that they were awaiting special equipment to dry out the room. She noted that she missed the Zoning meeting, but they had a special meeting to act on an application for an addition to the fitness center at Freedom Way. She noted that this was found consistent and the application was granted.

Mr. Seery attended the Harbor Management meeting and they were busy working on the Harbor Management Plan.

Ms. Hardy noted that the Planning Commission had been cancelled. She attended the Inland Wetlands meeting and added that they will be requesting an increase in their budget to advertise for agricultural projects. She requested a list of employees and their positions.

Mr. Nickerson had no report.

#### 5b. First Selectman's Report

Mr. Formica noted that he and Mr. Seery will not be able to attend the March 5<sup>th</sup> meeting. After some discussion, it was decided to cancel the meeting of March 5<sup>th</sup>. There would be a special meeting on February 26<sup>th</sup> for budget review and some business, a special meeting on March 10<sup>th</sup> where the Board could wrap up the budget, a special joint meeting with the Board of Education and Board of Finance on March 12<sup>th</sup> and at their regular meeting of March 19<sup>th</sup> they could comment on the Board of Education budget and send their comments on to the Board of Finance.

Mr. Formica noted that the Boardwalk bid opening would be this Friday and there would be a Special Town Meeting in March for the appropriation.

He noted that he attended a grand opening for Remax Real Estate.

He spoke with Anthem and would be having a meeting tomorrow with Aetna and the Board of Education to talk about the move to Aetna.

He attended Council of Government and CT Conference of Municipalities meetings.

He addressed the East Lyme Business Organization and reviewed the State of the State.

He met with residents from Walnut Hill Road regarding a problem property in the neighborhood.

He sat in on interviews for the new hires in Public Works.

He attended the signing for the new Coast Guard Museum in New London.

He noted that Fire Fighters Day would be on March 2<sup>nd</sup> and added he would be out of town and asked for a volunteer from the Board. Ms. Cheeseman agreed to attend in his stead.

He added that we are repairing the Grand Street boat launch.

6. Public Discussion

Elizabeth Murphy of 30 Saunders Drive stressed how difficult it was to raise funds without serving alcohol or beer or wine at the event. She asked that the board rethink this practice.

Gary Lakowski of 12 Methodist Street said that he had a wedding at Rocky Neck State Park and they served liquor and suggested checking with them how they accomplish this. He said that Methodist Street is shut off approximately 5 times a year and now it is closed every Thursday for the Farmers Market. He said that he was glad that the hours had been cut for the Oyster Fest proposal and he did not think the idea was a bad one. He said that he would like his group at Smith Harris be allowed to serve alcohol at certain events. He said he did not really want this event but if you allow this, he requested that the beer tent be put to the far end of Methodist Street.

MOTION (8)

Mr. Nickerson moved to adjourn the February 19, 2014 meeting of the East Lyme Board of Selectmen at 9:27 p.m.

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

Respectfully submitted,



Darlene C. Stevens, Recording Secretary

Attachment A



**Photo #1**



**Photo #2**



20 North Pine Street, East Lyme, Connecticut

Address is approximate

Google