

EAST LYME BOARD OF SELECTMEN

MEETING OF MAY 18, 2016

MINUTES

FILED IN EAST LYME  
CONNECTICUT  
May 19 2016 AT 10:35 AM/PM  
Cunningham  
EAST LYME TOWN CLERK

PRESENT: Mark Nickerson, Kevin Seery, Holly Cheeseman, Mark Salerno, Rose Ann Hardy, Dan Cunningham.

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

1b. Additional Agenda & Consent Calendar Items

MOTION (1)

Mr. Seery moved to add Item 2e. Authorize First Selectman to sign letter supporting the New England Foundation for a New England Forests and Rivers Fund Grant to the May 18, 2016 agenda.

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

MOTION (2)

Mr. Seery moved to add Authorization to Sign JLN Associates Fire Services Study as item 2f. to the May 18, 2016 agenda.

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

1c. Delegations

Jenn Murray of 7 Tabernacle Avenue said she had contacted the Board of Education about the facilities request dated May 13, 2016 which is the subject of an upcoming informational meeting with the Boards of Selectmen and Finance and requested a copy of this. She noted that she was informed that this report was not yet public information and asked if the Selectmen could provide her with a copy before the meeting.

1d.1. Approval of Minutes, Meeting of April 20, 2016

MOTION (3)

Mr. Seery moved to approve the minutes of the meeting of April 20, 2016 as submitted.

Seconded by Ms. Cheeseman.

Aye: Mr. Nickerson, Mr. Seery, Mr. Cunningham, Ms. Cheeseman.

Nay: None.

Abstain: Mr. Salerno and Ms. Hardy. Motion passed 4-0-2.

1d2. Approval of Minutes, Special Meeting of May 4, 2016

MOTION (4)

Mr. Seery moved to approve the minutes of the Special Meeting of May 4, 2016 as submitted.

Seconded by Mr. Cunningham.

Aye: Mr. Nickerson, Mr. Seery, Mr. Salerno, Ms. Hardy, Mr. Cunningham.

Nay: None.

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

1e. Consent Calendar

MOTION (5)

Mr. Seery moved to approve the Consent Calendar for the meeting of May 18, 2016 in the amount of \$1138.32.

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

2a. Approve Lions Lease for Lobsterfest 2016

MOTION (6)

Mr. Seery moved to authorize the First Selectman to sign a lease with the Lions for Lobsterfest 2016.

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

2b. Appoint – Part time Officer Holmes

MOTION (7)

Mr. Seery moved to appoint Paul T. Holmes to serve as a part time officer beginning July 1, 2016 through December 31, 2016.

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

2c. Resolution re: Authorization, Issuance, and Sale of not exceeding \$9,000,000 Town of East Lyme General Obligation Refunding Bonds

Mr. Nickerson noted that our Financial Advisors, Independent Bond and Investment Consultants LLC, monitor our outstanding debt for opportunities to refund to save the town money. Once again, they presented us with information for potential savings from previous bond issues from 2011B and 2012B issues. This authorization includes all potential refunding opportunities with our outstanding debt. Since the market can be volatile, to consider timing issues and terms of office, the expiration date of the resolution was set for July 1, 2017.

He stated that the initial analysis for the \$7,500,000 callable bonds indicates a potential budget saving of approximately \$341,640 over the remaining life. This will be in addition to the \$2,259,717 in budgetary savings we have already realized with the previous five refundings.

MOTION (8)

Mr. Seery moved to approve the Resolution entitled, "Resolution with respect to the authorization, issuance and sale of not exceeding \$9,000,000 Town of East Lyme General Obligation Refunding Bonds as attached.

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

2d. Acceptance of Road – East Society Road cul de sac

Mr. Nickerson noted that the Planning Commission had met last evening and unanimously approved the

acceptance of the road improvements for the East Society Road extension and cul de sac.

MOTION (9)

Mr. Seery moved the following:

WHEREAS, the East Lyme Planning Commission has recommended that the Town accept for public highway purposes a certain roadway designated as a cul de sac at the eastern terminus of East Society Road, as more particularly described on a map depicting said road and in a deed conveying said road, and a drainage easement appurtenant thereto; and

WHEREAS, the Town Engineer and Director of Planning have determined that said road and appurtenances have been constructed and installed in accordance with the Town's highway standards and approved plans;

IT IS RESOLVED, that the Board of Selectmen hereby accepts as a public highway said road and appurtenances designated as a cul de sac at the eastern terminus of East Society Road, subject to the developer's execution and delivery of deeds and related documents as approved by the Town Attorney. Seconded by Ms. Cheeseman. Motion passed 6-0.

2e. Authorize First Selectman to Sign Letter on behalf of Application of the New England Forestry Foundation for a New England Forests and Rivers Fund Grant

Mr. Nickerson noted that this letter was needed for a grant application that New England Forestry Foundation (enclosed as Attachment A).

MOTION (10)

Mr. Seery moved to authorize the First Selectman to sign a letter on behalf of an application of the New England Forestry foundation for a New England Forests and Rivers Fund Grant.

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

2f. Authorization to Sign JLN Associates Fire Services Study

Mr. Nickerson noted that Town Attorney O'Connell had requested that we add this item to the agenda.

MOTION (11)

Mr. Seery moved to authorize the First Selectman to sign a contract with JLN Associates for a Fire Services Study.

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

5a. Ex-Officio

Mr. Cunningham had no report.

Ms. Cheeseman noted that she along with the First Selectman attended the East Lyme 3<sup>rd</sup> Grade Class Hole in the Wall Beach and Environmental Study day with learning sessions in the parking lot and on the

beach. She added that she had attended the Dominion Stakeholders meeting in Waterford and were told that Millstone supplies 55% of the energy in Connecticut and 15% of the energy in the Northeast.

Mr. Seery attended the Youth Services meeting where 3 \$1500 scholarships were awarded in memory of Jeffrey Bourgeois. He also attended the Parks and Recreation meeting and noted that the upper parking lot at McCook's has been paved and the curbing is complete. He added that we are waiting on line striping.

Ms. Hardy noted that Zoning meets on Thursday. She stated that she wanted to recognize the many efforts of Wilbur Beckwith who passed away last week. She noted his many years as Town Historian.

Mr. Salerno attended the Inland Wetlands meeting where the cease and desist order had been released against solar farm. He also attended the Harbor Management meeting and noted that the Harbor Management Plan had been sent to the CT DEP for review and added when it came back, it would be forwarded to the Selectmen for a public hearing. He also attended the Planning Commission meeting and noted that the Town had the services of an unpaid intern from Eastern Connecticut and he reviewed the extensive work he had provided for our GIS system. He said that he marked all the sidewalks and also tracked crime in town on the system. He noted he went to the Board of Education meeting and it began with a Middle School concert and then there was a spirited discussion about the elementary school plans.

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

Mr. Nickerson noted that he had attended the "I am Dirt" program at the High School which was a one man play. He added that it was a powerful presentation and reviewed drug use, suicide prevention and making the right decision. He said that the feedback from the students had been great.

He attended the East Lyme Regional Theater on Friday night for their presentation of Beauty and the Beast. He attended Ms. Hardy's Issues class and answered a great number of questions from her students.

He commented that Castello's was now open and that CSPAN was coming tomorrow to the Middle School to highlight the students who had won a national science contest. He said that on Friday, the Commission on Aging would be hosting a 90+ tea that he would unfortunately miss due to a conflict.

He said that the Police Cadets were having their annual picnic and that the Niantic Fire Department was having their annual banquet.

He noted that on 5/26/16 there would be a ribbon cutting for Black Point Jewelry. He said that the Boardwalk rededication would be on May 28<sup>th</sup> at 11 and everyone was invited. He said that Smoochie Bird's grand opening would be on 5/28 at 2:00 p.m. He said that the parade would be on May 30<sup>th</sup>

Mr. Nickerson said that on June 6<sup>th</sup> at 7:00 p.m. he would be hosting a forum on opiate abuse and encouraged all to come. He said that there will be 4-5 speakers at the High School Auditorium.

He asked that the residents of East Lyme slow down and be mindful of pedestrians and of the speed that their cars were travelling.

Ms. Hardy inquired about the clean- up of Romagna Road.

Mr. Nickerson responded that the dumpster was there and the building would be coming down soon and plantings and a berm would be installed.

He noted that the budget referendum would take place tomorrow, May 19, 2016 from 8:00 am to 8:00 pm and encouraged all to go out and vote. He said the budget showed a 3.3% increase.

Ms. Cheeseman noted that every vote matters.

#### 6. Public Discussion

Alexander Anjeris of 17 South Beachwood said that there are gaps in the elementary school plan and that there are \$7 million dollars in soft costs which the state would not reimburse and the school is too large and therefore, the state will only reimburse on the \$25 million. He said that the numbers do not add up and the plan does not make sense.

#### MOTION (12)

Mr. Seery moved to adjourn the May 18, 2016 meeting of the East Lyme Board of Selectmen at 8:17 p.m.

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

Respectfully submitted,

A handwritten signature in black ink that reads "Darlene C. Stevens". The signature is written in a cursive style with a large initial "D" and "S".

Darlene C. Stevens, Recording Secretary

Attendant A

May 18, 2016

John Wright, Coordinator  
Northeastern Regional Office  
National Fish and Wildlife Foundation  
1133 15th Street NW, Suite 1100  
Washington, DC 20005

RE: Application of the New England Forestry Foundation for a New England Forests and Rivers Fund Grant

Dear Mr. Wright,

The East Lyme Board of Selectmen is fully supportive of the considerable efforts that the New England Forestry Foundation has expended to acquire and protect one of the town's most significant tracts of open space. The 200-acre parcel, known as the Niantic River Headwaters property, contains tributaries that feed the Niantic River, a water system whose protection from pollution is extremely important to water quality in eastern Long Island Sound. It is one of only four East Lyme properties that receive the highest ranking in the "Lands of Unique Value Study" completed in 2009 by the University of Connecticut. Last August, the East Lyme Town Meeting voted to appropriate \$350,000 from the town's open space reserve account to help match the State of Connecticut's grant of \$500,000 towards the purchase of the property. The town and the state will hold conservation easements on the property, ensuring perpetual public access and both recreational and educational uses of the land.

If the New England Forestry Foundation is not successful in raising all the funds needed to match the state grant, the Niantic River Headwaters property will be at high risk of residential development, which could include large-scale condominium components. Should that happen, there would be a major loss of forested open space and inevitable adverse impacts to the quality of the Niantic River watershed. For those and other reasons, the Board of Selectmen hopes that you will give serious consideration to awarding the grant requested.

Sincerely,

Mark C. Nickerson  
First Selectman

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**RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND  
SALE OF NOT EXCEEDING \$9,000,000 TOWN OF EAST LYME,  
CONNECTICUT GENERAL OBLIGATION REFUNDING BONDS**

**RESOLVED:**

**Section 1.** Not exceeding \$9,000,000 General Obligation Refunding Bonds (the "Refunding Bonds") of the Town of East Lyme, Connecticut (the "Town") may be issued in one or more series and in such principal amounts as the First Selectman and the Town Treasurer shall determine to be in the best interests of the Town for the purpose of achieving net present value savings and/or to restructure debt service payments. The Refunding Bonds are hereby authorized to refund all or any portion of any one or more series of the Town's outstanding General Obligation Bonds (the "Refunded Bonds"). The Refunding Bonds shall be issued and sold either in a negotiated underwriting or a competitive offering, and at such time or times as the First Selectman and the Town Treasurer shall determine to be most opportune for the Town. If the Refunding Bonds are sold in a negotiated underwriting, the First Selectman and the Town Treasurer shall approve and designate the underwriter. Each series of Refunding Bonds shall mature in such amounts and on such date or dates as shall be determined by the First Selectman and the Town Treasurer provided that no Refunding Bonds shall mature later than the final maturity date of the last maturity of any Refunded Bonds being refunded by such series. The Refunding Bonds shall bear interest payable at such rate or rates as shall be determined by the First Selectman and the Town Treasurer. The Refunding Bonds shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and the Town Treasurer, bear the Town seal or a facsimile thereof, and be approved as to their legality by Robinson & Cole LLP, Bond Counsel. The Refunding Bonds shall be general obligations of the Town and each of the Refunding Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate denominations, form, details, and other particulars thereof, including the terms of any rights of redemption and redemption prices, the designation of the certifying, paying, registrar and transfer agent, shall be subject to the approval of the First Selectman and the Town Treasurer. The net proceeds of the sale of the Refunding Bonds, after payment of underwriter's discount and other costs of issuance, shall be deposited in an irrevocable escrow account in an amount sufficient to pay the principal of, interest and redemption premium, if any, due on the Refunded Bonds to maturity or earlier redemption pursuant to the plan of refunding. The First Selectman and the Town Treasurer are authorized to appoint an escrow agent and other professionals and to execute and deliver any and all escrow, investment and related agreements necessary to provide for such payments on the Refunded Bonds and to provide for the transactions contemplated hereby. The First Selectman and the Town Treasurer, are authorized to prepare and distribute preliminary and final Official Statements of the Town for use in connection with the offering and sale of the Refunding Bonds, and they are hereby authorized to execute and deliver on behalf of the Town a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Regulatory Agreement and such other documents necessary or desirable for the issuance of the Refunding Bonds and the payment of Refunded Bonds.

**Section 2.** This resolution shall be effective until July 1, 2017.