

EAST LYME BOARD OF SELECTMEN  
MEETING OF APRIL 5, 2017  
MINUTES

PRESENT: Mark Nickerson, Kevin Seery, Marc Salerno, Rose Ann Hardy and Dan Cunningham

EXCUSED: Paul Dagle

Mr. Nickerson called the meeting to order at 8:27 p.m. and stated that the Pledge of Allegiance was performed earlier at the Public Hearing at 7:00 p.m.

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

FILED

1c. Delegations  
There were none.

APR 10 2017 AT 3:45 AM/PM  
Mark Nickerson, Jr.  
EAST LYME TOWN CLERK

1d. Approval of Minutes, Regular Meeting of March 15, 2017  
MOTION (1)

Mr. Seery moved to approve the Minutes of the Regular Meeting of March 15, 2017, as submitted.

Seconded by Ms. Hardy. Motion passed 5-0.

1e. Consent Calendar  
MOTION (2)

Mr. Seery moved to approve the Consent Calendar for the meeting of April 5, 2017, in the amount of \$1,353.86.

Seconded by Mr. Salerno. Motion passed 5-0.

2a. Discussion and possible action on the proposed lease for the communication tower on Mostow Road.  
DISCUSSION:

Mr. Seery stated that he is confident that all involved did an exhaustive job of coming up with a solid project and plan; and he is comfortable moving forward with this project and glad that our first responders will be safer because of this communications tower.

Attorney Zamarka reported that although there was a lot of discussion at the public hearing about the terms of the lease, he stated that all of the terms have been agreed upon after lengthy negotiations over approximately a year's time.

Ms. Hardy stated that she would like to have a little more time to review the terms of the lease. Mr. Cunningham also stated that he would be comfortable holding off to the next meeting to review the lease further. Ms. Seery stated that Board members should remember that the intent of the tower is not to produce income from rentals, but to provide enhanced safety measures for our first responders. Mr. Salerno stated that he is okay with waiting but does not want to wait any longer than the next regular meeting so the project can start.

Mr. Nickerson reported that once construction has begun on the new tower, Marcus Communications has agreed to bring in a temporary tower so that the setup of the communications system can begin simultaneously and enhanced service provided for our first responders sooner and ideally in line with the Independent Police Department.

Mr. Nickerson announced that Chief Mahoney of the Waterford Police Department was present at tonight's meeting, and reported that as of April 4, 2017, East Lyme and Waterford finalized the Memorandum Of Understanding to share police services at the Waterford facility.

Mr. Nickerson announced that as of the next rotation, Sgt. Mike Macek will officially be moved into the position of Administrative Sergeant; Congratulations to Sgt. Macek.

2b. Appropriation and Transfer \$40,000 from Contingency for Police Overtime  
MOTION (3)

Mr. Seery moved to approve a transfer in the amount of \$40,000 from account 01-01-120-200-500 (Contingency) to account 01-25-216-100-514 (Police Overtime) due to overtime being greater than original budget and forward to the Board of Finance for Approval.

DISCUSSION: Sgt. Macek reported that the overtime budget requires an appropriation and transfer due to having 6 officers out at one time in the past months, which put a big hole in the overtime budget. Five of the six officers are now back to work. Ms. Hardy inquired if this covers road work overtime, and Sgt. Macek stated that this is regular duty overtime and not road work overtime.

Seconded by Mr. Salerno. Motion passed 5-0.

2c. Appropriation and Transfer \$11,775 from Contingency for ACO  
MOTION (4)

Mr. Seery moved to approve a transfer in the amount of \$11,775 from account 01-01-120-200-500 (Contingency) to the following accounts: \$66.82 to account 01-25-216-300-326 (Police Training Supplies), \$75.00 to account 01-25-216-300-320 (Police Misc Supplies), \$1,633.18 to account 01-25-216-300-313 (Police Uniforms) and \$10,000 to account 01-25-226-100-215 (ACO Fees) due to this being our inaugural year having the ACO we share with Waterford be a Town of East Lyme employee and forward to the Board of Finance for Approval.

DISCUSSION: Mr. Nickerson reported that each town is required to employ an ACO. We share an ACO with Waterford, and now employ a part time ACO to work evenings and weekends to take some of the burden off of the full time ACO. These are expenses incurred specifically to get the part time person in place and get through this fiscal year.

Seconded by Mr. Salerno. Motion passed 5-0.

2d. Police Independence – Infrastructure Improvements – CNRE Appropriation  
MOTION (5)

Mr. Seery moved to approve a special appropriation in the amount of \$50,000 from CNRE Fund 32 account 32-70-300-500-100 (Town Project Allocations) to an account to be established titled, "Independent Police Start-up" and forward to the Board of Finance for approval

DISCUSSION: Sgt. Macek reported that the funds needed are necessary costs associated with setting up the East Lyme police officers at the new, shared facility at the Waterford Police Department. In preparing these costs, Sgt. Macek stated that meetings were held with representatives from both police departments, as well as IT techs from both towns.

Mr. Seery thanked Sgt. Macek and everyone for their hard work during this process.  
Seconded by Mr. Salerno. Motion passed 5-0.

Mr. Nickerson took a moment to acknowledge Victoria Chong, East Lyme High School senior who attends all of the Board of Selectmen meetings and runs the AV equipment. Miss Chong and two of her classmates, Micael Guzman and Jack McDonald, all students in Rose Ann Hardy's Contemporary Issues class, won second place in C-SPAN's StudentCam competition for their video, "Preserve Now for the Future". Congratulations to Victoria, her classmates, and Ms. Hardy for a job well done!

2e. Appropriation and Transfer \$29,885 from Contingency for Debt Service  
MOTION (6)

Mr. Seery moved to approve a transfer in the amount of \$29,885 from account 01-01-120-200-500 (Contingency) to account 01-50-522-620-635 (11 Refund GOB) due to the current year impact of the July 2016 refunding on this issue and forward to the Board of Finance for action.  
Seconded by Mr. Salerno. Motion passed 5-0.

2f. Library Commission – Pension Change  
MOTION (7)

Mr. Seery moved to approve all new Library employee hires beginning July 1, 2017 be in the Defined Contribution Plan and all current Library employees with less than the 10 years of service for vesting in the Defined Benefit Pension Plan be provided with an analysis of benefit to convert from the Defined Benefit Pension Plan to the Defined Contribution Pension Plan. The existing Library employees will be given a choice to convert or remain in the existing plan.  
Seconded by Mr. Hardy. Motion passed 5-0.

2g. Review of 2017/18 CIP

DISCUSSION: Mr. Nickerson reported that this is a difficult time because the State has still not finalized their budget, so we are still up in the air. The Board Members will take the information with them for discussion at a later date.

2h. Appoint a Member to the Smith-Harris House Commission  
MOTION (8)

Mr. Seery moved to appoint Ms. Cheri Meier of 44 Greencliff Drive, Niantic, as a Member of the Smith-Harris House Commission with a term to expire on January 6, 2020.

DISCUSSION: Ms. Seery reported that Ms. Meier is currently a Latin teacher, and has been a teacher in the East Lyme public school system since 1989. She is going to be an asset to the Smith-Harris House Commission.

Seconded by Ms. Hardy. Motion pass 5-0.

2i. Discussion on Parks & Recreation Department's request to the BOS to consider a Town Ordinance to permanently prohibit Dogs on the Niantic Bay Boardwalk

MOTION (9)

Mr. Seery moved the following call:

TOWN OF EAST LYME  
BOARD OF SELECTMEN  
NOTICE OF PUBLIC HEARING  
REGARDING AN AMENDMENT TO THE ORDINANCE ENTITLED "ORDINANCE  
CONCERNING AREAS UNDER JURISDICTION OF  
PARKS & RECREATION COMMISSION"

NOTICE IS HEREBY GIVEN, of a public hearing to be held by the East Lyme Board of Selectmen at 7:15 p.m. on April 19, 2017 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut to consider a proposed amendment to the Ordinance entitled "Ordinance Concerning Areas Under Jurisdiction of Parks & Recreation Commission". Said amendment would prohibit any person from bringing a dog (other than a certified service dog) on to the Niantic Bay Boardwalk and would prohibit any person from bringing a dog (other than a certified service dog) onto any Town owned beach and McCook Point Park from Memorial Day to Labor Day.

Copies of the full text of the proposed Ordinance are on file for public inspection at the office of the East Lyme Town Clerk, 108 Pennsylvania Avenue, Niantic, Connecticut and at <http://www.eltownhall.com/> to which reference may be had. Interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut, on this 5th day of April, 2017.

DISCUSSION: Mr. Nickerson stated that this is not a new ordinance, but an amendment to an existing ordinance, and will allow the police department to enforce the items being added with an infraction. Mr. Seery noted that the group of citizens that has come together to work on building a dog park in town are very supportive of this ordinance.

Seconded by Ms. Hardy. Motion passed 5-0.

2j. Special Appropriation and Transfer \$20,066 from Contingency for Police Chief Salary and Facility Rental

MOTION (10)

Mr. Seery moved to approve a special appropriation and transfer of up to \$16,666 from account 01-01-120-200-500 (Contingency) to an account to be established titled, "Police Chief" to begin the transition to Independent Police Department; and a special appropriation and transfer of up to \$3,400 from account 01-01-120-200-500 (Contingency) to an account to be established titled,

“Facility Rental” consistent with our transition to Independent Police Department and forward to the Board of Finance for approval.

DISCUSSION: Mr. Nickerson reported that the Police Commission has extended an offer to Mr. Michael Finkelstein to become East Lyme’s first Police Chief. Mr. Finkelstein is going to make a great Chief, with 26 years experience in law enforcement, 10 years as a Lieutenant, and most recently Mayor of Ledyard. The plan is to have Mr. Finkelstein on the payroll for May 1<sup>st</sup> to begin working with the current Resident State Trooper in preparation of the change on June 1<sup>st</sup>. Seconded by Mr. Seery. Motion passed 5-0.

2k. Sign Call – Special Town Meeting – April 19, 2017  
Mr. Seery moved the following call:

TOWN OF EAST LYME  
NOTICE OF SPECIAL TOWN MEETING

Notice is hereby given of a Special Town Meeting of the Town of East Lyme to be held on April 19, 2017, at 7:00 p.m. in the East Lyme Town Hall Upper Meeting Room for the following purposes:

1. To approve a special appropriation of \$50,000 from CNRE Fund 32 account 32-70-300-500-100 (Town Project Allocations) to an account to be established titled, “Independent Police Start-up”.
2. To approve a special appropriation and transfer of up to \$16,666 from account 01-01-120-200-500 (Contingency) to an account to be established titled, “Police Chief” to begin the transition to Independent Police Department.
3. To approve a special appropriation and transfer of up to \$3,400 from account 01-01-120-200-500 (Contingency) to an account to be established titled, “Facility Rental” consistent with our transition to Independent Police Department.

Dated at East Lyme, CT this 5th day of April, 2017.

Seconded by Ms. Hardy. Motion passed 5-0.

3. Old Business  
There was none.

4. Communications  
There was none.

5. Information and Reports.  
There was none.

6a. Ex-Officio

Mr. Cunningham reported on the Smith Harris House Commission and stated that they received accolades for their program “Spirit Voices”.

Ms. Hardy reported on the Board of Education. Graduation is set for Friday, June 16<sup>th</sup>. Fundraising will need to begin to start planning for the upkeep and replacement of the artificial

turf at the high school football field. This discussion will continue to plan fundraising, and possibly setting up a foundation or endowment for this necessary upkeep. Chartwells food service presented and a discussion was held on problems that are occurring and possible solutions. They are working on a plan to bring in fresh food from local farmers "farm to table". Ms. Hardy discussed the current draft timeline for the schools project.

Mr. Seery reported on the Dog Park Committee, and reported that they are getting the word out and working hard to start raising money for this proposed project. This ad hoc committee is showing great enthusiasm and energy.

6b. First Selectman's Report

Mr. Nickerson expressed his condolences to the Wilson family on the loss of their Matriarch, Marjorie Wilson-Aubrey. He had breakfast with the Easter Bunny at ELHS, which was a fun event for the community. He attended a stakeholders meeting for Dominion on April 4<sup>th</sup> and gave a brief explanation of the fight to give Dominion the authority to bid out to Connecticut companies. He attended the Grand Opening of Azalea Home Décor on Main Street with owners Lexie and Brendan; please stop down and check out this exciting new shop. He recently attended the Niantic Main Street merchant meeting, and a big thank you to all of our wonderful merchants; make sure you get out and support our local businesses. Mr. Nickerson attended a re-entry violators meeting at York CI. This program has been instituted to try to figure out where the early release program can be modified to help cut down on prisoner re-entry. He attended the Greek Independence Day celebration at St. Sophia's Church on March 25<sup>th</sup>. The Dancing with the Stars event at Waterford High School was a success and a lot of fun; Waterford won the competition. Arthur Murray will be celebrating 30 years in business on July 1<sup>st</sup>; watch for fun activities on Friday nights over the summer. On April 22<sup>nd</sup>, he will attend opening day ceremonies for little league and will throw the opening pitch; also on the 22<sup>nd</sup> is the March for Science on the Boardwalk where there will be a lot of fun activities for everyone along the Boardwalk and Main Street. On April 23<sup>rd</sup> is the Niantic Bay Boardwalk 5k. Lots of fun and exciting events coming up.

7. Public Comment

There was none.

8. Selectman's Response

MOTION (11)

Mr. Seery moved to adjourn the April 5, 2017, meeting of the East Lyme Board of Selectmen at 9:49 p.m.

Seconded by Mr. Salerno. Motion passed 5-0.

Respectfully submitted,



Sandra A. Anderson, Recording Secretary