

FILED

Feb 3 2017 AT 3:25 AM/PM

EAST LYME BOARD OF SELECTMEN  
MEETING OF FEBRUARY 1, 2017  
MINUTES

J. Sullivan, JTC  
EAST LYME TOWN CLERK

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

ALSO PRESENT: Mr. Jeffrey Newton, EL Superintendent of Schools; Mr. Al Jacunski, Jacunski Humes Architects; Mr. Tim Hagen, Chairman Board of Education; and Mr. Timothy Biega, O&G

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

1b. Additional Agenda & Consent Calendar Items

MOTION (1)

Mr. Seery moved to add Agenda Item #2i - Sign Call for a Special Town Meeting to be held on February 15, 2017.

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

MOTION (2)

Ms. Hardy moved to add Agenda Item #2j – Appoint someone to fill a vacancy on the Commission on Aging.

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

1c. Delegations

Mr. John Bialowans, Jr. of 61 Walnut Hill Road addressed the Board of Selectman with some of his concerns. Regarding Darrow's Pond, Mr. Bialowans noted that the plans for this property have been in place for a while but that not much has been done to move forward, and the residents in the north end of town are still experiencing issues with their water. Regarding the Boardwalk, he stated that he has not seen a final cost for the project; and he also wanted to reiterate that the Town should have put in a fishing pier or two. On Walnut Hill Road, Mr. Bialowans would like to see the Town work with property owners on blight issues. Regarding the solar fields, he feels that they have not lived up to their end of the agreement in terms of numerous items relating to street paving and building up curbs up to the solar farm. Mr. Bialowans also noted that the telephone pole replacement project has not yet been completed, with holes remaining that have not been filled, as well as old poles that have not yet been removed and wires that have not yet been moved over to the new poles.

1d. Approval of Minutes, Meeting of January 4, 2017

MOTION (3)

Mr. Seery moved to approve the minutes of the meeting of January 4, 2017, as amended.

DISCUSSION: Ms. Hardy noted that on page 4, fourth paragraph; the last sentence should read, "In the meantime, they will look for funding assistance from other departments within the Town that utilize this equipment."

Mr. Dagle noted that on page 1 under Delegations, second paragraph; "Mr. Dagle has been employed by Electric Boat since 1982 . . ."

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

1e. Consent Calendar

MOTION (4)

Mr. Seery moved to approve the Consent Calendar for the meeting of February 1, 2017, in the amount of \$6,038.66.

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

2a. Special appropriation \$62,000 Commission on Aging Bus 5310 DOT Grant.

MOTION (5)

Mr. Seery moved to appropriate \$62,000 in CNRE Fund 32 for the purchase of a new 12 passenger and 2 wheelchair bus to be utilized at the Senior Center – Delivery expected between July – October 2017 - to an account to be established titled, "COA DOT 5310 Bus" as follows:

\$49,600 from the Connecticut Department of Transportation 5310 Grant and to transfer the town's share in the amount of \$12,400 from Fund 32 account number 32-70-300-500-100 (Town Project Allocations) and forward to the Board of Finance for approval.

DISCUSSION: Mr. Nickerson stated that the Senior Center Director, Cathy Wilson, had been the one pivotal in receiving this grant and asked her to summarize this request. He thanked her for her dedication and service to the community.

Ms. Wilson addressed the Board of Selectmen and reported that the total cost of this vehicle is \$62,000; \$49,600 of which is from the State DOT 5310 Grant, and the remaining \$12,400 is the Town's obligation. She explained that she has not yet received the grant money, but that the full amount needs to be available in order to process the order for the van. She further explained that this van will not be an addition to the existing fleet of 2 vans, but will replace one that is older and not easily accessible to the elderly. The van that is replaced will move into a backup position where it will be used if one of the regular vans is out of service.

Mr. Dagle inquired as to recordkeeping, and Ms. Wilson responded that she as Director of the Senior Center is responsible for recordkeeping.

Ms. Hardy inquired what would happen if the State Grant money did not come through, would the Town be responsible for the purchase of the van regardless. Ms. Wilson stated that

she did not believe that the Town would be responsible and would simply cancel delivery if something should change with the Grant. Ms. Hardy stated that maybe there should be a clause added to the document that would clearly state whether or not the Town would be responsible in such a situation. Ms. Wilson will follow up on this matter.

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

2b. Transfer from the Parahus Account to the Parks & Recreation Special Revolving Account  
MOTION (6)

Mr. Seery moved to authorize the use of \$1,200 in the Nicolas Parahus Fund to reimburse Parks & Recreation for payment of the Commission on Aging portion of the annual maintenance fee for RecTrac.

DISCUSSION: Ms. Wilson stated that RecTrac is registration software that is shared between the Senior Center, Parks & Recreation and the Youth Center, and that they did not budget enough for the Senior Center portion in the last budget. Amount requested was \$700 and the actual shared amount between all three departments is \$1,848.89. The shortfall of \$1,200 was covered by the Parks & Recreation budget and needs to be reimbursed to them.

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

2c. Approve an expenditure of \$1,400 from the Parahus Account to purchase a new desk for the Senior Center staff

MOTION (7)

Mr. Seery moved to authorize the expenditure of up to \$1400 from the Parahus Account to purchase a new desk for the senior center staff.

DISCUSSION: Ms. Wilson stated that this additional desk is needed to accommodate increased resident activity, as well as allowing for additional space for more volunteers to be brought in.

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

2d. Accept land transferred from the State of Connecticut and to authorize the First Selectman to sign a Boundary Line agreement

MOTION (8)

Mr. Seery moved that the Town of East Lyme will accept at no cost 0.0349 acres of land from the State of Connecticut on Walnut hill road to facilitate the reconstruction and maintenance of a retaining wall on Walnut Hill Road.

RESOLVED, that Mark Nickerson, acting in his capacity as First Selectman of the Town of East Lyme, may take any and all actions (including the execution, delivery, or acceptance of contracts, deeds, and other legal documents) necessary to effectuate a Boundary Line Agreement between the State of Connecticut, Department of Energy and Environmental Protection and the Town of East Lyme, shown on a map entitled, "Boundary Line Agreement Plan, Between the State of Connecticut and the Town of East Lyme, CT – Prepared for the Department of Energy

and Environmental Protection, State of Connecticut – Dated 12/22/16,” to be filed in the Town of East Lyme land records.

BE IT FURTHER KNOWN that Mark Nickerson as First Selectman of the Town of East Lyme is authorized to enter into agreements on behalf of the Town of East Lyme and is authorized to execute any and all deeds and documents necessary to consummate the transaction above contemplated.

AND I FURTHER CERTIFY that Mark Nickerson was elected First Selectman and that his term of office began on December 7, 2015 and will continue to November 7, 2017.

DISCUSSION: Mr. Salerno reported that Planning & Zoning has reviewed this information and recommends that the Board of Selectman pass this Motion.

It was noted that in the last paragraph, add the word “First” Selectman, and change the last sentence to read that his term of office began on December 7, 2015.

Motion to accept, as amended, by Mr. Seery  
Seconded by Ms. Hardy. Motion passed 6-0.

2e. Resolution Making an Appropriation in the Amount of \$37,500,000  
MOTION (9)

Mr. Seery Moved to authorize an appropriation in the amount of \$37,500,000 for the planning, design, acquisition, construction, equipping and furnishing of alterations and upgrades of the Lillie B. Haynes, Flanders and Niantic Center Elementary Schools and authorizing the issuance of \$37,500,000 Bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

DISCUSSION: Mr. Jeff Newton addressed the Board and the public and presented the Alteration Proposal for East Lyme’s Three Elementary Schools. Mr. Newton presented a detailed timeline of what has taken place thus far, as well as a brief summary of the anticipated timeline going forward. He reported that they noticed that the NESDEC enrollment projections for 2014 were below actual enrollment, so they sent the report back to NESDEC and requested that they re-run the projections. NESDEC returned the updated projections report, which is more in line with the actual numbers; and based on this updated report, projections are showing enrollment in the approximate 1,000 students range in the coming future, which necessitated the Committee to re-think the original plan which was to rebuild two schools and close one. Mr. Newton reported that the current timeline would put beginning construction in June of 2018, with anticipated completion by the Fall of 2019.

Mr. Seery inquired as to whether there is a policy in place for approving change orders and how to distribute extra monies, should those situations arise, and Mr. Newton acknowledged that there is an approval policy in place. Mr. Seery inquired as to the possibility of allowing the public to walk through the three schools to inspect the current state of the buildings; this is going to be looked into as a possibility. Mr. Seery inquired if the budget would be affected if hazardous materials should be found; Mr. Al Jacunski from Jacunski Humes Architects

addressed the Board and stated that possible hazardous material abatement is built into the current budget as a contingency. Mr. Seery made a final note that during previous construction, empty classrooms in the Public Safety building in Flanders were used as overflow, and that this may be a possibility during this construction if necessary.

Mr. Salerno inquired as to space standard waivers, and Mr. Jacunski responded that this project meets State eligibility standards, and that the possibility of a waiver anywhere from \$2.5 Million - \$5.4 Million is feasible.

Ms. Hardy stated that she has received a lot of citizen concern about the redistricting, and the general consensus with the public is that redistricting should wait until the completion of the schools alteration project. All three schools should remain open and functional during the entire construction process. Mr. Newton stated that this was the current plan, but that an ad hoc committee is being developed and that they will begin meeting sooner than later to start thinking about the redistricting plan.

Mr. Dagle inquired about difference in the actual cost of \$37,500,000 versus the initial cost of \$35,825,240 which was communicated. It was clarified that the \$1,600,000 for bonding costs is what brings the actual total to \$37,500,000. Mr. Dagle inquired about the timeline of reimbursement from the State on this project, and Mr. Jacunski reported that this money is not a grant so certain State reimbursements will begin to occur as soon as construction begins.

Mr. Cunningham inquired about the 14 month timeline. Mr. Ken Biega of O&G Industries reported that in order to perform the necessary abatement as well as construction in the offices, that construction would need to carry over two full summers to allow for this specific construction to be done when no one is in the building.

Mr. Nickerson stated that he is excited about this renovation project, and has full confidence in the project. He feels there is a lot of room for growth with the built-in contingency, and that there may be a possibility of using any leftover contingency monies toward the construction of a new Police Station in the future. He commended Mr. Newton for sending the enrollment study back to the NESDEC for them, at their own cost, to re-run the study. Mr. Nickerson noted that the project is moving fast at this point because it has been 5 years in making and it's time to move forward because these are necessary and important renovations. Mr. Nickerson thanked Mr. Newton et al for their professional, clear and concise presentations to both the public and to Town entities. If approved by the Board of Selectmen tonight, this matter will be presented at the next Board of Finance meeting next week, then sent to referendum as soon as February 28<sup>th</sup> but most certainly by March 14<sup>th</sup>.

Mr. Newton added that this construction plan includes opening up a second gym at Lillie B. Haynes, which will benefit the Town by providing extra space to our residents and to our Town departments for recreational activities. Mr. Salerno acknowledged that having an extra gymnasium is a great thing, and noted that they have rented gymnasium space in surrounding towns because of the lack of available space within East Lyme. He stated that he is much more comfortable with this existing plan versus the original plans from years ago which included work that maybe did not need to get done and inflated the original cost of the project.

Motion on the table was Seconded by Mr. Salerno. Motion passed 6-0.

2f. Modify Transfer Station Hours

Mr. Nickerson reported that due to budget constraints, it was decided to close the Transfer Station on four Saturdays during January and February; remaining closures are Saturday, February 4<sup>th</sup> and Saturday, February 18<sup>th</sup>. These four dates were chosen because January and February is historically a very slow time for the Transfer Station, and it was a good opportunity to recover funds without having to move on to the discussion of having to lay off employees. Ms. Hardy reported that she has received many complaints from citizens about the closures, primarily from residents who did not see the notices posted online and went to the transfer station with a truck full of refuse only to find it closed. Mr. Nickerson stated that the Town should put notices out in the papers, on the web page, on the electronic board outside of Town Hall, Channel 22, etc., in advance of this Saturday's closure as well as the closure on Saturday, February 18<sup>th</sup>. Putting the word out there on all available venues will hopefully reach the residents that do not have access to or don't use the internet.

2g. Appoint Marc L. Salerno as 2nd Deputy First Selectman

MOTION (10)

Mr. Seery moved to appoint Marc L. Salerno of 424 Boston Post Road, East Lyme, Connecticut, to serve as Second Deputy First Selectman to serve when First Selectman and Deputy First Selectman are not available, through December 4, 2017.

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

Mr. Nickerson called for an adjustment in the Agenda and it is noted that Agenda Item #2h. will be heard at the end of New Business, following Agenda Item #2j.

2i. Sign Call – Special Town Meeting February 15, 2017

MOTION (11)

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 February 15, 2017, at 7:00 p.m. (E.S.T.) at the East Lyme Town Hall Upper Meeting Room for the following purpose:

1. To appropriate \$62,000 in CNRE Fund 32 for the purchase of a new 12 passenger and 2 wheelchair bus to be utilized at the Senior Center to an account to be established titled, "COA DOT 5310 Bus" as follows:

\$49,600 from the Connecticut Department of Transportation 5310 Grant and to transfer the town's share in the amount of \$12,400 from Fund 32 account number 32-70-300-500-100 (Town Project Allocations).

Dated at East Lyme, Connecticut, this 1st day of February, 2017.

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

2j. Appoint Mr. Michael A. Bekech as a Member of the Commission on Aging  
Ms. Hardy Moved to appoint Mr. Michael A. Bekech of 84 Hope Street, Niantic, Connecticut as voting member of the Commission on Aging through January 6, 2020.  
Seconded by Mr. Cunningham. Motion Passed 6-0.

2h. Overview of 2017/2018 Proposed Budget.  
Mr. Nickerson addressed the Board and read aloud his yearly Budget Address Letter, as well as handing out a working draft of the Board of Selectman 2017/2018 for the Board's review. The Board discussed and agreed on a schedule to meet to review fully each department's budget.

3. Old Business  
There was none.

4. Communications  
Handed out to the Board was communication from the Tax Assessor pertaining to 2016 Final Net Taxable Grand List Reports.

5. Information and Reports.  
There was none.

6a. Ex-Officio  
Ms. Hardy stated that she noticed that not all Boards and Commissions have Bylaws posted with the Town Clerk's office. She requested that a communication be sent out to Boards and Commissions instructing them to submit such documents at their earliest convenience. Recording Secretary will work with the Finance Director to on this task.

Mr. Seery reported that the husband of Park & Recreation Commission member Jacqueline Curry, Stephen Curry, passed away recently. Board of Selectmen sends their sincere condolences to Mrs. Curry.

Mr. Cunningham reported on the Smith Harris house and reported that April 22<sup>nd</sup> will be cleanup day. He also noted that the question has been raised as to whether they could get approved to serve alcoholic beverages on the premises; this matter will be discussed at a future time.

6b. First Selectman's Report  
Mr. Nickerson reported that the Board, Department Heads and all Departments are working hard on finalizing the budget. He reported that next week is East Lyme's "Restaurant Week", and everyone is encouraged to dine out and visit our local restaurants and enjoy next week's specials and events during a time when it is quiet before business of Spring and Summer set in.

7. Public Comment

There was none.

8. Selectman's Response

There was none.

MOTION (12)

Mr. Seery moved to adjourn the February 1, 2017, meeting of the East Lyme Board of Selectmen at 9:17 p.m.

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sandra A. Anderson".

Sandra A. Anderson, Recording Secretary