

EAST LYME BOARD OF SELECTMEN
REGULAR MEETING OF MAY 17, 2017
MINUTES

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

EXCUSED: Paul Dagle and Rose Ann Hardy

ALSO PRESENT: Jeffrey Newton, Superintendent of Schools, and Tim Hagan, Chairman, Board of Education

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 amend Agenda Item #2g. To enter into Executive Session for the purpose of discussing personnel issues / contract negotiations.

Seconded by Mr. Salerno. Motion passed 4-0.

MOTION (2)

Mr. Seery moved to add Agenda Item #2j Discussion and Possible action on the temporary communication tower contract.

Seconded by Mr. Salerno. Motion passed 4-0.

1c. Delegations

Mr. Ronald Rando, Boston Post Road, East Lyme, addressed the Board on several issues, including: time clocks for Town employees, Police Chief's contract, his daughter's house fire on May 15, 2015, the cost of the Boardwalk, and the construction of the tennis courts, ball field and the pool roof.

Attorney J. Brian Dumeer, representative for the property owners of 28 Shore Road, Niantic, addressed the Board and spoke on Agenda Item #2e. Mr. Dumeer stated that his clients are not in favor of putting up no parking signs, and offered a compromise. They suggested that the proposed southern sign be moved north 40 – 45 feet away from the right of way to put back 2 parking spots, but still keeps parking off of the bend in the road.

Ms. Patty Travali, 29 Shore Road, Niantic, addressed the Board in favor of putting in no parking signs along Shore Road. She stated that when cars are parked on both sides of the road, there is only room for one car and no room at all for pedestrians to walk or get out of the way of oncoming cars.

1d1. Approval of Minutes, Public Hearing of April 5, 2017

MOTION (3)

Mr. Seery moved to approve the Minutes of the Public Hearing of April 5, 2017, as submitted.

Seconded by Mr. Salerno. Motion passed 4-0.

1d2. Approval of Minutes, Regular Meeting of April 5, 2017

MOTION (4)

Mr. Seery moved to approve the Minutes of the Regular Meeting of April 5, 2017, as submitted.

Seconded by Mr. Salerno. Motion passed 4-0.

FILED

1

May 19 2017 AT 3:30 AM/PM
Cunningham, AT
EAST LYME TOWN CLERK

1d3. Approval of Minutes, Public Hearing, April 19, 2017

MOTION (5)

Mr. Seery moved to approve the Minutes of the Public Hearing of April 19, 2017, as submitted.
Seconded by Mr. Salerno. Motion passed 4-0.

1e. Consent Calendar

MOTION (6)

Mr. Seery moved to approve the Consent Calendar for the meeting of May 17, 2017, in the amount of \$3,393.30.

Seconded by Mr. Salerno. Motion passed 4-0.

2a. Authorize the First Selectman to enter into a lease agreement with the Niantic Lions Club

MOTION (7)

Mr. Seery moved to approve and to authorize the First Selectman to enter into a lease agreement with the Niantic Lions Club for the purposes of selling food in connection with the art show on July 1 and 2, 2017; the Town grants to the LIONS, for the period of 4:00 p.m. on Friday, June 30, 2017 through 10:00 p.m. on Sunday, July 2, 2017, the right to use the land at the Town Hall on Pennsylvania Avenue, which is to be set aside for that purpose by the Town.

Seconded by Mr. Salerno. Motion Passed 4-0.

2b. Authorize the Board of Education to apply to the Commissioner of Education and to accept a grant for the Three Elementary Schools project including Center School, Lillie B. Haynes, and Flanders
DISCUSSION:

Mr. Jeffrey Newton and Mr. Tim Hagan were present to speak to the Board on this matter. The Board of Education is proposing an amendment to the Town Building Committee to include the Superintendent of Schools, two representatives from the Board of Education, and the three principals from the three elementary schools. Mr. Nickerson stated that this matter would have to go before the Board of Selectman and discussed with the Town Attorney, but that we could vote on the resolutions tonight as written and then work with the Town Attorney to include the BOE representatives at a later date.

Mr. Nickerson stated that for clarification, this agenda item contains three separate resolutions that will be voted on separately.

Mr. Nickerson inquired as to what the plan is if after the State finalizes the budget this project is cut from the list. Mr. Newton explained that because of the scope of work, there is a very good chance of getting on that list and getting this project rolling as scheduled.

MOTION (8)

Mr. Seery RESOLVED that the East Lyme Board of Selectmen authorizes the East Lyme Board of Education to apply to the Connecticut Commissioner of Education and to accept or reject grants for alterations and upgrades at the following school facilities:

Niantic Center School: General renovations and alterations to the building structure that includes indoor air quality, ADA compliance, improved building security, interior building finishes, electrical, lighting and technology upgrades, and specific site and structural work to include exterior masonry restorations, entire building window replacement, and the replacement of one boiler. In addition, but not limited to, a new gym floor, wall pads below the stage, portable handicapped lift to the stage, and one stair incline platform lift will be included.

Lillie B. Haynes School: General renovations and alterations to the building structure that includes indoor air quality, ADA compliance, improved building security, interior building finishes, electrical, lighting and technology upgrades. Specific site and structural work will include, but is not limited to a reconfiguration at the front of the building for a new bus and parent drop-off, repaving of parking areas, replacing the onsite sanitary line and adding a lining to the waste lines, replacing one boiler, replacing corridor lockers with new lockers, reestablishing the second gym, and building out old locker rooms to usable classroom space.

Flanders Elementary School: General renovations and alterations to the building structure that includes indoor air quality, ADA compliance, improved building security, interior building finishes, electrical, lighting and technology upgrades, and specific site and structural work. This will include but is not limited to the replacement of the entire building's roof, expansion of the main office area, replacement of corridor wall partitions in the 3rd and 4th grade wings, replacement of window blinds in the cafeteria, and replacement of wall pads in the gym;

RESOLVED, that the East Lyme Board of Selectmen hereby authorizes at least the preparation of schematic drawings and outline specifications for alterations and upgrades at the school facilities outlined above;

RESOLVED, that the East Lyme Town Building Committee shall act as the building committee with regard to alterations and upgrades at the school facilities outlined above.

Seconded by Mr. Salerno. Motion passed 4-0.

2c. Discussion on possible Town wide smoking policy

DISCUSSION: Mr. Nickerson stated that this proposed policy was brought to the Board of Selectman by Cathy Wilson, Director of the Senior Center, and it specific to the Community Center/Library building and is not being proposed to be a town wide policy, as the agenda states. It is being requested that smoking be prohibited within 25' of the doorways. It was discussed that maybe we could put up signs to that effect to make a rule for the building itself without instituting a formal policy. Mr. Nickerson noted that there is currently a no smoking rule at our Town parks and beaches. Mr. Seery indicated that he would meet with Ms. Wilson to discuss the matter further, and will bring an update to the next Board of Selectmen meeting.

2d. Authorize an expenditure from the Parahus Account

MOTION (9)

Mr. Seery moved to approve an expenditure of \$1,535 from the Parahus Account to supplement the purchase of the new Senior Center vehicle that is being procured through the DOT 5310 Grant Process.

Seconded by Mr. Salerno. Motion passed 4-0.

2e. Discussion and possible action on Public Works' request to put "No Parking" signs in Oak Grove Beach Association

MOTION (10)

Mr. Seery moved to approve the installation of two (2) No Parking signs on the west side of Shore Road in Oak Grove Beach Association, as amended by the Public Works Director at the May 17, 2017 Board of Selectmen meeting, for the reasons identified in the President of Oak Grove Beach Association's email dated October 12, 2016, which is included in the supporting documentation as Exhibit 1.

DISCUSSION: Mr. Nickerson stated that we have heard the public speak on this matter tonight, and he invited Mr. Joe Bragaw, Public Works Director, to present to the Board. Mr. Bragaw reported that a complaint was received in the fall of 2016 from Ms. Patty Travali of 29 Shore Road. At that time he went out to the site, and then sent out letters to all of the neighbors to get feedback on putting up no parking signs. This proposal was not accepted by the neighbors, so at that point Mr. Bragaw sent the matter to the Oak Grove Beach Association Board of Governors for their consideration and recommendation. The Board of Governors made their recommendations, Exhibit 1 attached hereto. The Board of Selectmen agree with the resolution, but changed the location of the south sign and moved it north 40'-45', which would put back two parking spots and would still allow for good visibility around the corner. All Board Members were in agreement with this amendment.

Seconded by Mr. Cunningham. Motion passed 4-0.

2f. Discussion on a proposed ordinance regarding banners on sign posts

Mr. Nickerson stated that this matter has been withdrawn by the Zoning Department.

2g. Enter into Executive Session for the purpose of discussing personnel issues / contract negotiations
MOTION (11)

Mr. Seery moved to enter into Executive Session for the purpose of discussing personnel issues / contract negotiations. Seconded by Mr. Salerno. Motion passed 4-0, and the Board of Selectmen entered into executive session at 8:34 p.m. They returned at 8:38 p.m. and Mr. Nickerson stated that no action was taken in executive session.

MOTION (12)

Mr. Seery moved to return to regular session with no action taken in executive session.
Seconded by Mr. Salerno. Motion passed 4-0.

2h. Review and authorize the First Selectman to enter into the collective bargaining agreement between the Town of East Lyme and Local 3377 of the International Association of Firefighters for the period from July 1, 2015 through June 30, 2018

MOTION (13)

Mr. Seery moved to authorize the First Selectman to enter into the Collective Bargaining Agreement between the Town of East Lyme and Local 3377 of the International Association of Firefighters for the period from July 1, 2015 through June 30, 2018.

DISCUSSION: Mr. Nickerson stated that this contract is actually a one year extension to the existing contract. There are a couple of changes to the current contract, as follows: provides for a 2.5% salary increase, which is standard through the arbitration process; there is a probationary step added where there will be a one year probationary period followed now by a 2-5 year secondary probationary period after which the fire fighter would then go to full, standard pay. Mr. Nickerson stated that we have 7 full time fire fighters that this contract applies to, all of which are East Lyme residents. They are hard working, good employees and the Town has a very good relationship with them and this is a good contract.
Seconded by Mr. Salerno. Motion passed 4-0.

2i. Commission/Board Resignations

Accept the resignation of Norman Bender, Full Voting Member, from the Inland Wetlands Agency; and Maggie Prokop, Alternate Member, from the Historic Properties Commission.

DISCUSSION: Mr. Nickerson and the rest of the Board thanked both residents for their many years of service to the Town, and wished them both well in future endeavors.

2j. Discussion and possible action on the temporary communication tower contract

MOTION (14)

Mr. Seery RESOLVED to authorize the First Selectman to take such actions as may be necessary or desirable to establish and maintain temporary municipal communications facilities at a suitable site, pending the completion of the planned permanent communications facility at the Mostowy Road site.

FURTHER RESOLVED, that the First Selectman is authorized to execute and deliver such documents as may be necessary or desirable to establish and maintain such temporary communications facilities.

DISCUSSION: Mr. Nickerson explained that this temporary tower is necessary for our communications and needs to be constructed and in place before we move to an independent police force. This temporary tower is at no cost to the Town of East Lyme as part of the permanent tower contract.

Seconded by Mr. Salerno. Motion passed 4-0.

3. Old Business

There was none.

4. Communications

There was none.

5. Information and Reports.
There was none.

6a. Ex-Officio

Mr. Salerno reported that at the Library Commission there was no action taken, but that the meeting was very efficient and a lot of discussion on different items. He reports that the Town Building Committee will be meeting on Thursday, May 18th for the first time in approximately 3 years to begin working with the Board of Education on the Elementary Schools project.

Mr. Seery reported that the Youth Coalition is currently working with the LLHD to get information out to the public to remind parents of the dangers of underage drinking and to encourage alcohol free graduation parties. The East Lyme Youth Services will be awarding scholarships to three graduating High School Seniors in the amount of \$1,500.00. Only applicants who reside in East Lyme or Salem and continuing their education in a field related to animal studies or working with children are eligible for the scholarship. There have been nine applications received. The Parks & Recreation department is gearing up for the summer season, and there was discussion regarding dogs on the boardwalk and also the band shell. The Board of Education meeting was very brief as we had a Town Meeting that evening.

6b. First Selectman's Report

Mr. Nickerson reported that he attended the State of East Lyme on May 9, 2017. On May 10th, Town employees attended Health & Safety training; this training is necessary to keep the Town in compliance with insurance and OSHA requirements. The Rotary Club held their annual gala a couple of weeks ago and raised a lot of money, which as we know they put right back into our community. On May 10th he attended the COST Town Leaders Day in Hartford, where much of the discussion revolved around the budget. He reports that we are working with Old Lyme to get them tied into our waste water system, which goes through Waterford and ends up in New London. On Monday night, the high school hosted a program entitled "Understanding PTSD with First Responders", organized by ELHS Senior, Nicole Betulia. This program was very informative and moving, and Nicole did a great job putting it together. On May 16th we hosted our annual Hole-In-The-Wall classroom for East Lyme 3rd graders, and it was a lot of fun and very informative. Mr. Nickerson reported that he attended this year's US Coast Guard Academy graduation, and it was a great event and congratulations to all of the graduates. The budget referendum is on Thursday, May 18th from 8am to 8pm at the Community Center; please remember to go out and vote, and you can check out the parking lot improvements that we have recently made at the Community Center. On May 26th at 6pm will be the ribbon cutting on the new band shell at McCook's; come on down and enjoy the festivities. On May 28th there will be a candlelight vigil at Liberty Green; this year's theme is "A Salute to our Armed Forces". The annual Memorial Day Parade will be downtown on Monday, May 29th at 1pm.

Mr. Nickerson stated that we are all still waiting patiently for the State to finalize the budget. There are proposed cuts to municipalities, and we need to be prepared for this and will need to revisit our budget and make changes and cuts as necessary. The latest proposal reduces our state funding by 9%, 2% higher than originally forecasted.

Mr. Salerno inquired as to who is responsible for tying Old Lyme into our waste water system; and Mr. Nickerson responded that Old Lyme is financially responsible for all costs associated with tying into the current system, including paying to upgrade our current pump station.

7. Public Comment

Mr. Ron Rando, Boston Post Road, inquired as to how East Lyme residents will be affected by Old Lyme tying into the system. He also stated that he does not remember there ever being a problem in Oak Grove

with parking or accidents. Regarding his daughter, he stated that since the fire at her home she has received a very high water bill. She spoke with the Water & Sewer Department who promptly rectified the problem and reduced the bill accordingly.

8. Selectman's Response

Mr. Nickerson responded to Mr. Rando's comments. Yes there are time clocks for Town employees; however, department heads do not need to punch in. The Police Chief is currently under a 4 year contract with the Town. His position is a salary position and does not pay him overtime. The Chief is on duty and expected to perform his job 24 hours a day, seven days a week; so he will be taking his Town vehicle home with him as part of the job. Regarding the fire at Mr. Rando's daughter's home, Mr. Nickerson stated that the permit process to rebuild was held up because it was found that there were numerous permit and rental issues that needed to be addressed. Mr. Nickerson reminded Mr. Rando that they had a couple of meetings scheduled; but Mr. Rando did not show up for one and then called to cancel the following meeting. Regarding the issues at the high school that Mr. Rando brought up, Mr. Nickerson stated that these projects were approved and performed before this Board was in this position, so what we are trying to do now is make the necessary changes. We cannot go back in time and change how things were done but we can certainly move forward and make things right. East Lyme residents will not be affected by Old Lyme tying into the sewer system, and this tie-in was order by the State of Connecticut. Regarding the issues with the water bill; the Water & Sewer Department is aware of the issues and is correcting resident's bills if appropriate, as they did with Mr. Rando's water bill. The Water & Sewer Department is working to fix this issue.

MOTION (15)

Mr. Seery moved to adjourn the May 17, 2017, meeting of the East Lyme Board of Selectmen at 9:02 p.m.

Seconded by Mr. Salerno. Motion passed 4-0.

Respectfully submitted,



Sandra A. Anderson, Recording Secretary

Exhibit 1

From: weaversfive@comcast.net [mailto:weaversfive@comcast.net]

Sent: Wednesday, October 12, 2016 2:42 PM

To: Joe Bragaw

Cc: jandmschweizer@gmail.com; Aliciaswalsh@msn.com; kmurf101@gmail.com; nianticpam@juno.com; Chris@aroundtheclock.com; ryanjwilli@yahoo.com; danielstrms766@gmail.com; amurf101@aol.com; j.s.stevens@att.net; rconley819@gmail.com; ptravali@trynorthpoint.com

Subject: RE: No Parking request on Shore Rd

Joe,

Patricia Travali (copied on this e-mail, along with the Board) made a presentation to our Board on October 4 requesting 2 "No Parking Between Signs" signs be placed on town property near 29 Shore Rd, one near the right of way steps and one near her driveway easement. (Patricia has a clear diagram displaying the exact locations) The Board approved her request by 5-2 with one abstention and with one absent.

The Board's reasons for approval were as follows:

- 1) it would be safer for pedestrians walking on Shore Rd between the right of way steps and the beach without cars parked on that side of the road
- 2) it would eliminate the parking of cars by non-members for use of the beach
- 3) it would be safer for cars on the water side of Shore Rd in that area to exit their driveways
- 4) it would allow for legal removal of cars that block access to property at 29 Shore Rd.
- 5) it maintains the precedent set by other "No Parking" signs on Shore Rd. for similar reasons.

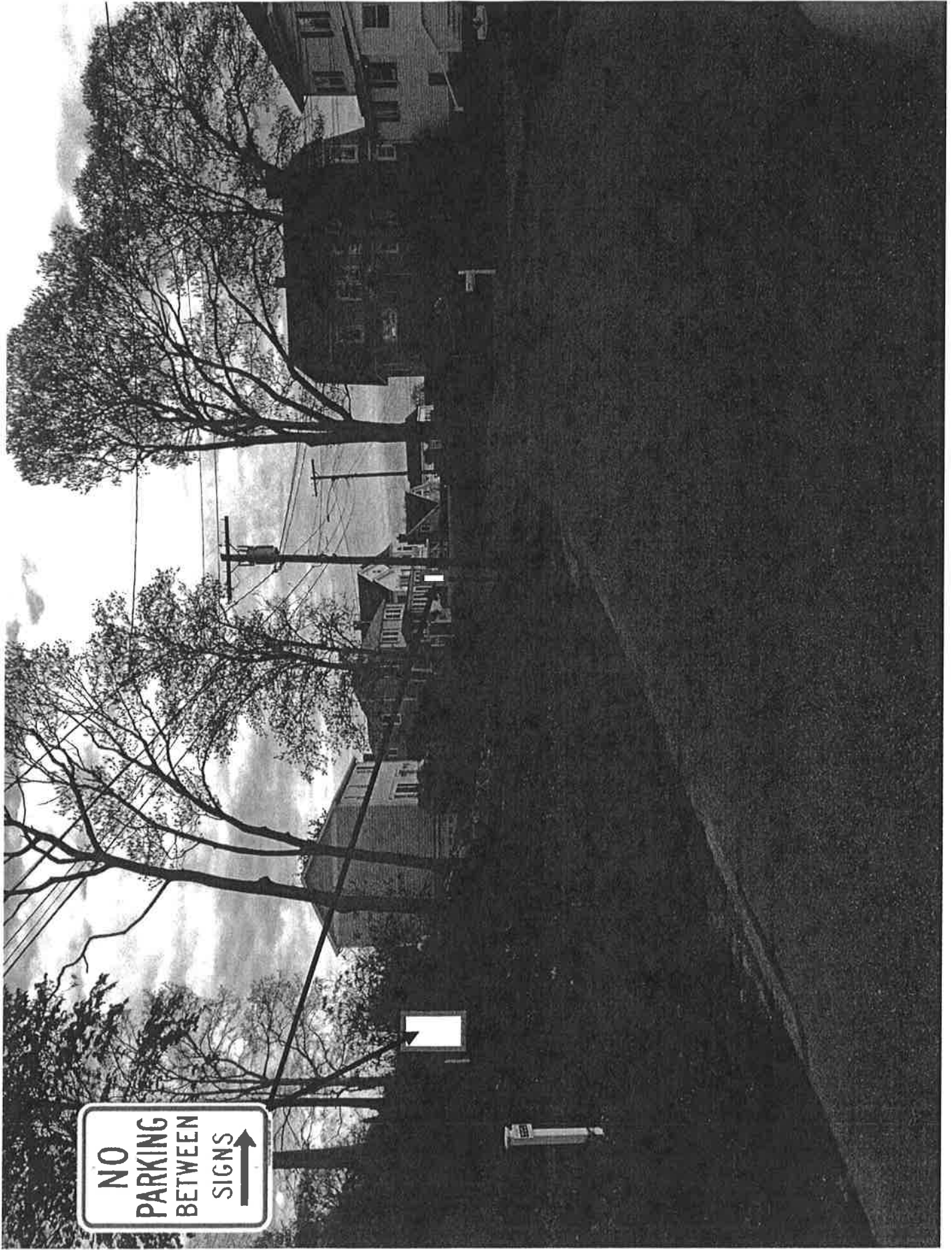
Those voting against the signs felt eliminating any parking in beach areas was not a good thing and that access to private property should be maintained by the property owner.

The Board also would like to re-visit the need for signs after a 2 year trial period, if possible, to ensure that they do in fact accomplish the goals listed above.

The Board recognizes that we are only serving in an advisory capacity on this issue and that the Town has the final say as to where and what signs are installed.

Thanks for your consideration of our request.

Jim Weaver, President, Oak Grove Beach Community Association, Inc.



PROPOSED NO PARKING SIGNS ON THE WEST SIDE OF SHORE RD IN OAK GROVE



The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

5/11/2017 1:39:38 PM



1:720
1"=60'



Town of

P.O. Drawer 519
Director of Public Works
Joseph Bragaw, P.E.



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357
Phone: 860- 691-4102
Fax: 860-860-691-0351

May 11, 2017

Re: Proposed No Parking Signs on Shore Rd in Oak Grove

Dear Resident:

I received a complaint from a neighbor last summer regarding on street parking along the west side of Shore Rd in Oak Grove. I originally sent a letter to the neighbors dated September 2, 2016 showing a proposed plan for "No Parking" signs. I received overwhelming response back that the neighbors did not want that plan. I then referred the matter to the Oak Grove Beach Association Board of Governors and they endorsed a new plan with "No Parking" signs along the west side of the road between the Oak Grove ROW stairs and the new driveway at 29 Shore Rd. Therefore, I put this on the Board of Selectman agenda for Wednesday May 17, 2017 to be voted on by the Board. If you have comments with regards to this issue, I would encourage you to attend the meeting. The meeting will be held at the Town Hall meeting room at 7PM. If you have any questions or can't make the meeting but want to have a concerns passed along to the Board, you may call me at 860-691-4118 before the meeting.

Sincerely,

Joseph J. Bragaw, PE
Director of Public Works

Enclosures: Packet to be reviewed at the BOS Meeting

Cc: Mark Nickerson, First Selectman
Marilyn Wright, PW Admin Asst