

EAST LYME BOARD OF SELECTMEN
REGULAR MEETING OF SEPTEMBER 6, 2017
MINUTES

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

Also Present: Finance Director, Anna Johnson; Deputy Director Public Works, Bill Scheer; and Town Attorney, Ed O'Connell; Director Senior Center, Cathy Wilson

Mr. Nickerson called the meeting to order at 7:27 p.m. and led the Pledge of Allegiance. He asked that everyone take a moment to send prayers and positive thoughts to all those affected by the storms in Texas and Florida, and for the man that lost his life today in New London during a brief but powerful storm.

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

1c. Delegations

Mr. Ron Rando, 194 Boston Post Road, addressed the Board stated that he purchased the Weston & Sampson report and read through it and noted that it was recommended that the seller of the property at 224 Main Street should pay for the cleanup costs. Regarding the building and property currently occupied by the ELPD, Mr. Rando does not recommend the Town purchase this property because of the possible contamination, and also because the Town would lose potential tax revenue. Mr. Rando stated that the Town should institute a policy where Town employees lose accumulated vacation and sick time if they don't use it.

Mr. Joe Mingo, 397 Boston Post Road, addressed the Board and stated that through his experience, any property that housed a gas station is going to have contamination. He also stated that he thinks the property that houses the Police Department is contaminated, and he would not recommend rebuilding on that spot; he would like to see the ELPD moved to a different location where the Town would not be responsible for the environmental cleanup.

1d1. Approval of Minutes, Regular Meeting of August 2, 2017
MOTION (1)

Mr. Seery moved to approve the Board of Selectman Regular Meeting Minutes of August 2, 2017, as amended.

DISCUSSION : Mr. Dagle stated that in his statement regarding the State of Connecticut's approval of East Lyme's Harbor Management Plan it should read, "The State of Connecticut is preparing a letter of acceptance for East Lyme's Harbor Management Plan".

Seconded by Mr. Salerno. Motion passed 5-0-1. Abstained; Mr. Nickerson

1e. Consent Calendar
MOTION (2)

Mr. Seery moved to approve the Consent Calendar for the meeting of September 6, 2017, in the amount of \$26,892.13.

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

FILED

Sept 7 2017 AT 8:40 AM/PM
Laurie Galbo, atz
EAST LYME TOWN CLERK

2. Old Business

There was none.

3a. Review and approve the Police Commission's request to increase the fee charged for use of our police vehicles on external road jobs

DISCUSSION: Mr. Nickerson noted that the Board is only reviewing the Police Commission policy change on this matter, but that the Police Commission and Police Department now have the authority to set their own fees without Board of Selectman approval. The purpose of this agenda item tonight is to review the policy and to establish an account in CNRE to deposit these fees. Attorney O'Connell stated that these fees will go into the Treasury of the Town and will be used for future purchases of police vehicles and equipment. Mrs. Hardy wanted to thank Mr. Rando because he brought this subject up at a recent meeting and it reminded the BOS that the discussion of raising fees occurred a while ago and needed to be addressed.

MOTION (3)

Mr. Seery moved to establish an account in Capital Non-Recurring Fund 32 titled, "Police Vehicle Fees" to be used for deposit of the hourly vehicle fee charged for outside Police Jobs. The purpose of this account would be for future purchase of Police Vehicles and Police equipment, and forward to the Board of Finance for approval. This will require a Town Meeting.

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

3b. Approve an expenditure of up to \$9,604.01 from the Parahus Account for kitchen upgrades at the Senior Center

DISCUSSION: Mr. Nickerson reported that the proposed upgrade is to replace and update equipment that has been in place for approximately 28 years and is original to the Senior Center. He stated that Ms. Cathy Wilson went out and got numerous bids to make sure that we got the best deal for the money; and invited her to make a presentation. Ms. Wilson stated that Barbara Smith and Mike Bekech, members of the Commission on Aging, were also present in support of this expenditure. She reported that \$3000.00 has been committed to the project by the Lions Club, and those funds will be deposited back into the Parahus Fund once received. Ms. Wilson is confident in the prices and the vendors that they will be using.

MOTION (4)

Mr. Seery moved to approve an expenditure of up to \$9,604.01 from the Parahus Account for kitchen upgrades at the Senior Center.

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

3c. Review and authorize the First Selectman to enter into an agreement with the Eastern Connecticut Conservation District for the installation and incorporation of stormwater best management practices in and along Grand Street

DISCUSSION: Mr. Victor Benni addressed the Board and reported that this stormwater project will take place in conjunction with the currently scheduled paving of this area, which has already begun. New trees and the tree filters will be planted on Town property beginning in early October, and during this time and during the paving there should not be much disruption to drivers. As part of this program, the ECCD will pay funds directly to the DEEP, so no funds will have to come from the Town directly. There are eight (8) existing tree filters in town that were put in using funds from a ECCD program, and they are doing great and have required minimal maintenance, such as trimming for proper sightline. Mr. Nickerson noted that these state of the art filtration systems will be filtering the ground water much more naturally, and there will be a decrease in the amount of water that is flowing directly into the river.

MOTION (5)

Mr. Seery RESOLVED to authorize the First Selectman, in the name and on behalf of the Town, to execute and deliver a Memorandum of Understanding between the Town and the Eastern Connecticut

Conservation District for the installation and incorporation of stormwater best management practices to the existing stormwater drainage infrastructure in and along Grand Street and adjacent street locations. Seconded by Mr. Salerno. Motion passed 6-0.

3d. Approve the re-allocation of funds for 224 Main Street, and send the matter to BOF for approval. This item will require a Town Meeting

DISCUSSION: Mr. Nickerson reported that in 2010, 72% of voters voted in favor of purchasing this property. At that time, the purchase price was significantly higher, and Mr. Nickerson stated that they ended up paying \$550,000. Noting that \$700,000 has already been bonded for this project, the extra money saved by purchasing the property at a lower price could go towards preparation and beautification of the land. Since the Brownfield grant may not be appropriate for this property since it was found that it was not as polluted as originally thought, the Town may qualify for different, better programs. The Town is scheduled to meet with the DEEP next week to discuss all of this, and there will be more details available after that. Mr. Scheer noted that there are plans to replace the fence at our cost so that we can control repairs and maintenance and not depend on Amtrak to come and take care of it. Mr. Nickerson reminded everyone that this is not new funding; this project has already been approved and the funds have been bonded. There are a handful of organizations ready and willing to work together to raise additional funds for this project. A proposed map was handed out for informational purposes, and is attached hereto as Exhibit 1.

Mr. Seery RESOLVED that the resolution entitled "Resolution Making An Appropriation In The Amount Of \$139,522 For Brownfield Remediation And Construction Of Park Improvements And Authorizing The Issuance Of \$139,522 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended for approval by the legal voters of the Town at Town Meeting.

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

3e. Review FEMA package

DISCUSSION: Mr. Nickerson stated that this package is for the BOS to review only. Participation in this program allows our residents to get a 10% discount on their flood insurance, so it is a great program to participate in.

3f. Sign Call – Town Meeting September 20, 2017

MOTION (6)

Mr. Seery Moved the following call. Seconded by Mr. Salerno. Motion passed 6-0.

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 September 20, 2017 at 7:00 P.M. (E.T.) at the East Lyme Town Hall for the following purposes:

1. To receive communications from the Board of Selectmen and the Board of Finance with respect to a resolution entitled "Resolution Making An Appropriation In The Amount Of \$139,522 For Brownfield Remediation And Construction Of Park Improvements And Authorizing The Issuance Of \$139,522 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

2. To consider and act upon a resolution entitled "Resolution Making An Appropriation In The Amount Of \$139,522 For Brownfield Remediation And Construction Of Park Improvements And Authorizing The Issuance Of \$139,522 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

3. To approve a special appropriation in the amount of \$31,855 from CNRE Fund 32 to account 32-99-400-700-701 (BoE Vehicles).

4. To transact any other business proper to come before the meeting.

Copies of the proposed bond resolution is on file and open to public inspection at the office of the Town Clerk.

Dated at East Lyme, Connecticut, this 6th day of September, 2017.

EAST LYME BOARD OF SELECTMEN

3g. Appoint Todd Bellucci to the Inland Wetlands Commission

MOTION (7)

Mr. Seery moved to appoint Todd Bellucci to the Inland Wetlands Commission as an Alternate Member, with a term to expire on January 8, 2018.

Seconded by Mr. Salerno. Motion passed 5-0-1. Abstained; Ms. Hardy

3h. Appoint Rodney McCauley to the Historic Properties Commission

MOTION (8)

Mr. Seery moved to appoint Rodney McCauley to the Historic Properties Commission as a Full Voting Member, with a term to expire on January 8, 2018.

Seconded by Mr. Salerno. Motion passed 6-0

3i. Appoint Joan Bengtson to the Historic Properties Commission

MOTION (9)

Mr. Seery moved to Appoint Joan Bengtson to the Historic Properties Commission as a Full Voting Member, with a term to expire on January 8, 2018.

Seconded by Mr. Salerno. Motion passed 6-0

4. Communications

a. Resignation from Cable Advisory Board – Grant Place

DISCUSSION: Ms. Hardy noted that this open position is a Board of Education position and will be filled by the Board of Education, not the Board of Selectmen.

b. Resignation from Inland Wetlands Commission – David Pazzaglia

c. Thank you letter – Matthew Bauman

5. Information and Reports.

There was none.

6a. Ex-Officio

Marc Salerno reported that Planning had one approval at their last meeting. He reported that he and Dan Cunningham have started discussion with the Finance Director to understand the dynamics of the Purchasing Committee.

Mr. Seery reported that at the last Parks & Recreation meeting, Mr. Putnam gave a summary of the summer's activities; notably the concerts at the band shell were a huge hit, and Friday night movies at the band shell has just begun. Regarding the 3 elementary schools project, they have run into the first change in that it has been found that the fire alarm systems will need to be replaced at all three schools, for an approximate project cost of \$500,000.

Mr. Cunningham reported that the Historic Properties Commission is now again fully staffed, and thank you to Barbara Johnston for stepping up to take over and keep this commission moving forward. Mr. Cunningham stated that the annual Bike and BBQ will be held on Sunday, October 1st.

Mr. Dagle reported that the Inland Wetlands Commission denied an application for the Twin Valley project. He attended a recent special meeting with Harbor Management regarding the proposed scallop farm in the Niantic River, and noted that this project is solely in Waterford waters. Mr. Dagle reported that

the Board of Education will be signing a contract for the re-districting project for approximately \$25,750, and will include 3 public meetings and a \$900 charge per each additional public meeting, if needed.

6b. First Selectman's Report

Mr. Nickerson stated that the Police Station item on the Executive Session special meeting agenda was not about purchasing the current building, and was actually an error and that item should not have been on the executive session agenda and was not discussed in executive session. Mr. Nickerson reported that he wanted to give an update on the building, and report that the air conditioning equipment has failed in that building and it is going to cost approximately \$40,000 to replace the system. Mr. Nickerson referenced a letter he sent to Secretary Barnes, Office of Policy and Management, and attached hereto as Exhibit 2. Mr. Nickerson noted that they called for a special session in Hartford on September 14th, and hopefully this is an indication that they are getting closer to finalizing the budget; and as a reminder East Lyme is facing up to a \$9,000,000 cut and no one is in favor of this happening. He announced that he was made Vice Chairman of the COG Emergency Management Team, and will be participating more closely with that team going forward. He reported that talks with Old Lyme continue regarding possible regionalization of services, as well as the plan to have Old Lyme tie into our sewer system. Labor Day weekend was a nice weekend with no major incidents to report, and school as started and is going well. Mr. Nickerson recently attended the Kayak Regatta, along with Senator Formica and Representative Cheeseman, and it was a great event and a lot of fun to support a great cause. He attended a presentation at the high school to support re-vamping the planetarium there, and he also attended a candlelight vigil at McCook's to come together as a community to promote peace. The I Can Ride program hosted by the Parks & Recreation Department was a huge success; and it was enlightening to see the smiles on the kids' faces, and that fact that most of the kids were riding a bike for the first time ever by the end of the week. The Farmers Market continues on Thursday afternoons, so please go out and take advantage of our local fruits and vegetables and visit all of the vendors.

7. Public Comment

There was none.

8. Selectman's Response

There was none.

MOTION (10)

Mr. Seery moved to adjourn the September 6, 2017, regular meeting of the East Lyme Board of Selectmen at 8:55 p.m.

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

Respectfully submitted,



Sandra A. Anderson, Recording Secretary

Town of



East Lyme

Mark C. Nickerson
First Selectman
MNickerson@eltownhall.com

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Niantic, Connecticut 06357
Phone (860) 691-4110
Fax (860) 739-2851

Secretary Benjamin Barnes
Office of Policy and Management
450 Capitol Ave.
Hartford, CT 06106

August 16, 2017

Dear Secretary Barnes:

As requested, we have noted our FY 17 estimated and FY 18 projected (based upon how our budget was adopted) fund balance information.

In recent years, the Town of East Lyme has taken budget savings measures to reduce our spending. The areas we face our largest increases are with wages, health insurance and pension expenditures. These are all fixed costs. In all other areas our department heads have done an excellent job in holding the line and doing more with less. Some of our budget savings items include streetlight purchase which will reduce municipal spending at the end of seven years by 33% in that budget account, through collective bargaining we modified our transfer station operating hours saving overtime in the amount of \$20,000. In addition, I took a \$15,000 salary reduction by way of example to our employees and residents. In the last few years we have budget savings due to attrition and we have not hired a replacement Highway Superintendant working on having existing staff members pick-up those duties. Despite us working on ways to reduce our budget, we are always pressed with existing and new "unfunded" state mandates.

Next, I must express concern regarding your inquiry as to our fund balance. As you know, fund balance is established by way of the cumulative effect of operating results. Please note East Lyme does not have a rainy day fund. Fund balance also serves as a basis of cash flow. Taking a review of fund balance history and the first sixty days of expenditures in our fiscal year, our fund balance is roughly one half of this amount. In an analysis of cash flow, on a month by month basis we experience deficit operations in nine out of twelve months. Our end of fiscal year cash balance is typically in the six million dollar range. While July is a large revenue month for us collecting tax dollars, 48% of those receipts come in during the last week of the month. In addition, we have a \$4.4 million dollar debt service payment due in mid-July prior to having the majority of our tax dollars in the bank.

Due to the uncertainty of the State budget, during the budget process we built in an additional \$300,000 in tax revenues with the understanding our Town and Board of Education would make up an additional \$300,000 budget spending reductions. At this time, we have frozen spending in the Town Aid Road budget account awaiting resolution to the State Budget crisis. As you know, PILOT funds are normally paid in the month of September which means \$902,539 to East Lyme. The amount East Lyme receives in PILOT funds is less than 25% of what we would levy to the average Tax Payer with similar properties. In the past the first installment of Education Cost Sharing funds are disbursed in October, which means \$1,761,027. The combination of these two payments of \$2,663,566 equates to one month of Board of Education wages



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

OFFICE OF THE SECRETARY

August 7, 2017

Dear Selectman Nickerson,

On August 2nd, the Governor directed the Office of Policy and Management to produce a series of reports on the fiscal health of municipalities (please see attached).

To that end, I am requesting updated information on your municipality's fund balance. We have historic data already reported to our office, which we have included below. We are looking for estimates of your General Fund's total fund balance and unassigned fund balance for as of June 30, 2017. In addition, we are requesting projections of your municipality's General Fund total fund balance and unassigned fund balance as of June 30, 2018, based on the assumptions from your adopted FY 18 budget.

EAST LYME

General Fund

	<u>Total Fund Balance</u>	<u>Unassigned Fund Balance per GASB 54</u>
FY 15 Actual	6,020,370	5,183,376
FY 16 Actual	5,893,895	5,149,384
FY 17 Estimated	6,085,729	5,273,841
FY 18 Projected (based on adopted municipal budget)	5,621,638	4,823,841

Finally, please provide any supplemental information about the potential impact of a continuing state budget impasse on your community's finances, such as contingency plans to utilize fund balance, issue supplemental taxes or reduce spending.

Please email the requested information to Michael Izadi on my staff at michael.izadi@ct.gov by August 16, 2017.

Sincerely,

Benjamin Barnes
Secretary

Cc: Anna M. Johnson, Director Of Finance
Michael Izadi, Office of Policy and Management
Kerry Kelley, Office of Policy and Management