

EAST LYME BOARD OF SELECTMEN  
REGULAR MEETING OF MAY 16, 2018  
MINUTES

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

Also present were Town Attorney Ed O'Connell and Finance Director Anna Johnson

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

1e. Approval of Minutes – Regular Meeting of April 4, 2018

MOTION (1)

Mr. Seery MOVED to approve the Board of Selectmen Regular Meeting Minutes of April 4, 2018, as submitted.

Seconded by Mr. Salerno. In Favor; Nickerson, Seery, Salerno, Hardy and Cunningham. Abstained; Dagle. Motion passed 5-0-1.

1f. Consent Calendar

MOTION (2)

Mr. Seery MOVED to approve the Consent Calendar for the meeting of May 16, 2018, in the amount of \$37,020.62.

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

2a. Discussion of Exit 74 Spill Mitigation

DISCUSSION: Mrs. Hardy explained that the Conservation of Natural Resources Commission is looking for support from the Board of Selectmen to urge the DOT to put spill mitigation plans in place when creating the construction plan for the Exit 74 road work that is planned for the future. She stated that there are no spill mitigation plans in the original, proposed plans; but it is important for the Town to get the letter in before the final plans are complete. Mr. Nickerson stated that is very important and that it should be supported, and explained that the DOT is aware that the Town is going to be asking for this spill mitigation provision. They are not quite ready to present their draft letter to the Board of Selectmen, so this matter will be continued to the June 6<sup>th</sup> regular meeting.

2b. Discussion and possible action – Demo Delay Ordinance

DISCUSSION: Ms. Barbara Johnson Low spoke on this matter and stated that this proposed ordinance will simply delay the demolition in order to give them time to go in and document and possibly recover historical items. If they go in and find that there is nothing to document or recover, then the demolition will not be held up for the full 90 days. They considered 30 or even 60 days, but the Town Attorney recommended 90 days would be more realistic based on possible weather delays and meeting delays, etc. She has stated that there has been no opposition to the proposed 90 day delay, and that they have gone into a couple of historic properties already and that the process was smooth and quick and the homeowners were happy to accommodate. Attorney O'Connell noted that some towns have a 180 day delay. Mr. Dagle inquired as to what would happen if the homeowner refused entry into the premises, and Ms. Low responded that if the homeowner refuses entry then it would not be there intention to hold up demolition for the 90 days; the homeowner is the owner of the property and has the final say as to whether they will grant entry. Mr. Salerno inquired about the \$200 deposit for the signage, and Attorney O'Connell stated that this is so that one generic sign can be produced and reused. The deposit was suggested by the Building Official

FILED

May 24 2018 AT 1:50 AM/PM

  
EAST LYME TOWN CLERK

to save money and give incentive for returning the sign in order to get the deposit returned. Mr. Salerno inquired as to who would be liable for insurance and Attorney O'Connell responded that liability would be covered under the homeowners insurance policy.

2c. Discussion and possible action – Smith-Harris House name change

DISCUSSION: Joanie DiMartino, Executive Director of the Smith-Harris House, provided information to the Board on this matter, which is attached hereto as Exhibit 1. The proposed name change would be “Brookside Farm Museum Commission”. Mr. Nickerson thanked Joanie for her positive support and hard work as Executive Director since 2013. Ms. DiMartino stated that the tagline to the commission name will be “Cultivating the Story: Avery, Smith and Harris, 1845-1955”, which will now also incorporate the Avery family into the property. This is important as there are many historians who follow what is called the “Avery Pilgrimage” so we will be drawing more historians to our area for its history. Mr. Dagle inquired if the Commission itself is in support of this change, and Ms. DiMartino confirmed that yes all of the historic properties commissions are in support of this name change.

MOTION (3)

Mr. Seery MOVED the following call:

TOWN OF EAST LYME  
BOARD OF SELECTMEN  
NOTICE OF PUBLIC HEARING  
REGARDING A DEMOLITION DELAY ORDINANCE  
and  
AMENDMENT TO ORDINANCE CONCERNING SMITH-HARRIS HOUSE COMMISSION

NOTICE IS HEREBY GIVEN, of a public hearing to be held by the East Lyme Board of Selectmen on June 6, 2018 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut at 7:00 p.m., to consider the adoption of the following ordinances:

DEMOLITION DELAY ORDINANCE

1. Pursuant to Connecticut General Statutes Sec. 29-406, there shall be a 90-day waiting period before a permit to demolish any structure located in the Town of East Lyme may be issued. The 90-day waiting period shall commence upon the filing of a demolition permit application with the East Lyme Building Department.
2. The applicant for a demolition permit must install, within 7 business days of submitting the application, a sign provided by the building department, upon submission of a \$200.00 deposit, on the front wall of the structure, or such other location as directed by the Building Official. The sign must remain in place until such time that the waiting period has expired.
3. Within 7 days of the filing of the application, the Building Official shall determine if the structure proposed for demolition is included in the East Lyme Historic Property Inventory, as it may be amended from time to time. If the structure is included in the Inventory, the Building Official shall notify the Historic Properties Commission in writing within 7 business days of such determination. If the structure is not included in the Inventory, the Building Official may issue the permit forthwith.
4. Upon notification as set forth above, the Commission shall review the application at its next scheduled meeting. The Commission may waive the balance of the waiting period or may

determine that the waiting period must remain in effect. The Commission shall provide notice of its decision to the applicant and the Building Official in writing within 7 business days of said decision.

#### ORDINANCE AMENDING ORDINANCE CONCERNING SMITH-HARRIS HOUSE COMMISSION

1. The Ordinance entitled "Ordinance Concerning Smith-Harris House Commission" is hereby amended to change the name of the Commission to the "Brookside Farm Museum Commission".
2. In all other respects, said Ordinance shall remain in full force and effect.

Interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut, on this 16th day of May, 2018.

EAST LYME BOARD OF SELECTMEN

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

#### 2d. Discussion and possible action – Health Insurance Payment

DISCUSSION: Mr. Nickerson stated that this has been a rough year for health insurance claims, and called Finance Director Anna Johnson up to give a report to the Board. Ms. Johnson reported that our claims have increased each year since 2014; in 2014 there were 12 large claims, in 2015 there were 19 and in 2016 there were 20. She stated that she is working with the insurance company to look at all options, and a taskforce is also being put together to review this matter and work to a future solution. Currently Ms. Johnson stated that she simply wanted to make the Board aware of the situation, but that no action is currently required. Mr. Nickerson stated that the Town is bound by union contracts, so we need to figure out how to work with the situation as it is. Ms. Johnson stated that we switched from Anthem to Aetna in 2014, but that after review the town is still paying less for administrative fees so it has been determined that we will remain with Aetna.

#### 3a. Discussion and possible action – Installation of a street light on Dodge Court

DISCUSSION: Mr. Nickerson stated that this matter does not need to be addressed as the resident who requested the street light has indicated that since the time change she no longer feels that it is too dark in that area, and she was also unaware of the neighbor's opposition to installing an additional light.

4a. Mr. Nickerson stated that Mr. McIlhenney resigned from the Zoning Commission as an alternate member, and that Mr. Dwyer has already been appointed to replace him.

6a. Mr. Dagle reported that the Harbor Management Commission is attending the public hearing by WELSCO at 6:30 pm on Thursday, May 17<sup>th</sup> at the Waterford Town Hall to discuss the shellfish farm situation. The Inland Wetlands Agency received a new application for 23 lots in the Green Valley subdivision; the 25 lot proposal is still pending.

Mr. Cunningham reported that WELSCO will be holding a public hearing on Thursday, May 17<sup>th</sup>, as reported by Mr. Dagle. The Smith-Harris House Commission and the Historic Properties Commission both have items on the agenda tonight, which is what was discussed at both of their latest meetings.

Mr. Salerno reported that at the last Planning Commission meeting a 23 lot proposal was withdrawn, and a couple of 8-24 referrals have been sent out. A recent seminar hosted by Randall Arndt was held for the 3 different land commissions in an effort to cross educate amongst commissions to see the whole picture. This seminar was very well attended and a lot of good information was learned and shared amongst the commissions. The Building Commission is meeting on the 17<sup>th</sup>; all bids are in and the contingency has been reduced now that we are getting closer to the project start date. The Board of

Education has been meeting and has approved everything to date. Last day of school is June 22<sup>nd</sup> so construction will begin immediately after that.

Mr. Seery reported that Parks & Recreation has had an increase in requests for use of town parks and property, including a couple of requests for permits for Liberty Green. Currently they are interviewing for summer positions. The 2<sup>nd</sup> annual jet ski races are scheduled to take place this coming weekend, with no camping being allowed in unauthorized areas this year.

6b. Mr. Nickerson reported that he had the honor of throwing out the first pitch at the opening little league game, and that the season is well under way with the kids playing despite the cold weather. He attended the annual Fire Banquet, at which this year Ron Pringle was honored for his many years of service. Skippers restaurant is celebrating its 15<sup>th</sup> year in business here in Niantic; congratulations! He recently attended a celebration to honor all of the volunteers at the Senior Center, and it was amazing to see how many people volunteer their time to our community; thank you for all that you do for our community. The Connecticut DOT is working on the project preparation to re-mill and re-pave Rte 156 from the bridge to the Rocky Neck Connector after Labor Day; with plans to continue on through Old Lyme to 95 next spring and/or fall. DOT is also planning to do some bridge work at Lover's Lane and Boston Post Road, which will be much less extensive than the last project down the road. Pre-planning continues for the re-construction of Exit 74. Town Engineer Victor Benni and teacher Diane Swan once again put on an excellent Storm water Classroom at Hole in the Wall Beach; which once again was a huge success – thank you for your hard work on this. Mr. Nickerson reported that he meets quarterly with the warden at York CI, and the he had the pleasure of meeting the new warden, Giuliana Mudano, at the last meeting. A meeting has been set up for August for some of our first responders to visit, meet some key personnel at York and to take a tour. All land use commissions attended a recent workshop given by Randall Arndt; this was a 6 hour workshop that was well attended and all attendees took knowledge away. The Health and Safety Commission held their yearly training and once again it was a success. CIRMA awarded this Commission a monetary prize for the outstanding job that they do in providing information to our employees and making sure that everyone has received required training, and they used this money to put on this year's training with a dynamic speaker that was a great success. Mr. Nickerson hosted the State of East Lyme for the SECT Chamber at The Sound and it was well attended and very informative. He will be attending a ribbon cutting for the grand opening of Village Mortgage. Bricks are currently being sold to be personalized and placed at the Main Street Park; these are almost sold out so if you would like one please visit Town Hall, Smith Acres or Mermaid Liquors for the order form. Mr. Nickerson was invited to speak at a TED Talk videoconference to inform other municipalities and their leaders about the East Lyme Volunteer Corps and how this has already positively affected our community. The East Lyme High School Key Club presented a check to Parks & Recreation for \$500 to contribute to putting up a security camera at McCook's Point and specifically the band shell after the graffiti incident a few months back; thank you to the Key Club for a great idea and for being proactive and raising some money to go toward this project. This year's budget referendum will be held on Thursday, May 24<sup>th</sup> from 8am until 8pm at the Community Center.

7. Mr. Wes Firmin, 178 Boston Post Road, addressed the Board and requested that during the installation of the bathrooms at Cini Park that the Town also ties in the Black Hawk into the water system so that they can have fresh water for their crew and patrons.

Mr. Tim Londergan, Niantic Bay Shellfish Farm, stated that he agrees that providing fresh water to the commercial boats docked there is a great idea and is needed. He stated that he would be attending the WELSCO meeting on the 17<sup>th</sup> and that he is hopeful that he will be able to move forward eventually with his plans to expand his shellfish endeavors. He stated that his intent is to help the river community by enhancing the shellfish business while positively affecting the environment; he believes that his business will enrich the health of the river while respecting and incorporating the rivers past.

Mr. Greg Dubrule, owner of the Black Hawk fishing charter boat, stated that he would really like to see the town tie in water for him and his customers. He estimates that his business brings in upwards of 10,000 people per year to the area; and states that they stay in our hotels, eat in our restaurants, and patronize our businesses. Having fresh water for his crew and customers will positively impact his business and he requests that this be done while the bathrooms are being put in.

8. Mr. Nickerson stated that currently there is no fresh water available down at Cini Park, but that this would require adding water lines from the 156 pipeline. In order to have this request reviewed, any interested party should take this matter to the Water & Sewer Commission, and in fact it is on the next agenda for discussion; the Board of Selectmen do not have the authority to review this and make any decisions. Mr. Nickerson stated that they will work on how to get this done; the Black Hawk brings a lot of business to our town and this business is a valued member of our community so he will continue to work with the Water & Sewer Commission to figure out the best way to get this done. In the meantime, he reported that the customers and residents that visit Cini Park will now have a first class restroom facility, so that is a positive start. He thanked Mr. Dubrule for his hard work and stated that his business adds a lot of value to the community and he will work to improve the facilities as best he can.

MOTION (4)

Mr. Seery moved to adjourn the May 16, 2018, regular meeting of the East Lyme Board of Selectmen at 8:51 p.m.

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

Respectfully submitted,



Sandra Anderson  
Recording Secretary

## EXHIBIT 1

### Board of Selectmen Meeting

- Thank you for this opportunity to offer this brief presentation tonight. My name is Joanie DiMartino, and I'm the director of the Smith-Harris House.
- What we are asking for today requires NO money on the part of the Town.
- The Smith-Harris House Commission and Friends BoD has, with the Town's prior approval back in 2015, completed a two-year intensive professional development program called STEPS-CT, or Standards and Excellence in History Programs, managed by the CLHO & CTHumanities.
- Through STEPS we were able to obtain a grant to create our first Strategic Plan, and hired museum consultant Kathy Craughwell-Varda to oversee and lead us through the process.
- We met jointly over a period of 5 months, which included visits to and participation by, the ELHS, the HPC, and Sam Smith House, for intensive discussions on potential new directions for the Smith-Harris House and site.
- One challenge that came to the forefront repeatedly is the site name. Our current name, Smith-Harris House, does not fully embrace who we are, the history of the site, or who we want to be to our community in the future.
- The name is ill-fitting: it recognizes the final residents of the House, yet the house is decorated to the time period of the original residents. There is considerable confusion between our site, the Sam Smith House, and even Smith Acres, and we have noticed this with visitors, users of social media, and even our professional peers.
- Names are important. I spent today just outside Hartford at the SHPO Annual Conference, where one of the featured speakers stated that, "A name is a story. Places have names for a reason, and without those stories something is lost." And I found that sentiment today speaking to exactly why we are here tonight.

- After intensive internal discussion with the Commission and Friends Board, as well as input from two peer consultants, our colleagues at CTHumanities and the First Selectman, we are formally, respectfully, requesting to officially change our name to: "Brookside Farm Museum" with the tag line, "Cultivating the Story: Avery, Smith and Harris, 1845-1955."
- This new re-branding, which will later include a new, refreshed logo and changing exhibits in the museum, allows us to better "tell our story," to share the full history of the site, from the building of the House in 1845 through wars, depressions, changes in industry, agriculture, and social movements to 1955.
- The site itself was once known as "Brookside Farm" or "Brookside Dairies," during the Smith and Harris ownership, and we have been able to trace the name to when the Avery family owned parcels of land alongside Robbin's Brook, now known as the Pattaganset River.
- It is felt that returning to this name best reflects the true and complete history of the site, and we are still honoring the families that resided in the house by encapsulating all three in our tag line, as well as acknowledging our agricultural history with the strong verb to "cultivate," as we continue to encourage new stories and new histories through research, exhibits, preservation, and programs that are relevant to the public and residents of East Lyme.
- We have already been informed by CTHumanities that there is further grant money to fund hiring a local firm to create a new logo, new signage, and redecorating the inside of the House to offer changing exhibits that will draw new and returning visitors, and the Friends Board is committed to seeking out funds to continue this project.
- In our research, we, to our pleasant surprise, have found that our history as a museum has come full circle: I recently found in the papers of Smith-Harris House Founder and long-time Commission member Barbara Odgers, a paper dated October 19, 1978, where she states, "The Smith-Harris Commission will complete their outline of a 5-year plan to return the 1840 farmhouse to a working farm."

- While we don't have the staff or resources to return us completely to a "working farm," it is nice to know that in reconnecting to our agricultural history we are embracing the work, direction, and intent of the original Commission.
- As I learned today at the SHPO conference, places have names that are important to the history and heritage of a community. We want to use the name that best allows us to tell our story in the long and fascinating history of East Lyme.
- We believe the new name "Brookside Farm Museum," with the tagline, "Cultivating the Story: Avery, Smith and Harris, 1845-1955" is the most suited to our historic site, and we ask for your support as we embark on these new endeavors.

**Respectfully Submitted,**

**Joanie DiMartino, Executive Director**

**Smith-Harris House, May 16, 2018**



During their next meeting on October 25, the East Lyme Smith-Harris Commission will complete their outline of a 5 year plan to return the 1840 farmhouse to a working farm. Preliminary drawings of the farmyard and buildings have been made by Key Johnson, a local architect recently appointed to the Commission.

The first buildings being considered are the restoration of the existing corn crib, and historic reconstruction of a carpenters shop, milk room and carriage shed. Although each building will be designed for its historic significance, they will be multi-purpose. The corn crib will be used for storing equipment but will convert to a stage for little theater productions. Nineteenth century carpentry methods will be demonstrated and exhibited in the carpentry shop which will also be used for repairing and building furniture for the farmhouse.

The architects drawing of the farmyard is presently on display in the sitting room. More information on the project can be obtained by visiting the house on Saturday or Sunday from 1 to 5.

Submitted by,

Barbara B. Odgers  
739-5191

10-19-78