

EAST LYME BOARD OF SELECTMEN  
REGULAR MEETING OF JUNE 6, 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, Finance Director Anna Johnson and Public Works Director Joe Bragaw

Mr. Nickerson called the meeting to order at 7:31 p.m. and stated that the Pledge of Allegiance was performed at the Public Hearing.

1b. Additional Agenda Item

MOTION (1)

DISCUSSION: Mr. Nickerson stated that this appropriation came in last minute and did not make it into the agenda packets, but he would like to see it added to this evening's agenda since there are other appropriations that will also require a Town Meeting.

Mr. Seery MOVED to add Agenda Item #2ia to the agenda for a special appropriation of reimbursable funds for the Emergency Operations Center.

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

1c. Delegations

Ms. Holly Cheeseman, 16 Mitchell Drive and State Representative, gave an update on what is going on in Hartford. She reported that funding will be restored to municipalities, which will amount to ~\$300K for East Lyme. The Governor Vetoed the ECS funding bill; she will provide updates as this progresses. Some items restored to the budget are funding for Medicare, Veterans funerals and the results first initiative. Regarding the renters rebate, liability will revert back to the State level and not the municipality. A couple of studies are under way to look at ways to re-balance state taxes and ways to re-vamp the teachers' pension plans; as well as the possibility of sports gaming in the state and ways to implement language to allow municipalities to better utilize volunteers. Ms. Cheeseman reported that she has been working with the police department and the Superintendent of Schools on security issues. Mrs. Hardy requested the Ms. Cheeseman please look into funding to replace the locks on all of the doors in the schools to more up-to-date key fob technology.

1d. Approval of Minutes

MOTION (2)

Mr. Seery MOVED to approve the Board of Selectmen Regular Meeting Minutes of April 18, 2018, as submitted.

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

MOTION (3)

Mr. Seery MOVED to approve the Board of Selectman Regular Meeting Minutes of May 16, 2018, as submitted.

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

FILED

June 12 2018 AT 9:45 AM/PM  
*(Cunningham)*  
EAST LYME TOWN CLERK

1e. Consent Calendar

MOTION (4)

Mr. Seery MOVED to approve the Consent Calendar for the meeting of June 6, 2018, in the amount of \$16,079.51.

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

2ai. Adopt Ordinance – Demo Delay

DISCUSSION: Mr. Salerno stated for the record that he would prefer to see a 60-day window instead of a 90-day window. Mr. Cunningham stated that the demolition order would not be held up the full 90 days if not necessary, and that 90 days is the average with some municipalities utilizing a 180-day time frame.

MOTION (5)

Mr. Seery MOVED to adopt the ordinance entitled “Demolition Delay Ordinance”, as submitted. Seconded by Mrs. Hardy. Motion passed 6-0.

2aai. Adopt Ordinance – Smith-Harris House Name Change

DISCUSSION: Mr. Nickerson stated that it was decided at the Public Hearing to table this discussion to a future Board of Selectmen meeting to allow for the historic commissions to work together on this proposed name change.

2b. Discussion and possible action – Parking and Traffic Regulations Ordinance

DISCUSSION: Attorney O’Connell stated that the draft document presented tonight is for the Board’s preliminary review only, and that this ordinance is being reviewed and updated accordingly by the Town Attorney. Mr. Nickerson stated that he wanted everyone to know what is in the works, and that this matter will come up at a future meeting.

2c. Discussion and possible action – Ordinance Establishing a Tax Abatement Program for Certain Emergency Services Volunteers

DISCUSSION: Attorney O’Connell reviewed the proposed ordinance and stated that “abatement” is different than “exemption”. This is a strict \$1,000 tax abatement which applies to each volunteer, even if they are a married couple, for example; and applies only to the tax holder. The Tax Collector has a copy of this proposed ordinance but has not shared any opinion to date.

MOTION (6)

Mr. Seery MOVED the following call:

TOWN OF EAST LYME  
BOARD OF SELECTMEN  
NOTICE OF PUBLIC HEARING  
REGARDING AN ORDINANCE ENTITLED  
“ORDINANCE ESTABLISHING A TAX ABATEMENT PROGRAM FOR  
CERTAIN EMERGENCY SERVICES VOLUNTEERS”

NOTICE IS HEREBY GIVEN, of a public hearing to be held by the East Lyme Board of Selectmen on June 20, 2018 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut, immediately following a special town meeting to commence at 7:00 p.m., to consider the adoption of the following ordinance:

ORDINANCE ESTABLISHING A TAX ABATEMENT PROGRAM FOR CERTAIN EMERGENCY  
SERVICES VOLUNTEERS

1. Tax Abatement Program: Pursuant to Connecticut General Statutes § 12-81w there is hereby established a tax abatement program for certain emergency services volunteers. The purpose of this program is to retain existing volunteers and attract new volunteers.

2. Definitions:

a. "Abatement List" shall mean a list of Eligible Residents, as defined herein, qualifying for this tax abatement program. The Abatement List shall be certified by a vote of the Executive Board of the Flanders Volunteer Fire Department and the Board of Directors of the Niantic Volunteer Fire Department and reported by the respective Fire Chiefs of those departments to the Tax Collector's Office on or before the Certification Date, as defined herein.

b. "Certification Date" shall mean October 1 of each year.

c. "Eligible Resident" shall mean each resident of the Town of East Lyme who volunteers his or her services either: 1. (a) As an active nonsalaried state certified firefighter #1, emergency medical technician, or emergency medical responder for the Flanders Volunteer Fire Department; and 2. (a) As an active nonsalaried state certified firefighter #1, emergency medical technician, or emergency medical responder for the Niantic Volunteer Fire Department; and, (b) Responds to at least fifteen percent (15%) of the eligible calls in the twelve-month period ending September 1 preceding the current Certification Date; and, (c) Is in compliance with the applicable requirements holding active service status within the department. OR (b) Responds to at least fifteen percent (15%) of the eligible calls in the twelve-month period ending September 1 preceding the current Certification Date; and, (c) Is in compliance with the applicable requirements for holding active service status within the department.

d. "Benefit" shall mean a reduction in property tax liability of no more than \$1,000 per Eligible Resident from the total property taxes that would otherwise be due from that resident for the assessment year following the Certification Date. Where an Eligible Resident has a total property tax liability of less than \$1,000, the Benefit shall be limited to the extent of the Eligible Resident's total property tax liability. An Eligible Resident appearing on the Abatement List for both the Flanders Volunteer Fire Department and the Niantic Volunteer Fire Department shall be eligible for only one Benefit.

3. Administration: On or before the Certification Date, the respective Fire Chiefs of the Flanders Volunteer Fire Department and the Niantic Volunteer Fire Department shall transmit the Abatement List as certified by the Board of Directors or Executive Board for the respective departments, to the Tax Collector and shall forward copies of the Abatement List and certification to the Office of the First Selectman. Upon receipt of the Abatement List, the Tax Collector shall adjust the property tax bills of each Eligible Resident for the assessment year following the Certification Date by applying the maximum allowable Benefit for each Eligible Resident. In no case shall an Eligible Resident receive a Benefit in excess of his or her total tax liability.

4. Data Retention: The Fire Chiefs of the Flanders Volunteer Fire Department and the Niantic Volunteer Fire Department shall retain the data used to determine Eligible Resident status for the Abatement List for a period of two years following the Certification Date applicable to that Abatement List. Said data shall be made available for inspection by the Tax Collector upon request by the Tax Collector.

5. Regulation of Volunteer Requirements: This ordinance shall not alter or impair the ability of the Flanders Volunteer Fire Department or the Niantic Volunteer Fire Department to alter existing qualifications or establish additional qualifications for active service status in each department. Any change in qualifications for active service status in each department hereinafter made by the respective departments shall apply to the Eligible Resident criteria set forth in Section 2.C.1(c) and Section 2.C.2(c) of this ordinance without further action by the Board of Selectmen.

6. No Interlocal Agreement: Without further action by the Board of Selectman and reciprocal treatment from another municipality, this ordinance shall not be deemed to grant a Benefit to a resident of the Town of East Lyme who serves as an emergency volunteer in another municipality.

Dated at East Lyme, Connecticut, on this 6th day of June, 2018.

EAST LYME BOARD OF SELECTMEN  
Seconded by Mr. Salerno. Motion passed 6-0.

2d. Special Appropriation Vehicle Acquisition/Equipment 2018/19 Program  
MOTION (7)

Mr. Seery MOVED that WHEREAS, the Board of Selectmen has determined that a true and very real need exists for the acquisition of the Vehicles and Equipment described above presented at this meeting.

BE IT RESOLVED, to approve an appropriation in the amount of \$539,994.44 for the purpose of acquiring by way of lease or purchase various vehicles and equipment more particularly described in the Town's FY 2018/2019 Equipment Acquisition Plan, as evidenced by one or more agreements for the acquisition of said vehicles by lease or purchase or a combination thereof, for a total price of \$500,000 plus interest at the rate of 3.07% per annum, payable in annual installments of \$107,998.88 (\$8,999.91/month) over a period of five (5) years. The First Selectman is authorized, in the name and on behalf of the Town, to execute and deliver any documents that may be required in connection with said transactions. And, send to the Board of Finance for approval. Note: This requires a Town Meeting.

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

2e. Special Appropriation BoE Technology 2018/19 Program

DISCUSSION: In attendance on behalf of the Board of Education was Pat Lannon, Director of Information Technology and IT PD. Ms. Johnson addressed the Board and stated that the acquisition plan was started about 10 years ago in order to better manage the replacement of essential equipment. Leasing programs have been looked out over the year but purchasing new equipment has always been the most cost effective solution for the town.

MOTION (8)

Mr. Seery MOVED that WHEREAS, upon the recommendation of the Board of Education, the Board of Selectmen has determined that a true and very real need exists for the acquisition of the Equipment described above.

BE IT RESOLVED, to approve an appropriation to the Board of Education in the amount of \$237,597.55 for the purpose of acquiring by way of lease or purchase or a combination thereof, various cabling, connectors, switches and wireless data distribution access points for the High School, Middle School, Niantic Center School, Lillie B. Haynes, Flanders School, and the Central Office more particularly described in the East Lyme Public Schools Proposed Year One Technology Replacement Plan 2018/19 for the total amount of \$220,000 plus interest at the rate of 3.07% per annum, payable in annual installments of \$47,519.51 (\$3,959.96/month) over a period of five (5) years. And, send to the Board of Finance for approval. Note: This requires a Town Meeting.

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

2f. Special Appropriation CNRE Projects - \$89,121

MOTION (9)

Mr. Seery MOVED to approve a special appropriation for the following projects in CNRE Fund 32 which are consistent with the 2018/19 Capital Improvement Plan:

CNRE - Municipal Project	Amount
Town Projects (Roofs)	\$10,000
HVAC Replacement Town-wide	15,000

Town Projects - Various	27,060
Town-wide Servers	5,000
Revaluation	32,061
<b>TOTAL</b>	<b>\$89,121</b>

And, send to the Board of Finance for approval. Note: This requires a Town Meeting.  
 Seconded by Mr. Salerno. Motion passed 6-0.

2g. Bonding Resolution Various Town Roads and Sidewalks - \$950,000

MOTION (10)

Mr. Seery RESOLVED, That the resolution entitled “Resolution Making An Appropriation In The Amount Of \$950,000 For The Rehabilitation Of Various Town Roads And Authorizing The Issuance Of \$950,000 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 Board of Finance and the legal voters of the Town at Town Meeting.

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

2h. Special Appropriation LoCIP Funds to CNRE

MOTION (11)

Mr. Seery MOVED to approve a special appropriation of up to \$403,567.36 into CNRE Fund 32 for Town Allocated Funds in the State of Connecticut LoCIP Program as follows: \$264,785.36 effective July 1, 2018 and \$138,782.00 effective March 1, 2019. In addition, make the following project appropriations from the funds noted above, consistent with the 2018/2019 CIP:

- \$15,000 ELCC Front Vestibule
- \$20,000 ELCC Reseal & Restripe Parking Lot
- \$60,000 ELPD Roof Repair
- \$60,000 Transfer Station – New Scale House, Loader Shed & Drainage Improvements
- \$20,000 Maintenance of Town owned Dams
- \$20,000 Town Owned Bridge/Culvert Repairs
- \$30,000 Niantic River Boardwalk

And, send to the Board of Finance for approval. Note: This requires a Town Meeting.  
 Seconded by Mr. Salerno. Motion passed 6-0.

2i. Budget Transfers within Departments - \$23,218.52

MOTION (12)

Mr. Seery MOVED to ratify departmental transfers in the amount of \$23,218.52 processed for fiscal year end June 30, 2018 and to forward to the Board of Finance for approval.

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

2ia. Approve a special appropriation in the amount of \$30,195.15  
MOTION (13)

Mr. Seery MOVED to approve a special appropriation in the amount of \$30,195.15 to revenue account 01-04-400-401 (NSEP) Grant and budget account 01-70-725-224-006 (NSEP Equipment), for the purchase of portable radios, mobile Police scanners and miscellaneous equipment for the EOC to be used in the field during disasters. And, send to the Board of Finance for approval. Note: This requires a Town Meeting.  
Seconded by Mrs. Hardy. Motion passed 6-0.

2j. Meeting Call – Town Meeting June 20, 2018  
MOTION (14)

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 Wednesday, June 20, 2018 at 7:00 P.M. (E.D.T.) at the East Lyme Town Hall Upper Meeting Room for the following purposes:

1. To approve a special appropriation in the amount of \$539,994.44 for the purpose of acquiring by way of lease or purchase various vehicles and equipment more particularly described in the Town's FY 2018/2019 Equipment Acquisition Plan, as evidenced by one or more agreements for the acquisition of said vehicles by lease or purchase or a combination thereof, for a total price of \$500,000 plus interest at the rate of 3.07% per annum, payable in annual installments of \$107,998.88 (\$8,999.91/month) over a period of five (5) years. The First Selectman is authorized, in the name and on behalf of the Town, to execute and deliver any documents that may be required in connection with said transactions.

2. To approve a special appropriation to the Board of Education in the amount of \$237,597.55 for the purpose of acquiring by way of lease or purchase or a combination thereof, various cabling, connectors, switches and wireless data distribution access points for the High School, Middle School, Niantic Center School, Lillie B. Haynes, Flanders School, and the Central Office more particularly described in the East Lyme Public Schools Proposed Year One Technology Replacement Plan 2018/19 for the total amount of \$220,000 plus interest at the rate of 3.07% per annum, payable in annual installments of \$47,519.51 (\$3,959.96/month) over a period of five (5) years.

3. To approve a special appropriation for the following projects in CNRE Fund 32 which are consistent with the 2018/19 Capital Improvement Plan:

<u>CNRE - Municipal Project</u>	<u>Amount</u>
Town Projects (Roofs)	\$10,000
HVAC Replacement Town-wide	15,000
Town Projects - Various	27,060
Town-wide Servers	5,000
Revaluation	32,061
<u>TOTAL</u>	<u>\$89,121</u>

4. 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 \$950,000 For The Rehabilitation Of Various Town Roads And Authorizing The Issuance Of \$950,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

5. To consider and act upon a resolution entitled "Resolution Making An Appropriation In The Amount Of \$950,000 For The Rehabilitation Of Various Town Roads And Authorizing The Issuance Of \$950,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

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

6. To approve to approve a special appropriation of up to \$403,567.36 into CNRE Fund 32 for Town Allocated Funds in the State of Connecticut LoCIP Program as follows: \$264,785.36 effective July 1, 2018 and \$138,782.00 effective March 1, 2019.

In addition, make the following project appropriations from the funds noted above, consistent with the 2018/2019 CIP:

ELCC Front Vestibule	\$15,000
ELCC Reseal & Restripe Parking Lot	20,000
ELPD Roof Repair	60,000
Transfer Station – New Scale House, Loader Shed & Drainage Improvements	60,000
Maintenance of Town owned Dams	20,000
Town Owned Bridge/Culvert Repairs	20,000
Niantic River Boardwalk	30,000

7. To approve a special appropriation in the amount of \$30,195.15 to revenue account 01-04-400-401 (NSEP) Grant and budget account 01-70-725-224-006 (NSEP Equipment), for the purchase of portable radios, mobile Police scanners and miscellaneous equipment for the EOC to be used in the field during disasters.

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

Dated at East Lyme, Connecticut, this 6th day of June 2018.

EAST LYME BOARD OF SELECTMEN

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

2l. Rescind the May 16, 2018 Motion to Approve the Minutes of the April 4th Regular Meeting Minutes

MOTION (15)

Mr. Seery MOVED to rescind the May 16, 2018 Motion to Approve the Minutes of the April 4th Regular Meeting Minutes, as it is duplicative.

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

2m. Appointments to Boards/Commissions

There was none.

3a. Discussion of Exit 74 Spill Mitigation

DISCUSSION: Mrs. Hardy stated that there was a memorandum that was supposed to have been sent to the Board in February of this year from the Natural Resources Commission, but it was discussed and reviewed

and this is the first time the Board has seen it. More review of this matter will be undertaken, and this matter will be further discussed at a future meeting. It was determined that Mr. Nickerson will send a letter to Commissioner Redeker at the DOT stated East Lyme's position on spill mitigation.

4. Mr. Nickerson stated that Mr. Tom Gardner resigned from the Police Commission, and Mrs. Rita Franco Palazzo resigned from the Planning Commission. Both vacancies will be filled at upcoming meetings.

6a. Mr. Salerno reported that the public hearing for a walnut hill subdivision was continued to the next Planning Commission meeting. The Building Committee is working hard in preparation for this summer's schools project; some trailers are already in place. A draft copy of the proposed purchasing policy will be forwarded to the Finance Director from the Purchasing Subcommittee this week.

Mr. Seery reported that the Board of Education is working on redistricting, and that there were three public hearings for Zoning and all were approved.

Mr. Cunningham reported that the Smith-Harris House Commission and Historic Properties Commission are primarily discussing the proposed name change. Preparations are underway for the 3<sup>rd</sup> annual Bike & BBQ event.

6b. Mr. Nickerson reported that the new Main Street park is coming along nicely and the ribbon cutting is anticipated for the morning of July 21<sup>st</sup>, the day of Celebrate East Lyme. Contract negotiations are currently underway with three out of four unions; Police, Fire and Town Employees. Miracle League is working to involve our surrounding towns in the planning and fundraising efforts, as this is a regional project. Trails Day was June 2<sup>nd</sup>. Mr. Nickerson attended the annual Board of Education retirement celebration, as well as the recent Rotary luncheon where all of the current year's Students of the Month were honored with a pizza luncheon and a check for \$500 to assist them with their college expenses. This year's Memorial Day parade was great with a lot of people involved and in attendance, and the weather was beautiful this year.

7. Public Comment  
There was none.

8. Selectman's Response  
There was none.

MOTION (16)

Mr. Seery moved to adjourn the June 6, 2018, regular meeting of the East Lyme Board of Selectmen at 9:14 p.m.

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

Respectfully submitted,



Sandra Anderson  
Recording Secretary