

EAST LYME BOARD OF SELECTMEN  
REGULAR MEETING OF JULY 10, 2019  
MINUTES

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

EXCUSED: Rose Ann Hardy

ALSO PRESENT: Finance Director Anna Johnson, Deputy Public Works Director Bill Scheer, Highway General Foreman Justin Porter; and Board of Education Chairman Dr. Timothy Hagen and Finance Director Maryann Stevens

Mr. Nickerson called the meeting to order at 7:28 p.m., and stated that the Pledge of Allegiance was performed at the Town Meeting.

1b. Additional Agenda and Consent Items

There were none.

FILED

1c. Delegations

There were none.

July 16 2019 AT 3:45 AM (PM)  
Brooke Hanum AHC  
EAST LYME TOWN CLERK

1d. Approval of Minutes

MOTION (1)

Mr. Seery MOVED to approve the Regular Meeting Minutes of June 19, 2019, as submitted.

Seconded by Mr. Salerno. Motion passed 5-0.

1e. Consent Calendar

MOTION (2)

Mr. Seery MOVED to approve the Consent Calendar for the meeting of July 10, 2019, in the amount of \$346.86.

Seconded by Mr. Salerno. Motion passed 5-0.

2a. Schedule Public Hearing

DISCUSSION: Mr. Nickerson explained that this was before them late last year, but the DEEP wanted to make some minor changes to the plan so it was removed from the agenda and discussion. The plan is complete now and the process to update both the plan and the ordinance are complete and ready for review and adoption by the Board. The anticipated time line will be for the ordinance and plan to now be given to Board members for review, and a public hearing will be set for August 7<sup>th</sup>. Should the Board deem it acceptable, the Ordinance and Plan would be adopted at the regular meeting of the Board, also scheduled for August 7<sup>th</sup>. Should all go well, the ordinance will go into effect 10 days after that. A copy of the updated plan will be available for review at Town Hall after Monday the 15<sup>th</sup>. The first step is to hold a public hearing on the matter.

MOTION (3)

Mr. Seery MOVED:

NOTICE IS HEREBY GIVEN, of a public hearing to be held by the East Lyme Board of Selectmen on Wednesday, August 7th, 2019 at the East Lyme Town Hall at 108 Pennsylvania Avenue, Niantic, Connecticut beginning at 7:15 p.m. to receive comments regarding the following ordinance entitled: ORDINANCE MODIFYING THE 1994 ORDINANCE FOR THE USE AND ENJOYMENT OF THE EAST LYME HARBOR MANAGEMENT AREA. Said Ordinance proposes the following:

1. Modifications to the "Ordinance For The Use And Enjoyment Of The East Lyme Harbor Management Area" which was adopted by the East Lyme Board of Selectmen on May 4, 1994; and

2. The adoption of a 2019 Revised Harbor Management Plan which plan replaces the Harbor Management Plan adopted by the East Lyme Board of Selectmen on May 4, 1994. Copies of the proposed 2019 “Harbor Management Plan” and “Ordinance Modifying The 1994 Ordinance For The Use And Enjoyment Of The East Lyme Harbor Management Area” are available for review in the East Lyme Town Clerk’s Office and on the Town of East Lyme website [www.eltownhall.com](http://www.eltownhall.com). Interested persons are invited to attend and be heard. Dated at East Lyme, Connecticut, on this 10th day of July, 2019.  
EAST LYME BOARD OF SELECTMEN  
Seconded by Mr. Salerno. Motion passed 5-0.

2b. Discussion and Possible Action – Public Works Fees  
MOTION (4)

DISCUSSION: Justin Porter was in attendance to speak on this, and summarized this matter as follows: Following are the existing facts on trash and recycling cans: we presently charge \$75 for all trash cans; we provide residents and businesses up to 2 recycling cans free of charge to promote recycling and since we collect recycling right now every other week. After the 2<sup>nd</sup> can, we presently charge \$75 per can; the cans we have been getting are very durable and have an 18 year warranty but they are now up to \$110 for us to buy them; we have two sizes of cans, the large size which most people want are 96 gallons while we have a medium size can which is 64 gallons; we are presently out of all 96 gallon recycling cans and need to order more. Our proposal; raise the fee for 96 gallon garbage cans to \$110; new 64 gallon garbage cans would remain at \$75; provide up to two free 96 gallon recycling cans free, then each additional can would be \$110. I am about to order 75 more 96 gallons cans at \$110 each so I want to make sure that we raise the fee to at least cover our cost; new 64 gallon recycling cans would be \$75 after the 2<sup>nd</sup> can; if a can is damaged, we will replace it for the taxpayer free of charge as it should be covered by the warranty. It was noted that Mr. Porter’s hardcopy paperwork contained a typographical error in that he incorrectly states the new cans are \$100, and that is hereby modified to reflect the correct amount of \$110.

Mr. Porter reported that if a resident moves, they should leave their cans for that property; the cans are documented by serial number matched to the property itself, not the taxpayer. If your garbage or recyclables do not get picked up on the scheduled day, please leave the can out and call the public works office. Sometimes the drivers fall behind schedule and will be by later in the day. Broken lids can be replaced at no charge; please call the public works office. Please leave as much space as possible between the cans. If you do not feel that there is enough space or would like to talk about the placement of the cans, please call the public works office and they can work with you to find a solution.

Mr. Seery MOVED to approve the revised fees for Trash & Recycling Cans, as presented and modified.

Seconded by Mr. Salerno. Motion passed 5-0.

2c. Approvc Carryover - Heating Oil/Propane - \$5,101  
MOTION (5)

Mr. Seery MOVED to approve a carry-over of \$5,101 from account 01-01-113-400-213 (Heating Oil/Propane) from the 2018/2019 fiscal year to the 2019/2020 fiscal year and forward to the Board of Finance for approval.

Seconded by Mr. Cunningham. Motion passed 5-0.

2d. Discussion and Schedule Town Meeting – Special Appropriation Lease/Purchase Agreement  
2019/2020 Acquisition Program - \$1,126,992

MOTION (6)

Mr. Seery RESOVED That the resolution entitled “A Resolution of the Town of East Lyme, Connecticut Authorizing the Execution and Delivery of an Equipment Lease/Purchase Agreement and Schedules Thereto for the Acquisition, Purchase, Financing and Leasing of Certain Equipment”, 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. Dagle. Motion passed 5-0.

2e. Special Appropriation – Health Insurance

MOTION (7)

DISCUSSION: Mrs. Johnson explained that the Town moved over to the State Plan as of July 1, 2019, but that we still need to resolve last year’s claims that have been incurred but not reported (IBNR) for the year ending June 30, 2019; she estimates that the total for IBNR claims is \$891,465 for which each group will be assessed its share. A good portion of this amount is currently unbudgeted in the Board of Education budget. The Education Cost Share is fund for this year, but Mr. Nickerson pointed out that the Governor stated that if tolls are not passed, this may affect municipal funding such as ECS. The Board of Education has released \$74,503.04 in prior year encumbrances to move into the health insurance fund.

Mr. Seery MOVED to authorize the non-expended Board of Education encumbrances in the amount of \$74,503.04 remaining from fiscal year ended 6/30/2018 to the health insurance fund and forward to the Board of Finance for approval.

Seconded by Mr. Salerno. Motion passed 5-0.

2f. Departmental Transfers – \$34,144.81

MOTION (8)

DISCUSSION: Mr. Nickerson stated that these transfers are typical at the end of a tight budget year.

Mr. Seery MOVED to ratify departmental transfers in the amount of \$34,144.81 processed for fiscal year end June 30, 2019 and to forward to the Board of Finance for approval.

Seconded by Mr. Salerno. Motion passed 5-0.

2g. Special Appropriation – BOE Vehicle from CNRE - \$18,000

MOTION (9)

DISCUSSION: Maryanna Stevens spoke on this item, and stated that the vehicle that the BOE employee uses to do the mail run on a daily basis needs to be replaced. She explained that this person, along with students from the AIM program, deliver mail throughout the Board of Education and Town Hall, as well as satellite offices such as the Police Department and the Emergency Operations Center. Mr. Dagle pointed out that the board approved the purchase of two similar vehicles for Public Works in the amount of \$24,000, and inquired as to why they would spend less for a vehicle that will be transporting employees as well as children. The other Board members agreed and the decision was made to change the amount to be approved from \$18,000 to \$25,000 in order for the Board of Education to purchase a new vehicle instead of a used vehicle.

Mr. Seery MOVED to approve a special appropriation in CNRE Fund 32 to account 32-99-400-700-701 (BoE Vehicles) in the amount of \$25,000 with the source of funds as follows: \$2,949 from BoE vehicle sales and \$22,051 from Learn Rental Fees and forward to the Board of Finance for approval. Note: This Item Requires a Town Meeting.

Seconded by Mr. Cunningham. Motion passed 5-0.

MOTION (10)

Mr. Seery MOVED that:

Notice is hereby given of a Special Town Meeting of the Town of East Lyme to be held on Wednesday,

August 7, 2019 at 7:00 P.M. (ET) in the Upper Meeting Room at 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 "A Resolution of the Town of East Lyme, Connecticut Authorizing the Execution and Delivery of an Equipment Lease/Purchase Agreement and Schedules Thereto for the Acquisition, Purchase, Financing and Leasing of Certain Equipment".

2. To consider and act upon a resolution entitled "A Resolution of the Town of East Lyme, Connecticut Authorizing the Execution and Delivery of an Equipment Lease/Purchase Agreement and Schedules Thereto for the Acquisition, Purchase, Financing and Leasing of Certain Equipment".

3. To approve a special appropriation in CNRE Fund 32 to account 32-99-400-700-701 (BoE Vehicles) in the amount of \$18,000 with the source of funds as follows: \$2,949 from BoE vehicle sales and \$15,051 from Learn Rental Fees.

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

A copy of the proposed resolution is on file and open to public inspection at the office of the Town Clerk. Dated at East Lyme, Connecticut, this 10th day of July, 2019. East Lyme Board of Selectmen.

Seconded by Mr. Salerno. Motion passed 5-0.

2h. Appointment – EL Harbor Management/Shellfish Commission

MOTION (11)

Mr. Seery MOVED to appoint Craig Mason, 9 Acorn Drive, Niantic, CT, as a Member of the East Lyme Harbor Management/Shellfish Commission, with a term to expire on January 3, 2022.

Seconded by Mr. Cunningham. Motion passed 5-0.

3a. Ex-Officio Reports

Mr. Nickerson called for Ex-Officio reports, and stated that all of our hearts, thoughts and prayers are with Mrs. Hardy and we wish her good health and a speedy recovery.

Mr. Salerno reported that the Planning Commission closed two public hearings on proposed subdivisions; one in Old Black Point and one on Roxbury. There were two referrals to Zoning. Regarding the schools renovation project; Flanders is on schedule, Center School is ahead of schedule, and Lillie B. Haynes is experiencing continued issues with moisture on untreated areas of flooring but is still on schedule. To remedy the flooring issue, they needed to take \$100,000 from contingency to get the moisture mitigation done and move forward. Regarding replacing the fencing, Mr. Salerno reported that he organized a meeting between Dave Putnam and the Babe Ruth and Little Leagues to discuss priorities and a plan for replacement of the fencing.

Mr. Dagle reported that the Vision Committee has narrowed down the RFQs to four firms, and will plan to bring their findings before the Board of Selectmen in August or September. Regarding the Inland Wetlands Agency, the application was approved for Spring Glen Road, and there was no action taken on the Roxbury Road application. There were two outstanding enforcement issues discussed, one of which should be resolved shortly, the other is still being looked into.

Mr. Cunningham reported that the July 11<sup>th</sup> meeting of the Vision Committee will take place at the Emergency Operations Center, and not at the Town Hall where they have historically met. He reported that the Brookside Farm Museum is currently having a dehumidification system installed, and also that they have been receiving help from inmates from York to do the yard work at the house, and that is much appreciated and is going well. Mr. Cunningham reported that there will not be a Bike & BBQ event this year, but they are working diligently to come up with another fund raising event.

3b. First Selectman's Report

Mr. Nickerson took at moment to announce that Mr. Dagle's father has recently passed away, and also Mr. John Hoye has recently passed away. Our hearts and prayers go out to the families of these two men.

Mr. Nickerson reported that our town had a fire on Carriage Hill Drive, apparently starting from a window air conditioning unit. Our first responders did a great job of containing and putting out the fire;

there were no injuries and everyone got out safely. This is a reminder of what a great and caring community that we live in with all of the support that has been received for the family. Our Town made history on Sunday night when the very first full time fire fighter punched in for work on the overnight shift; the Town of East Lyme now has a full time fire fighter on duty 24 hours a day, 7 days a week. Thank you to the East Lyme Ambulance Fund, Inc. for working with the Town to make this happen. Celebrate East Lyme is on Saturday, July 20<sup>th</sup>; and Dominion has once again donated the fireworks to cap off this annual event. The Lion's Club annual Arts & Crafts Show was a huge success this year. Mr. Nickerson reported that he attended the swearing in ceremony for this year's Coast Guard Academy Cadets, which was an honor. We have had a lot of calls and discussion on social media about speeding and pedestrian/biker safety. Mr. Nickerson stated that Mr. Charlie Fenick was involved in an automobile versus pedestrian accident this past Sunday, and that it was an accident that would most likely happened whether there were sidewalks in place or not. We wish Mr. Fenick good wishes and a speedy recovery. He reported that a couple residents from the Riverview Road area have set up a meeting with him to come in and express some of their concerns. He noted that we only have 23 officers on staff, which is half of what we need, and they are doing the best that they can to police the entire town.

#### 4. Public Comment

Mr. Jason Halvorsen, 21 Sapia Drive, noted that there is a lot of financial business on tonight's agenda, and he suggests exploring efficient use of resources, such as sharing vehicles between Town employees and the Board of Education. He would like the Town to consider needs versus wants and postpone any vehicles that aren't needed at this time.

#### 5. Selectmen's Response

Mr. Nickerson responded to Mr. Halvorsen's comment by explaining that the Town does share resources, vehicles and equipment, when possible, between all Town departments. Mr. Seery pointed out that the Board of Education has just this year utilized Public Works for plowing and discontinued using an outside company, saving approximately \$30,000. Mr. Nickerson noted that the mower that is on the list tonight was requested over two years ago but has been removed because it was more of a want than a need; now it is a need and will cost more to fix than replace so it goes on the list.

#### MOTION (12)

Mr. Seery MOVED to adjourn the July 10, 2019, regular meeting of the East Lyme Board of Selectmen at 8:47 p.m.

Seconded by Mr. Salerno. Motion passed 5-0.

Respectfully submitted,



Sandra Anderson  
Recording Secretary

## Equipment

<b>Department</b>	<b>Years</b>	<b>#</b>	<b>Unit</b>	<b>Total</b>
<b>Public Works</b>				
Ford F250 xl 4x4 supercab	12	1	55,000	\$55,000
Ford F550 xl 4x4 w/crane	15	1	110,000	110,000
Ford Escape (Engineering)	12	1	24,000	24,000
Hook Truck (Int'l Cab/Chassis) w/rolloffs	10	1	185,000	185,000
<b>Police</b>				
Marked Interceptor Utility (outfitted)	7	2	63,089	126,178
Detective Interceptor Utility (outfitted)	7	1	38,231	38,231
<b>Parks &amp; Recreation</b>				
Large Area Mower (Groundmaster 5900 T4)	20+/-	1	94,716	94,716
<b>Flanders Fire Dept</b>				
Ford Explorer	12	1	35,000	35,000
<b>Fire Marshal</b>				
Ford F250 xl 4x4 supercab	12	1	35,000	35,000
<b>Water &amp; Sewer</b>				
Ford F350 w/utility Body (Water)	12	1	54,000	54,000
Ford F350 w/flatbed (Sewer)	12	1	41,000	41,000
Ford Escape (Water & Sewer)	12	1	24,000	24,000
Valve Exercise w/EH Wachs Trailer	15	1	64,000	64,000
<b>Board of Education</b>				
Telephone System - Middle School	10	1	40,867	40,867
Laptops	7	171	495	84,725
Interactive Boards	7	15	5,000	75,000
Meraki Access Points	7	30	768	23,032
Cisco Switches	7	5	3,449	17,243
<b>TOTAL</b>				<b>\$1,126,992</b>