

**East Lyme Board of Selectmen
Regular Meeting of September 4th, 2019
Minutes**

Present: Mark Nickerson, Kevin Seery, Marc Salerno, Dan Cunningham, and Rose Ann Hardy

Also Present: Anna Johnson, Finance Director
Tracy Collins, Town Attorney
Joe Bragaw, Public Works Director
Stephen Dinsmore, Harbor Management & Shellfish Commission Chair

Absent: Paul Dagle

Mr. Nickerson called the Regular Board of Selectmen Meeting to order at 7:30 p.m.

1a. Pledge

Mr. Nickerson led the Pledge. He noted the passing of Jim Fleishell who many might know from his time working at the voting polls- he often handed out the "I voted" stickers as people exited the building. Mr. Seery noted he had an accomplished career in the Coast Guard. The Board had a moment of silence for Mr. Fleishell and his family.

1b. Additional Agenda & Consent Calendar Items

There were none.

1c. Delegations

There were none.

1d. Approval of Minutes- Public Hearing of August 7th, 2019

Regular Meeting of August 7th, 2019

FILED

September 10, 2019 AT 8:48 AM/PM

Bridle Hovum ATC

EAST LYME TOWN CLERK

MOTION (1)

Mr. Seery moved to approve the Board of Selectmen Public Hearing Meeting Minutes of August 7th, 2019, as submitted.

Seconded by Ms. Hardy. Motion passed 3-0-2.

Mr. Salerno and Ms. Hardy abstained due to their absence from the August 7th, 2019 Public Hearing.

MOTION (2)

Mr. Seery moved to approve the Regular Meeting Minutes of August 7th, 2019 as submitted.

Seconded by Mr. Cunningham. Motion passed 3-0-2.

Mr. Salerno and Ms. Hardy abstained due to their absence from the August 7th, 2019 Regular Meeting.

1e. Consent Calendar

MOTION (3)

Mr. Seery moved to approve the Consent Calendar for the meeting of September 4th, 2019, in the amount of \$1,420.89.

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

2. Old Business

- a. Adopt Harbor Management Ordinance
- b. Adopt Harbor Management Plan

Attorney Collins updated the Board and shared the following:

- She has been working closely with Mr. Dinsmore and they've addressed the items that came up during the Public Hearing by the Oswegatchie Hills Club.
- In a letter dated August 1st, 2019 they had certain requests regarding ownership of certain parcels specifically, in Saunders Point.
- She and Mr. Dinsmore are recommending not to determine ownership of certain parcels the Town finds unclear; the Plan is not meant to determine title to property in Town to the fire docks.
- In the areas of concern they're going to revert to the 1994 Plan and she noted the changes are outlined in the document she provided at the onset of the meeting (attached.)
- The Ordinance has remained the same, only the Plan has been revised.
- The Statute provides that the Plan has to be adopted by an ordinance, the Plan itself is not adopted as an ordinance.
- She said they have 2 resolutions before them- one is adopting the ordinance and the other is adopting the Plan and they're two separate actions.

Ms. Hardy asked if that means as time goes on the Plan can be modified without changing the ordinance and Ms. Collins replied in the affirmative.

MOTION (4)

Mr. Seery resolved to adopt the "Ordinance Modifying the 1994 Ordinance for the Use and Enjoyment of the East Lyme Harbor Management Area". The Ordinance shall be effective ten (10) days after publication of notice of its adoption with an anticipated publication date of September 10th, 2019.

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

MOTION (5)

Mr. Seery resolved, pursuant to Connecticut General Statutes Section 22a-113m, to adopt the 2019 Revised Harbor Management Plan, which Plan replaces the Harbor Management Plan adopted by the East Lyme Board of Selectmen on May 4, 1994. Said 2019 Revised Harbor Management Plan is effective ten (10) days after the publication of the notice of adoption of the “Ordinance Modifying the 1994 Ordinance for the Use and Enjoyment of the East Lyme Harbor Management Area”.

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

Mr. Seery thanked Mr. Dinsmore and the Harbor Management for all of the work they've devoted to this over the last few years.

Mr. Dinsmore noted as a point of process, this will need to go back before the DEEP for final changes although they only anticipate diminutive changes to occur; at that time Harbor Management will distribute final approved copies.

3. New Business

- a. Revise a previous resolution to accept land from the State at Bridebrook Park

Mr. Nickerson explained that the State didn't approve a resolution that the BOS previously voted on because some minimal changes had to be made in the language of the resolution.

MOTION (6)

Mr. Seery moved that Whereas, the State of Connecticut (“State”) is the record owner of real property located at 199 West Main Street as shown on a map entitled “Lot Line revision Boundary Survey Between the Connecticut Department of Corrections, 199 West Main Street, and the Town of East Lyme Bride Brook Park, 221 West Main St. (Rt 156) East Lyme Connecticut” Scale 1”=40’, Dated July 17th 2002 prepared by the Town of East Lyme Engineering Department (the “property”); and

Whereas, pursuant to Special Act No. 03-19, the State is authorized to convey the Property to the Town of East Lyme (the “Town”); and

Whereas, pursuant to section 3.3.1.5 of the Town Charter, the Board of Selectman has the sole authority to accept gifts of real estate; and

Whereas, the Planning Commission has authorized the acceptance of the Property for use as a park in accordance with Connecticut General Statute Sec 8-24; and

Whereas, the Department of Parks and Recreation has been using the property as an athletic field for 16 years and therefore finds it to be suitable for inclusion in the Town's inventory of Parks; and

Whereas, the state requires a resolution by the Board of Selectmen to accept the conveyance of the property for a cost equal to the administrative costs of making such conveyance.

IT is resolved that the Town of East Lyme accepts the Property and authorize the First Selectman to execute and deliver such documents as may be necessary to effectuate the transaction.

Seconded by Mr. Salerno.

Mr. Nickerson explained that the State couldn't give the land to the Town for free, we had to show some kind of value or consideration; both parties agreed that the administrative costs in making this conveyance is enough of a value. He thanked Bill Scheer, Deputy Director of Public Works, for his due diligence in getting this done after so many years.

Motion passed 5-0-0.

b. Special Appropriation- Public Works Equipment- CNRE \$15,742

Mr. Nickerson detailed the appropriation request and Joe Bragaw, Director of Public Works, came forward and shared the following:

- A lift system for a vehicle maintenance truck is in need of replacement.
- The lift gets inspected every year and it passed inspection last fall; it's older but there was no indication of disrepair.
- After the budgetary cycle they began having mechanical issues and a vendor asserted it had a lot more issues than they thought.
- We take care of a large fleet of vehicles including those of the Board of Education and this lift is on its last leg.
- It literally is the "lift" and it lifts the vehicle into the air 6 feet and is an essential component.
- The lift they currently have is not ideal as it doesn't lift all of their equipment so they're proposing a new piece of equipment that has one ton more capacity.
- Our master mechanic says this is an essential piece of needed equipment.
- He's requesting funds from CNRE because he is not comfortable withdrawing from the fleet maintenance line item when all of the funds are usually utilized by operating expenses.
- The CNRE account is intended for these very items and comprised of proceeds from the selling of used vehicles and unneeded equipment.
- The snowbox we have is too large to be used in a parking lot and will rip it to shreds.
- They would like to purchase a smaller one to keep by the middle school and community center.
- A 10 foot snow box is much more nimble, useful and easy to maneuver in that area.
- It's \$2,300 and that's the same price we just sold our used snowblower for which we weren't really using.
- The third requested item is for a shop press.
- The Highway Department is responsible for maintaining all Town vehicles and they often fabricate parts in the shop rather than having to pay higher costs to an outside vendor.
- The existing press is antiquated and unsafe.
- The cost of the 75 ton pneumatic shop press is \$4,506.17.

Mr. Salerno asked about the balance in the CNRE Account and Ms. Johnson said \$60,000+.

The Board briefly discussed the request.

MOTION (7)

Mr. Seery moved to approve a special appropriation in the amount of \$15,742.00 from the CNRE Fund 32 account number 32-60-120-100-002 (Proceeds from the Sale of Vehicles) to an account to be established titled, "2019 PWD Equipment" and forward to the Board of Finance for approval, and noted that a Town Meeting is required.

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

Mr. Nickerson observed this is good use of the funds from used vehicles and equipment.

c. Special Appropriation - \$20,311.36 – NSEP Grants

Mr. Nickerson explained this item is from Chief Mike Finkelstein acting as Director of Emergency Management; this appropriation is for 5 EOC laptops with software and wireless presenter for Command Staff, 1 EOC Monitor Command Staff Share Center, 2 EOC Network Failure Routers, and multiple traffic signs for evacuations. He added that these items will enhance critical operations and maximize efficiency during disasters and will be reimbursed by the FY2020 Nuclear Safety Emergency Preparedness Grant awarded on July 15th, 2019.

MOTION (8)

Mr. Seery moved to approve a special appropriation in the amount of \$20,311.36 approved by DEMHS to revenue account 01-04-400-401 (NSEP Grants) and budget account 01-70-725-224-006 (NSEP Equipment), to cover the cost of purchasing the above listed equipment for the EOC and forward to the Board of Finance for approval, and noted a Town Meeting is required.

Seconded by Ms. Hardy. Motion passed 5-0-0.

Mr. Salerno asked about the items being purchased and Ms. Johnson said when the proposal for the grant is submitted quotes obtained are included.

Mr. Cunningham noted these items are very important given what has happened with our weather patterns and increased road traffic. Mr. Seery and Mr. Cunningham concurred that signage is especially important due to the numerous road projects coming up. Mr. Nickerson detailed the great work the State EOC does and noted how amazing their mock drills are.

d. Department Transfers- \$8,569.48

Mr. Nickerson said various transfers within departmental budgets have been needed for a variety of reasons and noted the documentation provided in the member packet (attached.)

MOTION (9)

Mr. Seery moved to ratify departmental transfers in the amount of \$8,569.48 processed for fiscal year end June 30, 2019 and to forward to the Board of Finance for approval. Seconded by Mr. Salerno.

Mr. Salerno asked if the departmental transfers were needed for Planning and Zoning and Mr. Nickerson said yes, that a significant number of transcripts were needed for court case appeals. Mr. Nickerson briefly discussed digitizing equipment and methods that may be able to assist with this in the future.

Motion passed 5-0-0.

e. Executive Session

MOTION (10)

Mr. Seery moved to enter into Executive Session at 8:09 p.m. for the purpose of discussing the FireFighters Contract and invited Ms. Johnson to attend as Finance Director. Seconded by Mr. Salerno. Motion passed 5-0-0.

MOTION (11)

Mr. Seery moved to exit Executive Session at 8:29 p.m. with no action taken. Seconded by Mr. Cunningham. Motion passed 5-0-0.

MOTION (12)

Mr. Seery moved to authorize the First Selectman to enter into an agreement between the Town of East Lyme and Local 3377 International Association of Firefighters, AFICO, effective July 1st, 2019 through June 30th, 2022. Seconded by Mr. Salerno. Motion passed 5-0-0.

4. Reports

a. Ex-Officio

- Mr. Salerno said the Planning Commission is working on the 2020 POCD update and is looking for feedback.
- Ms. Hardy said the Conservation of Natural Resources finished their water study and would like to present it at a future meeting; they have also finished their Sustainability Grant application and would like to present that at a future meeting as well.
- Mr. Seery noted P&R is hosting Jeffrey's Rainbow Run, a 5K run on September 13th, 2019 and the proceeds go towards scholarships.
- The Summer concert series in the bandshell was a great success and extremely diverse in musical style.
- Every Friday at 7:45 p.m. throughout the rest of September is movie night at the bandshell.

- Since Labor Day has passed, dogs are now allowed on the beach and McCook's Park but not the boardwalk.
- Mr. Cunningham had no report.
- Mr. Nickerson shared that the JAG development of 55 units of affordable housing is happening; it was originally denied but won on appeal.
- The Town will be able to bring water into the Public Safety Building through that project as well.
- Niantic Community Church celebrated their 300th year Anniversary.
- The antiquated heating and ac unit at Town Hall is not doing well.
- He met with the DOT and Costco at the Town's request and determined a set of perimeters for the various construction projects going on.
- He has met with Dominion regarding purchasing the police building and applying for the Brownfield Grant.
- An upcoming project will be to reorientate where Oswegatchie meets Vet's Field so there is one curb cut and push the entrance down to make it less dangerous.
- A number of sidewalk projects will be coming up including McCook's Park, Giants Neck Hill and across from the high school on Chesterfield Road.
- All the water meters in Town are being replaced with digitized ones; this will allow greater accuracy, notification of leaks and the ability to bill quarterly.

6. Public Comment

There was none.

7. Selectman's Response

There was none.

MOTION (3)

Mr. Seery moved to adjourn the November 21st, 2018 Board of Selectmen Meeting at 8:48 p.m.

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

Respectfully Submitted,

Brooke Stevens
Substitute Recording Secretary

**Town of East Lyme
Budget Transfers
Fiscal Year 2018/19**

From Account

To Account

Date	Dept	Account #	Description	Account #	Description	Amount	Reason for Transfer
6/30/2019	Maint	01-01-113-300-201	Telephones	01-01-113-200-216	Service Contracts	\$ 147.00	To pay May/Jun Waltham invoices
6/30/2019	Highway	01-30-317-220-221	Vehicle Maintenance	01-30-317-200-224	Road Reconstruction	\$ 319.71	To pay Riverhead Building Invoice dated for June
6/30/2019	PD	01-25-216-300-320	Misc. Supplies	01-25-216-300-333	Alarm Monitoring	\$ 8.88	Needed to pay SimplySafe portion of June BoA statement
6/30/2019	G.G Misc	01-01-114-100-123	Worker's Comp	01-01-114-100-231	Transcripts	\$ 6,274.48	Unanticipated invoice for transcription services
6/30/2019	Maint	01-01-113-400-213	Heating Oil/Propane	01-01-113-400-210	Electricity	\$ 1,819.41	To pay Tanko Electric invoices from May
TOTAL						\$ 8,569.48	

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