

EAST LYME BOARD OF SELECTMEN
REGULAR MEETING OF MAY 20, 2020
MINUTES

This meeting was held via Zoom online meeting services and was available for the public to view, listen and participate via videoconference and dial-in options.

PRESENT: Mark Nickerson, Kevin Seery, Rose Ann Hardy, Marc Salerno, Dan Cunningham and Paul Dagle
ALSO PRESENT: Public Works Director Joe Bragaw

First Selectman Nickerson called the meeting to order at 7:35 p.m.

2. Additional Agenda & Consent Calendar Items

There were none.

3. Delegations

Joe Mingo, 397 Boston Post Road, East Lyme, stated that he would like to see the Pledge of Allegiance done for these online meetings.

Ms. Camille Alberti, 7 Darrows Court, respectfully requested that the Town suspend all public safety building special appropriation requests until the Town can hold a referendum on the matter. She inquired as to what the Board's plans were on this subject since the agenda had been amended to remove the possible action and left a discussion item. Mr. Nickerson confirmed that there would be no action on this item at tonight's meeting, and that there will simply be a discussion as noted on the agenda.

4. Approval of Minutes

MOTION (1)

Mr. Seery MOVED to approve the Regular Meeting minutes of May 6, 2020, as submitted.
Seconded by Mr. Salerno. Motion passed 6-0

5. Consent Calendar

MOTION (2)

Mr. Seery MOVED to approve the consent calendar for May 20, 2020, in the amount of \$3,883.31.
Seconded by Mr. Dagle. Motion passed 6-0.

6a. SCRRRA Ordinance Amendment

MOTION (3)

DISCUSSION: Mr. Nickerson stated that the Town has a Municipal Solid Waste Management Services Contract with Southeastern Connecticut Regional Resources Recovery Authority (SCRRRA), which has a corresponding ordinance. He explained that SCRRRA has re-negotiated lower rates for the Town by moving the waste facility from the plant in Preston to the plant in Lisbon. Wheelabrator Lisbon Inc., the operator of the facility in Lisbon, requires this change in ordinance to be done by the Municipalities by June 30, 2020. Mr. Bragaw, Director of Public Works, added that these changes have been discussed with and reviewed by the Town Attorney who find the modifications to be acceptable. Mrs. Hardy inquired as to what happens to the waste that is not accepted by the Lisbon plant. Mr. Bragaw stated that in that situation, SCRRRA would

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Bridget Adams ATC
EAST LYME TOWN CLERK

find an alternative plant to send such waste, and that is part of our agreement and does not cost the Town additional fees.

Mr. Seery MOVED:

NOTICE IS HEREBY GIVEN of a public hearing to be held by the East Lyme Board of Selectmen on June 3, 2020 via ZOOM Meeting beginning at 7:15 p.m. to receive comments regarding proposed amendments to the following ordinance entitled:

AN ORDINANCE REGULATING THE STORAGE, COLLECTION AND
DISPOSAL OF SOLID WASTE AND PROVIDING FOR A SYSTEM OF REFUSE
COLLECTION AND DISPOSAL AND THE ADMINISTRATION THEREOF

The proposed amendments are as follows:

1. A new clause "(e)" is added at the end of Section 1:

(e) This municipality has executed a Municipal Solid Waste Management Services Contract with Southeastern Connecticut Regional Resources Recovery Authority (SCRRRA), including an Amendment No. 5 to such Municipal Solid Waste Management Services Contract (collectively with such Amendment No. 5, the MSA). The MSA defines the System (the SCRRRA System) to include the solid waste disposal and resource recovery facility located in Lisbon, Connecticut and operated by Wheelabrator Lisbon Inc. or its successors or assigns (the SCRRRA Facility) pursuant to a Solid Waste Disposal Agreement between SCRRRA and Wheelabrator Lisbon Inc. (the Wheelabrator Agreement), and designates the SCRRRA Facility as the "Facility" within the SCRRRA System. Pursuant to the MSA, this municipality has agreed to deliver or cause to be delivered all Solid Waste (as defined in the MSA) generated within the corporate boundaries of this municipality to the SCRRRA System as directed by SCRRRA for ultimate delivery to the SCRRRA Facility for disposal, subject to and in accordance with the Wheelabrator Agreement.

2. A new clause (c) is added to Section 8:

(c) All Refuse generated in this municipality shall be delivered or caused to be delivered to the SCRRRA System for so long as the MSA remains in effect, as directed by SCRRRA and for ultimate delivery to the SCRRRA Facility. To the extent any such Refuse is not acceptable for disposal at the SCRRRA Facility, such unacceptable Refuse shall be delivered or caused to be delivered to such other facility designated by SCRRRA. After the MSA is no longer in effect, the Board of Selectmen shall designate the facility for the delivery of Refuse generated in this municipality. The person delivering Refuse to the SCRRRA Facility or another designated place shall pay any applicable disposal charge. All regulations of the Town and any direction or designation by the Board of Selectmen or the Director about the disposal of Refuse generated in this municipality shall be consistent with this Section 8(c).

Interested persons are invited to attend and be heard. Dated at East Lyme, Connecticut, on this 20th day of May 2020. EAST LYME BOARD OF SELECTMEN

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

7a. Update on Public Safety Building project

Mr. Nickerson reported that the Public Safety Building Vision Committee voted unanimously to move forward with an ~\$7.18 million project. That would mean that the Town will need an additional \$2.1 million to finish the project; \$1 million of which has already been approved by the Town at referendum and will need to be released by the Board of Finance. A Town Meeting will need to be held for approval of these extra funds. He stated that he is working with the Town Attorney to verify that a referendum is not needed; and if it is required, we will hold one when we are able. He stated that we might consider a referendum the day after the Primary in August; he noted that they verified that we cannot add an item to the ballot during the primary election so we would have to hold it on a different day. For now, the roof on the current police department continues to deteriorate and that the police officers need to be moved out of that building as soon as feasible. He stated that the contractor has advised that they can start within five days of approval, so once we get to that point we will start moving forward quickly. Mr. Nickerson reported that they will be working diligently in the coming days to discuss the path forward and possible alternate plans. He applauded the Vision Committee for their hard work and foresight through this project and stated that they will be meeting next week for further discussion. He thanked Mr. Dagle for doing an amazing job of chairing this vision committee. Mr. Dagle stated that if anyone has any questions or would like to know the details of how the committee came to the decision of sending forward a \$7.18 million project, please review the minutes, which can be found on the Town webpage.

7b. Appointments

MOTION (4)

Mr. Seery MOVED to appoint Susan Gonzalez, 44 Heritage Road, East Lyme, to serve as a Member of the Niantic River Watershed Board for the Town of East Lyme with a term to expire on January 3, 2022. Seconded by Mr. Salerno. Motion passed 6-0.

Ex-Officio Reports

Mr. Seery reported that Parks and Recreation has begun selling beach passes to East Lyme Town residents only, and that the turnout has been excellent. He stated as a reminder that starting this weekend, which is Memorial Day weekend, a current beach pass will be required to visit our town beaches. Mr. Nickerson added that the restrooms will be open daily beginning June 1st at the parks, but that the upper facility at McCook's will remain closed.

Mr. Dagle reported that the Inland Wetlands Agency held a meeting in May via online meeting services, and heard a couple of pending items, as well as numerous new applications.

Mrs. Hardy stated that she is concerned with the amount of traffic along the shoreline already the past couple of weekends and added that she is hopeful that the police department will be taking extra steps to patrol the area and keep traffic moving. Mr. Nickerson responded that yes there are sufficient lifeguards, police, gate attendants, etc. in preparation for the start of the beach season under these extraordinary conditions. He stated that the beaches will be open but with limited capacity, and that the Rocky Neck is not going to allow people to walk into the park once they have reached capacity, so this is something that our staff is going to be watching out for that and patrolling those areas where people historically park to walk in. Mr. Nickerson noted that the parks are going to fill up quick, and that just because you have a town beach pass does not mean that you will be able to get in if it is full. Mr. Nickerson reported that they should be prepared for the possibility of having to make a special appropriation for Parks and Recreation as their revenues are down, and costs and expenses are up.

Mr. Nickerson reported that the library has begun to provide curbside pickup for up to five items. Please call ahead to reserve your items and set a time for pickup. All returns are being set aside and

decontaminated before being put back into circulation. The library has also opened their Storybook Trail at Bridebrook Park, so please take the kids out for a walk and check it out.

Mrs. Hardy noted that these changes are only in place for this emergency situation and will not be the norm going forward. Mr. Nickerson agreed that these are not new Town policies but simply what we need to do to get through this emergency situation. He noted that the DEEP has publicly advised that people should be outside while practicing proper social distancing, but that people need to utilize all available open spaces and not just flock to the beaches.

First Selectman's Report

Mr. Nickerson reported that there was a fire this evening at the AHEPA apartments, and that there were injuries but no fatalities. He reported that 30 residents of Bride Brook have lost their lives to COVID19, and that our hearts and support go out to them, the families, and for the staff that have been working tirelessly to care for all of these people during this difficult time. He noted that prior to the pandemic he had visited Bride Brook and a resident there had prepared some Niantic based artwork that we are going to be happy to display here at Town Hall once we can retrieve the items. He noted that the gentleman who created the artwork has unfortunately passed away, so we will display it in his honor.

Mr. Nickerson reported that all Town employees are scheduled to return to work on Tuesday, May 26th, but that the buildings will remain closed to all public until further notice. The first step will possibly be to have the public in for appointments only, but that won't happen for at least a couple of weeks. He hopes to begin opening by June 15th, but that is yet to be determined.

Outdoor dining is now allowed, and some restaurants are already set up for that and some will be adding outdoor space until we can fully open. This is a difficult situation for some restaurants, but he stated that the Town is doing everything possible to assist these businesses in getting up and running. Niantic Main Street is going to hold a virtual re-opening celebration on Thursday night to get everyone excited about this step. The next update from the Governor is scheduled to come on June 20th; but he noted that it is going to be a very unique summer and we will continue to do what we need to do to get through it.

MOTION (5)

Mr. Seery MOVED to adjourn the May 20, 2020, regular meeting of the East Lyme Board of Selectmen at 8:17 p.m.

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

Respectfully Submitted By:



Recording Secretary