

EAST LYME BOARD OF SELECTMEN  
REGULAR MEETING OF SEPTEMBER 2, 2020  
Via ZOOM (Details Below)  
7:30 PM

AMENDED AGENDA

1. Call Meeting to Order
2. Additional Agenda & Consent Calendar Items
3. Delegations
4. Approval of Minutes

- a) Special Meeting of August 5, 2020
- b) Regular Meeting of August 5, 2020
- c) Special Meeting of August 19, 2020

FILED

Aug 31 2020 AT 8:33 (AM/PM)  
Kaunthelm  
EAST LYME TOWN CLERK

5. Consent Calendar
6. New Business

- a) Special Appropriation and Transfer -- Town Clerk - \$14,312.40
- b) Special Appropriation - CNRE - Gateway Development Sidewalks - \$105,000
- c) Reimburse Public Safety Building 2019/2020 Utilities - \$30,158.29 and use of Public Safety Contingency - \$40,890.00 for 2020/2021 Utilities
- d) Appointment - Attorney Willetts to Check Indices

7. Communications
- a) Letter from Jack LeBeau

8. a) Ex-Officio Reports
- b) First Selectman's Report

FILED

Aug 28 2020 AT 1:30 AM/PM  
Kaunthelm  
EAST LYME TOWN CLERK

9. Public Comment
10. Selectman's Response
11. Executive Session - To Discuss Real Estate Matters
12. Adjourn

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East Lyme is inviting you to a scheduled Zoom meeting

Topic: Selectmen Regular Meeting  
Time: Sep 2, 2020 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting  
<https://us02web.zoom.us/j/84162591459>

Meeting ID: 841 6259 1459

Dial by your location  
+1 646 558 8656 US (New York)

Find your local number: <https://us02web.zoom.us/u/kc09ADbSa2>

EAST LYME BOARD OF SELECTMEN  
SPECIAL MEETING OF AUGUST 5, 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

First Selectman Nickerson called the meeting to order at 7:01 p.m.

1. Executive Session

MOTION (1)

Mr. Seery MOVED to enter into executive session for the purpose of discussing real estate matters, and to include Attorney Mike Sheehan and Mr. John Drabik.

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

The Board of Selectmen entered into executive session at 7:02 p.m.

MOTION (2)

Mr. Seery MOVED to come out of executive session at 7:35 p.m. and stated that no formal votes had been taken.

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

MOTION (3)

Mr. Seery MOVED to adjourn the August 5, 2020, special meeting of the East Lyme Board of Selectmen at 7:35 p.m.

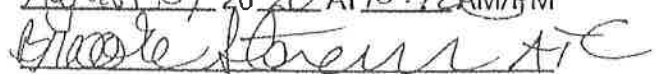
Seconded by Mr. Cunningham. Motion passed 6-0.

Respectfully Submitted By:



Sandra Anderson  
Recording Secretary

FILED

August 6, 20 20 AT 10:42 AM/PM  
  
EAST LYME TOWN CLERK

EAST LYME BOARD OF SELECTMEN  
REGULAR MEETING OF AUGUST 5, 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.

This meeting, in its entirety, is available to view by visiting the East Lyme Town Hall webpage.

PRESENT: Mark Nickerson, Kevin Seery, Rose Ann Hardy, Marc Salerno, Dan Cunningham and Paul Dagle  
ALSO PRESENT: Finance Director Anna Johnson, Planning Director Gary Goeschel, and Planning Commission Member and POCD Chairwoman Michelle Williams

First Selectman Nickerson called the meeting to order at 7:37 p.m.

FILED

2. Additional Agenda & Consent Calendar Items

MOTION (1)

Mr. Seery MOVED to add agenda item 6e. Mosle Lane.  
Seconded by Mr. Salerno. Motion passed 6-0.

Aug 13 2020 AT 9:30 AM/PM  
Kevin Williams  
EAST LYME TOWN CLERK

3. Delegations

Mr. Ed Riozzi, 22 North Pine Street, is not in favor of the public safety building project as presented and suggested that we consider the Town property on Roxbury Road. He also stated that he would like to see more dinghy docks in town, especially at the end of Grand Street. He would like the Town to re-do the website as he finds it difficult to navigate.

Mr. Steve Larcen, 47 Oswegatchie Hills Road, supports the project and thinks it could be successful with some compromise. He stated that Mr. Dagle and the entire Vision Committee did a great job. He had four major points to communicate; why compromise, transparency of the total project, scope of work and sources of funding. He stated that we should be willing to compromise during these uncertain economic times. Mr. Larcen stated that the full scope of the project should be included with complete transparency, including items that are anticipated expenses down the road. All items that will be funded by other sources should be included in the total scope of the project. For the scope of the project, he stated that he feels that the Town should defer the two alternates, the sally port and the elevator cab, to a future time when it is more feasible economically. He believes that continuing to partner with Waterford is the better economic choice at this time and suggests that we continue to do that and add the holding cells at a later date when again, it is more economically feasible. Mr. Larcen suggested that an alternate source of funding should be considered in that the sale of the Main Street property will bring in funding that can then be used to include the deferred items and bring the project to completion. He asked that the Town remain transparent through the remainder of this project.

Mr. Dan Price, 205 Upper Pattagansett Road, Chairman of the Police Commission and Vice Chairman of the Public Safety Building Vision Committee, stated that he appreciates Mr. Larcen's comments and noted that the total project cost did not come in much higher than the \$6M that was originally requested, and that the added items such as the elevator was not included in that initial figure. He stated that the biggest thing to consider right now is that the new Police Accountability law passed recently changes everything and will require that we are completely independent in order for our police department to become accredited, which will need to be done by 2025. In this new scenario, our public safety facility will need to include those

alternate items, the sally port, elevator and holding cells, in order to be accredited. This new law is going to have a huge impact on the policing in this Town, and this needs to be thoroughly considered in our decisions when moving forward with this project.

#### 4. Approval of Minutes

##### MOTION (2)

Mr. Seery MOVED to approve the Regular Meeting Minutes of July 1, 2020, as submitted.  
Seconded by Mr. Salerno. Motion passed 6-0.

##### MOTION (3)

Mr. Seery MOVED to approve the Special Meeting Minutes of July 29, 2020, as submitted.  
Seconded by Mr. Salerno. Motion passed 6-0.

#### 5. Consent Calendar

##### MOTION (4)

Mr. Seery MOVED to approve the Consent Calendar for the meeting of August 5, 2020, in the amount of \$6,777.50.  
Seconded by Mr. Dagle. Motion passed 6-0.

#### 6a. POCD Presentation

Ms. Michelle Williams, 2 Barrett Drive, Secretary of the Planning Commission and Chairwoman of the POCD, addressed the Board. She stated that the POCD is required to be updated every ten years, and this year is it due in December 2020. She noted that it is very important that this plan be filed with the state complete and on time as this determines the Town's eligibility for certain grants, and federal and state funding. She thanked all of the volunteer members of this group, as well as Gary Goeschel and Jennifer Lindo, Town employees, for their hard work and support. She gave a brief summary of the changes made, noting that this new version is over 100 pages shorter than the last version, noting that they worked very hard to streamline the information without removing any of the content that makes it effective. She stated that per State requirements, the sections involving sewer services have been significantly updated. It was important to note that they solicited the public's input throughout this process, and that a lot of that input was incorporated into this draft document. There is still a long process ahead, but the first step is that the Board of Selectmen receive the draft and review it for discussion and questions at an upcoming Board of Selectmen meeting. This draft document has been fully approved by the POCD Subcommittee.

Mr. Nickerson thanked Michelle and the entire subcommittee for their hard work on this document and stated that the Board of Selectmen are looking forward to reviewing this and having a presentation at an upcoming meeting.

Mr. Salerno, who is the Board of Selectmen ex-officio for this subcommittee, stated that he has watched this subcommittee from inception work hard, many nights and weekends, and he stated that they are a great team and very organized. He is looking forward to reviewing this plan.

#### 6b. Carryover – Emergency Management

##### MOTION (5)

DISCUSSION: Ms. Johnson explained that the East Lyme Ambulance Association in the past had purchased the AED machines for all Town buildings, but that they are now beginning to expire. Each piece of equipment costs approximately \$1,445. Last year we created an account within the EOC budget to fund the replacement of this equipment throughout town.

Mr. Seery MOVED to approve the carry-over of the remaining balance of \$1,000 in account 01-25-224-300-244 (AED Supplies) from the 2019/20 budget to account 01-25-214-300-244 (AED Supplies) in the 2020/21 budget and forward to the Board of Finance for approval.

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

6c. Ratify Departmental Transfers  
MOTION (6)

Mr. Seery MOVED to ratify departmental transfers in the amount of \$83,869.47 processed for fiscal year end June 30, 2020 and forward to the Board of Finance for approval.

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

6d. Bonding – Public Safety Building  
MOTION (7)

DISCUSSION: Mr. Dagle, Chair of the Public Safety Building Vision Committee, stated that the low bidder and the second lowest bidder have agreed to extend their bids to October 22<sup>nd</sup>. Next, Mr. Dagle stated that he would like to address the issue of financials and project costs that were presented at the Board of Finance meeting. He would like to categorize project costs, financing costs, and any other related costs; and he would like to have that discussion with the Board of Finance, if the Board of Selectmen decide to move forward. The financing costs are what they are, and he thanked Ms. Johnson for putting those numbers together and categorizing the bonding and short-term financing costs. Some questions were submitted into record by the Chairperson of the Board of Finance. Although he did not have the opportunity to respond to all of the items at the last Board of Finance meeting, all of these items were addressed at a vision committee meeting back in May and he would like to again address these items so that everyone has a clear understanding of why certain items were or were not included.

Mr. Dagle stated that there are three options to discuss: one is to re-submit the original plan for \$7.2M to the Board of Finance, which includes the sally port and the elevator cab; the second is to remove the bid alternate add for the elevator cab at \$210,051, which would reduce the project total to ~\$7M; the third is in addition to the elevator cab, to remove the bid alternate deduct for the sally port and cells at \$810,591, which would reduce the project total to \$6.19M. He then asked for discussion and questions from and Board of Selectmen on the matter, and he noted that representatives from Silver Petrucelli + Associates was on the call if anyone had any questions about this.

Mr. Salerno stated that he will not support removing any items from the proposed project. He stated that continuing to rent space from Waterford will ultimately cost the Town of East Lyme more money in the long run. He stated that the cost to include the sally port and cells is \$810,591, which includes a 10% contingency. The interest rate is currently 1.84% for bonding, which is almost record low. Based on a 20-year loan at 1.84%, that comes out to an annual cost of \$48,480. We are currently paying Waterford \$46,557 per year, with a contracted 5% increase per annum. If that holds and we continue to lease space from them over a 20-year period, that would cost the Town an additional \$570,000. He referenced a slide, attached hereto as Exhibit 1, and noted that the orange line is the current line, which is a fixed cost over 20 years to finance the holding cells. The grey line is the anticipated cost of the increase in fees that we will continue to pay to Waterford should we continue leasing space from them. He noted that this graph does not include the time that our officers will lose by continuing to have to travel back and forth from Waterford to process perpetrators, or any unanticipated increases beyond the 5%. Even if the percentage rate to lease dropped to 3%, that would still be approximately \$240,000 more. Based on this financial outline, along with other reasons, he cannot support this; he believes the \$7.2M is a financially responsible plan. Mr. Salerno stated that the idea of renovating buildings is not a new idea; specifically the public works building on the outskirts of town which was purchased and renovated, and now serves the town very well. In the case of

the schools, he pointed out that initially the renovation project started out at around \$70M and included building a new school, with further review that number went up to around \$90M. At that point the Town took a step back and re-thought the process and decided to renovate as needed versus renovating as new, and we were able to get that number down to around \$37M including the short-term borrowing. In the case of Waterford, they have continued to build new and in 2002 our mill rate was 43% higher than theirs; today in 2020 they are within .1% of our mill rate. Our strategy over the years of renovating, not building new and not renovating as new, is working. Mr. Salerno stated that the suggestion that we abandon this project, sell the building and build new is not a responsible course of action in his point of view. He believes it is financially responsible to move forward with the \$7.2M and supports sending this back to the Board of Finance.

Mr. Nickerson pointed out that three years ago when we approached Waterford to negotiate leasing space from them, it was understood that this would be a short-term situation. He stated that the price will go up if we ask to remain leasing space from them, and it should be pointed out that they do not have the room to continue to allow us to remain there. He anticipates that Waterford would require a 5 to 10 year lease agreement should we explore continuing to utilize their facility as they would have to do some renovations in order to get us the space we need for our evidence and such. We will also be required to start paying additional fees, such as cleaning services and capital expenses. Waterford has been a good neighbor and supported us when we needed assistance in moving over to an independent police department, but this arrangement was only meant to be temporary and not a long-term solution. Mr. Nickerson stated that with the recently passed Police Accountability law, we will have to be completely independent in order to be certified with the State. He stated that Mr. Salerno's numbers are flawed only because they are too low, and it will cost us more than the 5% increase if we were to continue working with Waterford.

Ms. Hardy stated that she supports the project at \$7.2M including the sally port and cells; and she noted that these are not jail cells but holding cells. There are so many factors that are not being taken into consideration, such as the time it takes for our officers to go back and forth to Waterford, the fact that they are out of town every time they do have to go to Waterford, the chain of custody issues of transporting paperwork and evidence back and forth, and the current building which endangers the safety of our officers. Ms. Hardy believes it is time that we do the right thing and put our police officers in a safe and adequate facility as they deserve, and she will not support reducing the \$7.2M project.

Mr. Seery stated that building new will cost the Town a lot more money than the \$7.2M this renovation will cost and waiting the additional ~5 years for that to happen will be putting both the public and our officers in danger for various reasons. He stated that we may have estimated the project a little low in the beginning, but that we entrusted the Vision Committee to do a thorough job of outlining the cost of this project and that is exactly what they did, albeit higher than was anticipated it includes items that were not originally accounted for. The current building is not only unsafe for the officers and staff working there, but it is also unsafe for the public who outside of normal business hours have to pick up a phone on the outside of our building to alert dispatch across town that they need assistance. Mr. Seery is in favor of moving forward with the \$7.2M plan but would also like to give the Board of Finance the option to reduce the price, specifically by not installing the elevator cab at this time.

Mr. Cunningham appreciates the suggestions given to bring the cost down, such as not including the sally port and holding cells, but he stated that the newly passed police accountability law changes everything and now makes it mandatory for these items to be included not only to become certified, but also the legal liability of this law that has not yet been completely explored. He feels that we will not be able to retain or hire qualified police officers if we don't move forward with this plan. Mr. Cunningham supports the full \$7.2M project.

Ms. Hardy stated that previously if you rehabilitated a building, you were not required to re-fit that building to fit the ADA requirements. She has learned that this "grandfather" provision no longer exists and that we would need to have that elevator in place before we can think about utilizing the second floor as the ADA compliant entrance will be in a place that is secure for the police. She also feels that we should be thinking about utilizing the second floor sooner than later because that space could bring in some income, for instance regional police training. Ms. Hardy reviewed the numbers presented at a previous meeting regarding possible mill rate increases. For a home assessed at \$250,000 the average tax increase is \$49.20 per year, or \$4.10 per month. For a home assessed at \$350,000 the average tax increase is \$68.89 per year or \$5.74 per month. For a home assessed at \$450,000 the average tax increase is \$88.57 per year or \$7.38 per month. She reported that the average residential home value in East Lyme is \$335,000, which is an increase of \$5.74 per month. She hopes that the Board of Finance takes these figures into consideration as they review the Board of Selectmen's request to approve the project at \$7.2M.

Mr. Dagle stated that he has not received any calls from any Vision Committee members about reducing the plan from the \$7.2M. He states that the committee as a whole is in favor of moving forward with the \$7.2M plan as presented, and that he is in favor of moving forward with this plan and sending it back to the Board of Finance for their consideration. He stated that his plan is a good plan for many reasons; the committee was tasked not to come up with options, but to come up with a functional building at the most reasonable cost to bring value to the citizens of the Town and to give our public safety personnel a safe and professional space to conduct their business and protect the citizens of East Lyme. Mr. Dagle recommends that we move forward with the \$7.2M plan as presented. In response to some of Mr. Larcen's comments regarding answering all of the questions; he noted that every one of those questions was addressed at a Vision Committee meeting, but that he will address them again at a future meeting for those that have not gone back to review the minutes of the Vision Committee meeting. Ms. Hardy thanked Mr. Larcen and Mr. Riozzi for their ideas and comments. It was briefly discussed that the property on Roxbury Road was considered for this project, but that it is in a flood zone and is not eligible to be used for a public safety facility.

Mr. Nickerson stated that over a year ago the public voted and by a two-to-one margin in favor, at a referendum, the public voted to buy this building. This matter has been discussed at length at numerous public meetings at a \$6M cost; it was only reduced by the Board of Finance to \$5M with the understanding that they would release that \$1M if the Vision Committee came back and presented the specific detail that they were looking for, which the Vision Committee has done. When the discussions first happened with Honeywell, we agreed to keep negotiations private as they had not yet announced to their employees that they were going to move, nor had they decided whether or not they were actually going to move. We had an architect come in and that person gave us an estimate of \$6M which did not include the elevator because the building is equipped with an ADA accessible entrance to the second floor. Once plans progressed and the Vision Committee decided that the rear of the building would be used for a secure area, that is when we discussed the need to consider an elevator to provide such access to the second floor. Regarding building a new facility from ground up, that will cost approximately \$12M and then we will still need to come up with money soon to put an addition onto the library, this plan solves both of those problems.

Mr. Seery RESOLVED that the resolution entitled "Resolution Amending A Resolution Making An Appropriation In The Amount Of \$5,000,000 For The Planning, Design, Acquisition, Construction, Equipping And Furnishing Of A Public Safety Building And Authorizing The Issuance Of \$5,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose". As per Section 1 of the resolution, The resolution entitled "Resolution Making An Appropriation In The Amount Of \$5,000,000 For The Planning, Design, Acquisition, Construction, Equipping And Furnishing Of A Public Safety Building And Authorizing The Issuance Of \$5,000,000 Bonds Of The Town

Board of Selectmen Regular Meeting

August 5, 2020

5 of 7

To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted at a referendum held February 20, 2019 (the "Resolution") is hereby amended to increase the amount of each of the appropriation and the bond authorization set forth therein by \$2,200,000 from \$5,000,000 to \$7,200,000. Said resolution, 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 a Special Town Meeting. We waive reading the resolution in its entirety; a copy has been and will continue to be available for inspection in the Town Clerk's office.

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

Mr. Nickerson stated that the record show that this is the second time that the resolution carries unanimously.

6e. Mosle Lane

**MOTION (8)**

DISCUSSION: Mr. Nickerson stated that the Old Black Point Association on behalf of their residents would like to purchase Mosle Lane from the town. This road serves no purpose to the town and runs between their tennis courts and their clubhouse. This would allow them to close off the road and allow for a safer passage in this area for their neighborhood. They would pay the town a nominal fee and the Town would turn it over to them.

Ms. Hardy MOVED to refer the Mosle Lane item to the Planning Commission for a Section 8-30G review (proper term is Section 8-24 review, and that is what will be conducted by the Planning Commission).

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

7. Communications

There were none.

8a. Ex-Officio Reports

Mr. Salerno reported that the Planning Commission has been working on the POCD and that has been provided to this board at tonight's meeting. They will also have an upcoming public hearing for a four lot subdivision on Upper Pattagansett Road.

8b. First Selectman's Report

Mr. Nickerson stated that because of yesterday's storm, many people around town and throughout the state are without power, and that Eversource is having some issues but that the Town is working with them to get everyone back up and running as soon as possible. Our crews were out all day and all night clearing trees as best as they can, but that they cannot clear trees that Eversource has not confirmed that the power is turned off. Please call dispatch at any time should you require assistance at 860-739-3419. No shelter has been open yet due to COVID concerns, but residents should call if they need assistance and will be helped on a case-by-case basis, and a shelter will be opened should the need arise. He noted that many roads are still blocked in town, and the EOC is aware but that we cannot remove trees with live wires hanging down. Priorities one and two for Eversource are closed roads and getting Bride Brook Rehab Center back online as their generators are having difficulty keeping up during this heat.

The closing night of the Theatre Under The Shell was supposed to be tonight; not sure if it happened but the play was very nicely attended with everyone properly socially distancing. The Boardwalk is now officially back to two-way, please respect each other and follow proper social distancing guidelines.

9. Public Comment



Steve Larcen, 47 Oswegatchie Hills Road, thanked Mr. Dagle for clarifying some of his questions, and stated that he appreciates his approach of communication and allows for an open conversation. He stated that he did not mean to suggest that we defer the holding cells out for 20 years, but maybe 2-3 years to consider alternative funding such as grants, and maybe leveraging the sale of the Dominion building.

Ed Riozzi, 22 North Pine Street, and he feels that the lack of communication and the way that this has been presented by the Town to the people is causing some mistrust. He stated that he supports the Police Department and is in favor of getting them into a new facility.

Dan Price, Chairman of the Police Commission and Vice Chairman of the Vision Committee, 205 Upper Pattagansett Road, stated that we were at \$6M to begin with, so \$7.2M is not that far off considering it includes the elevator which was not in the original plan. He stated that the Vision Committee has worked very hard with the architects to get the project to this number, and that they have all done the best the good for the good of the police and the community. The new law changes everything and he feels that this project is the way to go.

Ms. Johnson stated that the bond resolution includes language that will allow the Town to apply for grants to offset funding of this project. Mr. Nickerson stated that the Town can apply for and get grants at any time throughout the project and noted that this project includes a hefty contingency. He noted that rehabilitation of the main street property is two to three years out, but maybe funds from that sale can be used to start a CNRE fund for future upkeep and repairs of the new building.

**MOTION (9)**

Mr. Seery MOVED to adjourn the August 5, 2020, regular meeting of the East Lyme Board of Selectmen at 9:11 p.m.

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

Respectfully Submitted By:



Sandra Anderson  
Recording Secretary

RESOLUTION AMENDING A RESOLUTION MAKING AN APPROPRIATION IN THE AMOUNT OF \$5,000,000 FOR THE PLANNING, DESIGN, ACQUISITION, CONSTRUCTION, EQUIPPING AND FURNISHING OF A PUBLIC SAFETY BUILDING AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The resolution entitled "Resolution Making An Appropriation In The Amount Of \$5,000,000 For The Planning, Design, Acquisition, Construction, Equipping And Furnishing Of A Public Safety Building And Authorizing The Issuance Of \$5,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted at a referendum held February 20, 2019 (the "Resolution") is hereby amended to increase the amount of each of the appropriation and the bond authorization set forth therein by \$2,200,000 from \$5,000,000 to \$7,200,000.

Section 2. Section 1 of the Resolution is hereby amended by deleting said Section and substituting the following in lieu thereof, thereby making said Section read as follows:

Section 1. The sum of \$7,200,000 is hereby appropriated by the Town of East Lyme, Connecticut (the "Town") for planning, design, acquisition, construction, equipping and furnishing of a public safety building at 277 West Main Street, Niantic, Connecticut, of approximately 31,000 square feet on 17 acres, for police, dispatch, emergency operations and fire department uses, including, but not limited to, demolition, renovation, reconstruction and repairs of interior space for interview rooms, prisoner processing and detention, evidence, weapons and records processing and storage; expenses related to architectural services, engineering, permitting, soil, groundwater, geological, environmental and other testing and inspection of the site; relocate and upgrade bathrooms, shower facilities and locker rooms; installation of safety glass, security doors, video security and biometric access; installation of elevator; installation of 911 system and associated data and communications infrastructure; acquisition and installation of video and audio recording systems and other furniture, fixtures, equipment and carpeting; renovation, reconstruction and replacement of roof, skylights, exterior masonry, and windows; reconstruction and installation of air quality, heating, ventilation and air conditioning systems and ductwork; upgrade of electrical, plumbing, lighting, telephone, video, data, technology (Wi-Fi), life safety and security, energy, public address system and other infrastructure; ADA and building code compliance improvements; abatement of all hazardous materials and storage tanks; installation of sanitary sewer and water lines; earthwork, site work, and landscaping; construction, reconstruction and improvement of parking areas, sidewalks, driveways and access road; temporary parking and storage; and related legal, consulting, licensing, advisory, administrative, governmental fees and expenses and costs of issuance related thereto, said appropriation being inclusive of any and all State and Federal grants-in-aid thereof (the "Project").

Section 3. Section 2 of the Resolution is hereby amended by deleting said Section and substituting the following in lieu thereof, thereby making said Section read as follows:

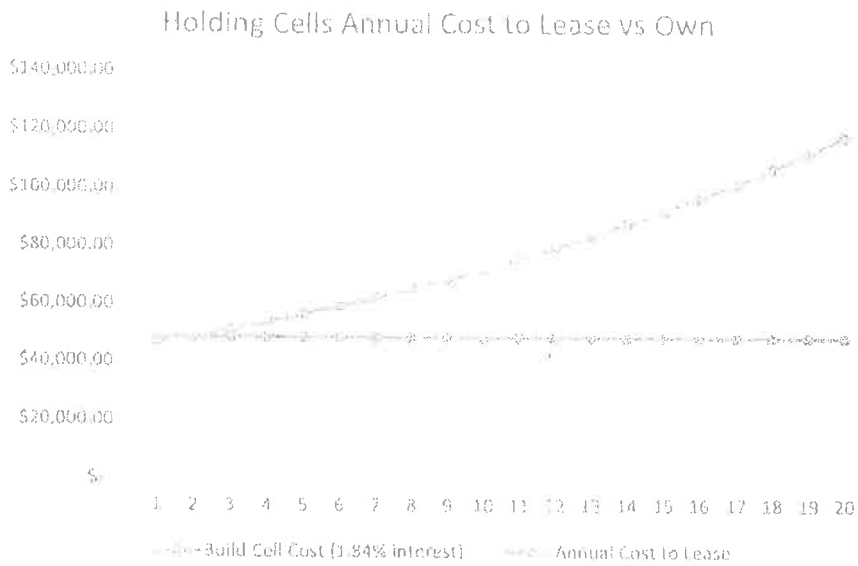
Section 2. To meet said appropriation, \$7,200,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum

maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). Said bonds may be issued in one or more series as determined by the First Selectman and the Town Treasurer, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amounts of State and Federal grants-in-aid of the Project, or the actual amounts thereof, if this be ascertainable and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, financing, legal and other costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including the rate or rates of interest shall be determined by the First Selectman and the Town Treasurer, in the best interest of the Town, in accordance with the Connecticut General Statutes.

Section 4. Section 5 of the Resolution, regarding Section 1.150-2 of the Federal Income Tax Regulations, shall be applicable to the appropriation added by this resolution, as of the date of adoption of this resolution.

Section 5. The remaining provisions of the Resolution are hereby ratified and confirmed.

EXHIBIT 1



The cost to build the holding cells is \$810,591. With an interest rate of 1.84% (latest bond amount rate 8/4/2020), the annual cost is \$48,480 per year. The current annual (2020) cost to lease from Waterford is \$46,557 with a 5% contracted increase per annum. Assuming this agreement holds, then the cost to lease will exceed the cost to build next year (2021). Over the life of the loan (20 years), the town of East Lyme will spend approximately **\$570,000** more to lease.

EXHIBIT 1

Year	Build Cell Cost (1.84% interest)	Lease from Waterford (5.0% escalation costs)	
		Annual Cost to Lease	Cost Savings over leasing
2020	\$ 48,480.00	\$ 46,557.00	\$ 1,923.00
2021	\$ 48,480.00	\$ 48,884.85	\$ (404.85)
2022	\$ 48,480.00	\$ 51,329.09	\$ (2,849.09)
2023	\$ 48,480.00	\$ 53,895.55	\$ (5,415.55)
2024	\$ 48,480.00	\$ 56,590.32	\$ (8,110.32)
2025	\$ 48,480.00	\$ 59,419.84	\$ (10,939.84)
2026	\$ 48,480.00	\$ 62,390.83	\$ (13,910.83)
2027	\$ 48,480.00	\$ 65,510.37	\$ (17,030.37)
2028	\$ 48,480.00	\$ 68,785.89	\$ (20,305.89)
2029	\$ 48,480.00	\$ 72,225.19	\$ (23,745.19)
2030	\$ 48,480.00	\$ 75,836.45	\$ (27,356.45)
2031	\$ 48,480.00	\$ 79,628.27	\$ (31,148.27)
2032	\$ 48,480.00	\$ 83,609.68	\$ (35,129.68)
2033	\$ 48,480.00	\$ 87,790.17	\$ (39,310.17)
2034	\$ 48,480.00	\$ 92,179.68	\$ (43,699.68)
2035	\$ 48,480.00	\$ 96,788.66	\$ (48,308.66)
2036	\$ 48,480.00	\$ 101,628.09	\$ (53,148.09)
2037	\$ 48,480.00	\$ 106,709.50	\$ (58,229.50)
2038	\$ 48,480.00	\$ 112,044.97	\$ (63,564.97)
2039	\$ 48,480.00	\$ 117,647.22	\$ (69,167.22)
<b>TOTAL</b>	<b>\$ 969,600.00</b>	<b>\$ 1,539,451.63</b>	<b>\$ (569,851.63)</b>
Cost of Building Cells	Interest Rate	Yearly Payments (principal and interest)	Total 20 year loan cost
\$ 810,591.00	1.84%	\$ 48,480.00	\$ 969,600.00
	2020 Cost of Waterford Lease		
	\$ 46,557.00		

EAST LYME BOARD OF SELECTMEN  
SPECIAL MEETING OF AUGUST 19, 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.

This meeting, in its entirety, is available to view by visiting the East Lyme Town Hall webpage.

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

EXCUSED: Marc Salerno

ALSO PRESENT: Finance Director Anna Johnson

First Selectman Nickerson called the meeting to order at 7:02 p.m.

2. Delegations

Kathy Cassidy, 14 Rockwood Drive, Waterford. Ms. Cassidy stated that she owns and pays taxes on a property at 488 Main Street, Niantic, and that she is a board member of the East Lyme Public Trust Foundation. Ms. Cassidy stated that she is curious as to why this meeting was called on such short notice.

Mr. Nickerson noted that the Board of Selectmen does not answer questions during delegations, which is meant only for public input on items which are on the agenda.

3. Appropriation of FEMA Funds to Public Safety Project

MOTION (1)

DISCUSSION: Mr. Nickerson asked Mr. Dagle to go into some details and give answers to questions that the Board of Finance stated were not answered as of yet. Mr. Dagle stated that he would review some information that was presented at the last Board of Finance meeting and noted that the final cost numbers cannot be determined at this time pending the Board of Selectmen's action tonight regarding the use of the FEMA funds from a financing standpoint. He stated that he did a comparison of the project costs submitted by the Vision Committee and Silver + Petrucelli and a comparison of the project costs that were submitted as evidence at the Board of Finance meeting. There was a slight adjustment in both the final numbers presented by the Vision Committee, as follows. \$6,670 that was not included in the \$7.17M project cost; \$1,670 for the asbestos inspection and \$5,000 for furniture that the police department purchased on sale, with the consent of the Town. That information was not provided to Silver + Petrucelli and was not included in their total amount, which brings the total amount to \$7,186,235, which is still within the \$7.2M that we had discussed and presented to the Board of Finance. The Board of Finance information that was entered into the record was overstated by \$5,839 and it was understated by \$3,000; specifically the cost for the bid alt for the elevator cab was listed at \$198,000 and the actual bid alt price submitted with the bid was \$201,051. The bottom-line difference is within \$2,200, and he stated that the \$7.2M project cost is an accurate cost for executing the project.

The next area is regarding financing costs for bonding of the \$7.2M and was partially addressed by the Finance Director and included in that meeting. The Finance Director did some calculations and the total bonding costs came out to approximately \$9.7M total cost to borrow \$7.2M. The short-term borrowing numbers were not included in the presentation, and the Finance Director will break out all of those financial costs at a future meeting based on the Board of Selectmen's decision tonight. Once the Town has the final

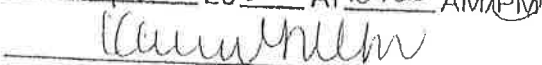
FILED

Board of Selectmen Special Meeting

August 19, 2020

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Aug 27 2020 AT 12:23 AM (PM)

  
EAST LYME TOWN CLERK

number to be borrowed, the Finance Director will present at the Board of Finance meeting the actual short term and bonding costs above and beyond the amount of money that is bonded. The second that was not clearly presented during the Board of Finance meeting was the operating costs of the building, specifically electricity and propane, and what the Town has paid to-date since taking ownership of the building last May. Mr. Dagle will work with the Finance Director to clearly outline those operating costs, as well as what the forecasted costs will be once the Town is under contract and the work begins.

Mr. Dagle stated that the third area is regarding future CNRE costs. He stated that there has been quite a bit of discussion regarding not replacing both air handling units, not replacing the roof, and not replacing the parking lot. He stated that we do have estimates for these projects, and that they will be presented as future maintenance costs; he will present rationale as to why it is not prudent to borrow money at this current time to execute those replacements. He noted that waiting and not borrowing money now gives the Town the opportunity to apply LOCIP funds in the future, as well as give the Town an opportunity to put money aside in each yearly budget to cover the cost in the future.

Mr. Nickerson noted that the Board of Finance is basing their arguments on the original plan presented by the architect, which was a renovate as new project plan and was not ever the intention of the Town. This plan has since been modified and re-presented as the current plan which calls for the necessary renovations to make the facility functional for immediate occupancy. In comparison, he noted that the original school renovation project was first presented as a renovate to new project at \$85M, but that the Town and taxpayers chose to renovate as needed for \$38M and hold capital projects at bay that will be done later, i.e. the Niantic Center School roof. He stated that the Town fully admits that this is the case here, but for now we only need to do repairs to extend the life of these items. He noted that the Board of Finance is objecting to items such as a canopy over the parking lot, which was never part of the Vision Committee's proposal, so it is not justified for them to use that original plan as their basis for argument. He also noted that the air handlers on this building are far newer than some of the equipment on the Board of Education buildings, so we are not going to replace something that is in working order and has life left in it. We should not be ripping off a roof that has a good 10 years left with proper maintenance. Mr. Nickerson also noted it was never the intention to fully renovate the 2<sup>nd</sup> floor at this time, but to do that some time in the future as the budget permits and as the Town decides what to do with the space.

Mr. Dagle stated that the next item for discussion is the list of items that were labeled omitted from the project at the Board of Finance meeting. Those items will be addressed one-by-one to the Board of Finance. There are a couple of items that are already included in the base bid and should not be counted twice, and also some items that are not needed for this project and should not be counted at all. These items total \$850,000, and none of them effect the operability of the building nor do they represent the need for future dollars to put them into the building. Mr. Dagle stated that he has had a discussion with the Chairman of the Board of Finance, and she is aware of his intention to present such at an upcoming meeting of the Board of Finance. He noted that the items that were left out of the project were fully discussed and voted on by the Vision Committee; transparency has always been at the forefront of the Vision Committee. They have not been held back from the public, but he will address them again at his presentation to the Board of Finance. Mr. Dagle stated that the financial cost of bonding was poorly represented by the Board of Finance as it only included one to two years of financing and not the full financial cost of the bonding, and he noted that the Finance Director has that information and provided such when requested by the Board of Finance. He stated that those numbers are subject to change and will be amended subject to the outcome of tonight's meeting.

Mr. Dagle stated that there was a public comment regarding delaying the sally port and cells and doing that down the road after the sale of the building on Main Street, and he thought it should be brought up. He believes that every year that we continue not to have those items, the Town will be paying \$48,000+ to Waterford and he does not think this is fiscally prudent for the Town. This will be an additional cost to

the Town, as well as the uncertainty of future construction and bonding rates. Additionally, the Town will lose the efficiency of operating solely in their own town and not have to travel back and forth to Waterford. Mr. Dagle's recommendation is that the Town move forward with these items included in the project; to delay including these items gives the Town a Public Safety Building that does not meet the intent of a fully operational police department.

Mr. Cunningham thanked Mr. Dagle for all his work on this project and at tonight's meeting in preparation for presenting to the Board of Finance. He stated that he still supports the full project, and using the FEMA money, which will elevate the need to bond out this project in full and the financing costs in the future. Mr. Cunningham is hopeful that tonight's presentation will elevate some of the concerns that the Board of Finance has raised, and he feels that the Vision Committee has been transparent and truthful in this process.

Mr. Cunningham supports doing the full project, with the sally port and holding cells included, and supports moving forward and make this presentation to the Board of Finance and hopeful that they will be receptive to this project. Mr. Cunningham stated that he truly believes that there is no better alternative, and that he has no political motive; no motive at all except that he truly believes that it is right and what is best for the Town.

The Finance Director stated that she and Mr. Scheer have reviewed the FEMA storm records and have found that the Board of Selectmen earmarked \$203,560.89 to be a part of the \$4.4M appropriation that was approved in 2014. During the FEMA application process, that is what was expected to receive from Storm Sandy. As time went on, it was determined that the Town was eligible for more funding due to rebuilding the boardwalk to future mitigation hazards, which brought the total up to \$836K instead of \$203K estimate. Instead of \$1.7M being available to appropriate for this project, the total available is \$1,527,046.72. \$203,560.89 of this anticipated FEMA money will be put back into the Capital Fund to replace funds utilized at that time to rebuild the boardwalk.

Ms. Hardy stated that she does not feel that there has been any attempt to hide any information from the public in this matter, and feels that people that may not have been attending meetings all along may not have received all the information that has been presented along the way to get us to this point. She stated that a full report to the Board of Finance with all of the information presented up to this point is appropriate to give a full picture of how this project and the discussions have progressed. Ms. Hardy commended all of the people that have worked so hard on this project. She stated that the Town has had the advantage of having the Dominion building for \$1 per year for the last 15 years, and the Town should have been savvy enough to put money aside to build this facility. Ms. Hardy feels that the use of the FEMA money to build a new public safety facility to allow us to consolidate all of our emergency management functions will allow the Town to respond more efficiently to future emergencies and is an appropriate use of these funds. She stated that we do have to re-negotiate the terms of our contract with Waterford, and there is no guarantee that we will continue to get the same deal as we have now. Furthermore, the Town is not positive that Waterford will even want to consider continuing this agreement, which was only meant to be a temporary arrangement, and also that they are becoming crowded and running out of space as well.

Ms. Hardy supports doing the job right. She believes we should come together as a community, do the right thing, and get our emergency management services into this building in a proper and safe environment to allow them to do their jobs and provide the most important services to our community. She stated that this is not simply a police station, but an emergency management facility where all of these departments will be under one roof and working in unison as they should. Ms. Hardy supports moving this to the Board of Finance and ask them to do the right thing.

Mr. Seery stated that as per Mr. Price's comments at the last meeting, the new Police Accountability law changes everything in that we will be required to have a full functioning police station, including holding cells. Not doing this now will put us even more behind.



Mr. Nickerson stated that this new Police Accountability bill is maybe going to serve the community well, but will require each municipality to have a certain level of training, equipment, servers, backup, body cameras, new certifications, etc. and is going to cost each municipality, hence the taxpayers, to reach those levels that will be required. The Board of Selectmen are charged with doing what is best for the Town, not only today but into the future, and this is what is right for the Town, and time after time this Board, which is bipartisan, has voted unanimously to move this project forward to solve a problem that this town has had for many years. Mr. Nickerson stated that the Town has a solution, the taxpayers voted at referendum 2:1 to purchase this building that we now own. He stated that \$5,000,000 was approved, ~\$3M of which was used to purchase the building, and now we have this ~\$1.5M to use to finish this project now, and not leave it for the future and the next Board of Selectmen to deal with and try to get it done. He stated that this ~\$1.5M together with the \$2M that we already have appropriated will enable us to get this project started, and then the extra financing required of up to \$700,000 more to finish off the sally port and holding cells will be worked out.

Mr. Dagle stated that he had every intention of going through each of the aforementioned items line item by line item, but unfortunately it was a very long meeting and the full information was not reported. He reported once again that all of this information was discussed at length and voted on by the Vision Committee in their meetings, and there was never any intention to keep information from the public. He will go into detail of each one of these items at the Board of Finance meeting. Regarding the motion that is on the table. This is good opportunity to save the taxpayers money and save interest by not having to bond out this money by allocating this FEMA money to give this Town and its emergency response personnel a fully operating and functional building. This has always been the goal of the Vision Committee, and that committee did not receive pressure to keep it at the \$5M budget, or even the \$6M; the committee was charged to come up with the best possible plan for the least amount of money, and that is what they did.

Mr. Cunningham stated that he sat on that committee and enjoyed being a part of the process. The charge of the committee was never to refurbish as brand new; it was to make something that would be good, adequate, useful and functional for 50 years into the future. The committee was careful with all of the decisions that they made and there were no politics involved. The time is now as we are facing many uncertainties for the future and the Town needs to have a public safety complex that will consolidate all of the emergency services functions so that they can be efficient in protecting and serving this town into the future. The additional space on the second floor may come in handy if we face additional social distancing recommendations in the future. The time is now, and we all need to come together and do what is right for the Town.

Mr. Seery MOVED to approve a special appropriation in the amount of \$1,527,046.72 for the public safety facility project; funds of source being from Storm Sandy and from Storm Irene, and forward to the Board of Finance for approval. This is in addition to the \$5,000,000.00 previously authorized in bonding for this project.

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

#### 4. Completion of Public Safety Building Project and Alternative Financing Options

DISCUSSION: Ms. Hardy stated that she does not think that the Town should piecemeal this project. In her time representing the Town, she has seen many projects that have taken this direction, and then it ends up costing the taxpayers more money in the long run, as well as prohibiting the Town from getting the benefits that they anticipated right from the beginning. She feels that not completing this project will keep people on edge and not give them everything that they need to do their jobs effectively. Let's get this done and get it done right so that we can move forward and address other issues that need to be addressed and not have

Board of Selectmen Special Meeting

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to have this unfinished and continually worrying about how to make up for it. In the case of the High School, the project was cut back by five classrooms, which were needed at the time of the expansion, and the town has never been able to make up for that shortage. Regarding future upkeep, she stated that every single town building requires upkeep and equipment to be replaced, this building is no different. Ms. Hardy stated that it would be irresponsible for us not to move forward and get done what needs to be done. Making note of the newly passed Police Accountability bill, Ms. Hardy stated that there may be, and we should be looking for, any grants that may be available to smaller communities such as ours to meet the criteria set forth in this new legislation.

Mr. Cunningham stated that it just doesn't make sense to build a public safety building without holding cells and we should not build it that way, we should do it correctly from the beginning. There is also a legal liability of transporting prisoners from our town to another municipality should something happen during the transportation or while the prisoner is being held in that other municipality. Chain of custody issues are also a concern, and that is not well controlled when we have to transport evidence and house it away from our officers.

Mr. Seery stated that he has been in the law enforcement field for over 30 years and East Lyme has the most inadequate police facilities that he has ever seen, there is no comparison. To not equip our police officers fully would be like not equipping the schools with new smart boards or not having security at the doors any longer. We have the opportunity now to finish this project to the best of our ability with the funds that we have available; they can move in completely, and process and house prisoners as they should be able to do without having to go back and forth to Waterford. He believes that we should do the project right and in full now.

Ms. Hardy pointed out that the library is out of space, and she reminded everyone that project was cut back and not built to original specifications, in order to save money, and now they do not have enough room to function properly and are looking to have that building expanded to meet their actual needs.

Mr. Cunningham noted that he hears over and over again from taxpayers their disappointment in the town's short sidedness in not building or renovating facilities to their maximum worth, and he does not feel that we should make that mistake with this project. He fully supports this project, in full, as it is presented here tonight. He hopes that everyone can come together and do what is right for this Town and do this project right.

The Board of Selectmen did not move for any action on this item. To be discussed at a future Board of Selectmen meeting.

**MOTION (2)**

Mr. Seery MOVED to adjourn the August 19, 2020, special meeting of the East Lyme Board of Selectmen at 8:05 p.m.

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

Respectfully Submitted By:



Sandra Anderson  
Recording Secretary



Board of  
Selectmen

SEP 02 20

Agenda Item  
# 6a

TO: Board of Selectmen  
FROM: Karen M. Galbo, CCMC - Town Clerk  
DATE: August 26, 2020  
RE: Special Appropriation and Transfer from Contingency to Town Clerk Budget \$14,312.40

Summary of Agenda Item:

Due to the current COVID-19 Pandemic the State of CT Secretary of State's office will be mailing out applications for absentee ballots for the upcoming election to every registered voter in Connecticut. As a result, I anticipate having to issue an extremely large number of absentee ballots. I am requesting part time clerical help for assistance. The person who I want to use does have experience issuing absentee ballots and will help the office efficiently issue and return absentee ballots.

Part Time Help

\$18.78 x 4 hours a day, starting on September 14<sup>th</sup> through November 6<sup>th</sup>.

\$75.12 per day x 39 days = \$2,929.68

In addition, in coordination with Dave Putnam, Director of Parks and Recreation one of the Parks & Recreation staff members, Arlene Wilbur, will be working in our office for 4 hours a day during that time frame as well.

\$24.66 x 4 hours a day, starting on September 14<sup>th</sup> through November 6<sup>th</sup>.

\$98.64 per day x 39 days = \$3,846.96

Overtime

The State mailed out applications for absentee ballots for the Primary in August. Due to the high volume of absentees for the Primary my Assistant was required to work much more overtime than is typical for her. I anticipate her having to work much more overtime for the Election. Therefore, I am requesting the following:

Time and a half (Overtime for Brooke) is \$38.75 an hour. I anticipate from September 14<sup>th</sup> through November 6<sup>th</sup> at least 14 hours of overtime per work for Brooke. Some weeks may be less, but throughout October I am planning on being open late on Tuesdays and Thursdays, and we will also be open for at least the two Saturdays prior to the election.

\$38.75 x 14 hours = \$542.50 x 8 weeks = \$4,340.00

Printing

The Secretary of the State's office has suggested that each Town Clerk in the State order 80% absentee ballots. What this means is 80% of our voter list. Our total voter list as of today 8/26 is 14,673 voters. 80% of that is 11,738. In comparison for the 2016 Presidential Election we ordered 2400 absentee ballots and we issued 1073. Ballots cost approximately .60 cents (printing and folding).

11738 ballots x .60 = \$7,042.80

**Action Needed:**

Move to appropriate and transfer \$14,413.40 from account number 01-01-120-200-500 (Contingency) to the following accounts:

01-01-107-100-412	PT Clerical Town Clerk	\$2,929.68
01-01-107-100-314	Overtime Town Clerk	\$4,340.00
01-01-107-300-251	Printing – Dog License & Ballots	\$7,042.80

for the Presidential Election and forward to the Board of Finance for approval. This request is made due to the ongoing Covid-19 pandemic.

In addition, approve the transfer of up to \$3,846.96 from account number 01-45-421-100-311 (Prog Coord/Secy/Admin P&R) to account number 01-01-107-100-311 (Asst Town Clerks) effective April 1, 2021 and forward to the Board of Finance for approval. This request is made due to the ongoing Covid-19 pandemic.

**Request for Board of Selectmen**

**TO:** Board of Selectmen  
**FROM:** Anna M. Johnson, Director of Finance  
**DATE:** August 27, 2020  
**SUBJECT:** Special Appropriation CNRE \$105,000 Sidewalks

**Summary of Agenda Item:**

At the July 11, 2019, Zoning Commission Meeting a representative of GDEL requested and the Commission approved not building the sidewalk that was part of the original 280 apartments plan on East Society Road which is Phase II (see attached excerpt of 7/11/19 minutes). As part of this discussion, First Selectman, Mark Nickerson introduced in lieu of GDEL building an internal sidewalk at Gateway that they make a donation to the town to use the funds to build sidewalks at more useful locations in town. The donation amount being \$105,000 which the town received on June 26, 2020.

In discussion with Public Works Director, Joe Bragaw we currently have fifteen (15) miles of sidewalk throughout town, however, do not have a comprehensive plan for sidewalks as we do for our roads. He does plan to establish such a program. In order to do this, a staff member would need to walk the sidewalks to document the condition. Once this is completed, a maintenance plan can be completed. His plan for use of these funds would be to address new sidewalks, repairs to existing sidewalks and enacting ADA compliance. ADA compliance involved handi-capped ramps to make sidewalks accessible at an estimated cost of \$2,000 per location.

Note: Current remaining balance in account 32-70-300-500-007 (Sidewalk Repair) - \$10,000. Also, an encumbrance of \$14,054.76. We are phasing out use of account 32-70-300-500-102 (Sidewalks - Town-wide Repair & Replacement) encumbrance \$925.28.

**Action Needed:**

Move to approve a special appropriation of funds received from GDEL in the amount of \$105,000 in CNRE account 32-70-300-500-007 (Sidewalk Repair) to be used for new sidewalks, repairs to existing sidewalks and enacting ADA compliance on sidewalks and forward to the Board of Finance for approval. This resolution is passed under the guidance of Executive Order 7S with no town meeting and being less than 1% of the current budget.

**Attachments:**

- Excerpt from Zoning Commission July 11, 2019 minutes.

**Prepared By:** Anna M. Johnson, Director of Finance

Attorney Ted Harris of 351 Main Street gave a brief update on Phase II of the residential component and explained their request is to not build the sidewalk that was part of the original approval of the 280 apartments on East Society Road that runs from the developed site to Dean Road; in conjunction with this request they're proposing to donate \$105,000 to the Town's sidewalk fund. He stressed that the sidewalk portion of East Society Road was not required by any regulations- it was a product of a good idea that turned out to be not such a good idea.

Mr. Harris explained it was initially anticipated to be a lot of pedestrian traffic but in reality, that is not the case given there are only three houses on East Society Road and sidewalks are being constructed on the developed site and throughout the residential site; there is no need for sidewalks to Dean Road since there is nothing there, there are no sidewalks on Dean Road, and it's a bad intersection. He said he spoke with the Planning Department who is putting together a sidewalk plan for the Town and there is no plan for sidewalks in this area.

Mr. Harris said another important factor is constructability and said the narrow road in addition to steep terrain, steep slopes, tight quarters, and topography made sidewalk construction completely difficult. He added that rights in various places would be needed from property owners which is problematic.

Mr. Donovan asked why they weren't constructed when the road was completed and Mr. Harris clarified that they would have encountered the same issues regardless of when sidewalk construction was attempted.

Mr. Harris detailed one issue that came up post approval and the Water Department's request to design a new system that would better provide for uninterrupted service during water main breakage. Mr. Harris said they've agreed to do this but it has added an additional couple of hundred thousand dollars in construction costs. He said given the great cost they thought it would be better to balance their resources between the new water system and to contribute to a sidewalk in a location where they will actually be used.

Mr. Muiholland briefly explained how he is in agreement with this assessment to the high speed of the road and lack of need for sidewalks in this area. He said the First Selectman is here to speak to the numbers side of this and Mr. Nickerson came forward to speak. He detailed how the \$105,000 was calculated; given that a commitment was initially made they considered what the fair thing to do is and they worked out it's about \$60 a linear foot and 3,500 feet would be \$210,000. He explained this would be the cost of a sidewalk on a flat surface and they took this figure and cut it in half. Mr. Nickerson said this is a great opportunity for sidewalk work to be made or repaired where needed.

Mr. Nickerson detailed the corridor study that will be taking place along Flanders Road and stressed they're looking at sidewalks and agree their important.

Zoning Commission  
July 11, 2019  
Public Hearing  
& Regular Meeting  
Minutes

Mr. Walker asked when the excavation of the hill will be completed and buttoned up and Mr. Harris gave an update. He said they believe they're finished blasting and plan will be given to Mr. Mulholland by next week.

The Commission discussed the sidewalk contribution calculation in detail.

Mr. Donovan said he would like to see them actually build a sidewalk somewhere; despite being a bad decision, it was part of the original agreement and the monetary figure of building a sidewalk on East Society should be applied elsewhere. He said we keep granting sidewalk waivers all over Town and asked when we're going to stop.

Mr. Harris clarified that this is not a waiver and Mr. Donovan said it was what they were approved for and asked if they would be willing to apply the \$210,000 elsewhere. Mr. Harris said he can't answer that since they're not here and that they didn't realize how difficult this sidewalk construction would be.

Mr. Walker said he thinks \$105,000 is a fair figure and Mr. Donovan disagreed.

Mr. Peck said he was worried about having a sidewalk here.

Mr. Mulholland said monetary calculation is best left to the First Selectman's Office rather than a Land Use Board.

The Commission further discussed sidewalks.

#### **MOTION (2)**

**Mr. Peck moved to approve the request of Theodore A. Harris, Esq., Agent for GDEL Residential B, Gateway Phase II Residential for a site plan modification as requested.**

Mr. Peck said he thinks this is a gift for the Town and makes a lot of sense.

Ms. Kalajainen said this is a situation where we have an organization that has made a commitment and while the Town needs tax revenue that comes with these great developments, there was a plan and that plan had cost built into it to build a sidewalk. She said someone in this Town needs to ensure that the commitments made are fulfilled. She said she would ask our First Selectman to consider what she as a private citizen feels like a deal being cut by a politician.

Mr. Harris said they're asking for something that will allow this project to go forward and be an asset to this Town.

Ms. Kalajainen said it might not be this Commission's purview but someone needs to ensure that commitments made by organizations like the one Mr. Harris represents, are fulfilled. She said she didn't think there was any need for further comment on this matter.

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The Commission further discussed the request.

**Ms. Kalajainen seconded the motion.**

**Motion carried, 5-1-0.**

**Nay: Mr. Donovan**



**Request for Board of Selectmen**

**TO:** Board of Selectmen

**FROM:** Anna M. Johnson, Director of Finance

**DATE:** August 27, 2020

**SUBJECT:** Reimburse PS Building Project 2019/20 Utilities: \$30,158.29 and authorize use of \$40,890 PS Building Contingency Funds for 2020/21 Utilities

**Summary of Agenda Item:**

When we purchased the PS Building in April 2019, there was no provision within our operating budget for utilities or other operating expenditures. Therefore, we charged the electric and propane expenditures to the building project fund. For fiscal year ended June 30, 2020 we paid \$25,423.88 to Eversource for electricity and \$4,734.41 to Osterman for propane (see attached). In the 2020/2021 budget we included a contingency account in the amount of \$58,000 for the PS Building of which \$34,650 was allocated for electricity and \$6,240 for heating purposes.

At fiscal year ended June 30, 2020 there is a \$133,243 remaining balance in the contingency account (see attached). Therefore, recommend use of that account to reimburse the building project fund. Since we have funds set aside in the contingency account in the 2020/21 budget, recommend use of those funds for payment of the 2020/21 utility bills.

**Action Needed:**

Move to approve an operating transfer out of the fiscal year ending June 30, 2020 general fund account 01-01-120-200-500 (Contingency) to PS Safety Building Project Fund account 57-70-028-500-002 (Renovations FFE – PS Building) with an effective date of June 30, 2020 and forward to the Board of Finance for approval.

Move to authorize the use of up to \$40,890 in the 2020/2021 budget account 01-01-120-300-501 (PS Building Contingency) per the estimated electric and heating allocations and forward to the Board of Finance for approval.

**Attachments:**

- Expenditure summary for 2019/2020 utilities paid from PS Building Project Fund
- Estimated cost summary for 2020/21 PS Building Contingency Account
- 2019/2020 Schedule of Contingency Account

**Prepared By:** Anna M. Johnson, Director of Finance

Town of East Lyme  
 Public Safety Building Utility Expenditures  
 FYE 6/30/20  
 Project Budget Account Charge: 57-70-028-500-002

Trans Date	Id	Status	Check Id	Trans Description	Vendor I	Vendor Name	PO First Enc	Trans Amount
7/25/2019	20-00534	Paid	563393	277 W Main Electricity FY 20	11243	EVERSOURCE	7/24/2019	-3,602.80
8/22/2019	20-00534	Paid	563747	277 W Main Electricity Mon 3	11243	EVERSOURCE	7/24/2019	-2,732.12
9/13/2019	20-00534	Paid	563951	277 W Main Electricity Mon 4	11243	EVERSOURCE	7/24/2019	-2,599.31
10/11/2019	20-00534	Paid	564219	277 W Main Electricity Mon 5	11243	EVERSOURCE	7/24/2019	-2,402.68
11/7/2019	20-00534	Paid	564459	277 W Main Electricity Mon 6	11243	EVERSOURCE	7/24/2019	-2,103.81
12/19/2019	20-00534	Paid	564829	277 W Main Electricity Mon 7	11243	EVERSOURCE	7/24/2019	-1,789.72
1/17/2020	20-00534	Paid	565030	277 W Main Electricity Mon 8	11243	EVERSOURCE	7/24/2019	-1,929.03
2/27/2020	20-00534	Paid	565314	277 W Main Electricity Mon 9	11243	EVERSOURCE	7/24/2019	-2,051.00
3/20/2020	20-00534	Paid	565475	277 W Main Electricity Mon 10	11243	EVERSOURCE	7/24/2019	-2,081.27
4/16/2020	20-00534	Paid	565684	277 W Main Electricity Mon 11	11243	EVERSOURCE	7/24/2019	-2,144.85
6/18/2020	20-00534	Paid	566094	277 W Main Electricity Mon 12	11243	EVERSOURCE	7/24/2019	-1,987.29
								-25,423.88
7/25/2019	19-03170	Paid	563374	277 W Main Fuel May 2019	7746	OSTERMAN PRO	6/30/2019	-2,416.13
3/13/2020	20-02115	Paid	565459	Propane delivery in Dec & Jan	7746	OSTERMAN PRO	3/10/2020	-2,318.28
								-4,734.41

# TOWN OF EAST LYME

## ESTIMATED COSTS FOR THE PS BUILDING (PSB) - FY 20-21

	20-21 Rate/hr	Hrs/wk	Wkly Rate	Wks/yr *	Yearly
FT Custodian	\$ 19.72	27.5	\$ 542.30	12	\$ 6,508
* assume start on 4/1/20					
Extra Coverage (when custodian is off)					\$ -
FT benefits				est	\$ -
FT Fica			7.650%		\$ 498
Total for FT custodian					\$ 7,005
say					\$ 7,010
<b>Additional for Service Contracts</b>					
<u>assumptions</u>					
take ex PD off PM contract - add new PSB (wash)\				\$ 6,528	
add new PSB for pest control				\$ -	
take ex PD off fire alarm testing - add new PSB (wash)				\$ -	
					\$ -
<b>Additional for Building Maintenance</b>					
					\$ 5,000
<b>Additional for Custodial Supplies</b>					
					\$ 5,000
<b>Additional For Electricity</b> ex. Elec bill at new PB					
Guesstimate	PSB	\$ 2,500	7/1-12/31/20	\$ 15,000	
		\$ 3,500	1/1/21-3/31/21	\$ 10,500	
		\$ 5,300	4/1/21-6/30/21	\$ 15,900	
					\$ 41,400
from 7/1/20 - 4/1/21 assume same usage for ex. Pd & Emg Dispatch					
for last 3 months					
PD Avg /mo	\$ 1,800	would be	\$ 5,400	assume save 75%	\$ (4,050)
Emg - Avg/mc	\$ 1,200	would be	\$ 3,600	assume save 75%	\$ (2,700)
					\$ 34,650
<b>Additional For Heating</b>					
Say	6,000	gallons *	@	\$ 1.04 /gal ** =	\$ 6,240
* I have no real data to base this estimate on.					
** I was able to lock in the propane rate for winter 20-21 w/o having to pay upfront					
<b>TOTAL</b>					\$ 57,900
<b>BOS APPROVED MTG</b>					\$ 58,000
<b>DIFFERENCE</b>					\$ 100

Town of East Lyme  
 Schedule of Contingency  
 7/1/2019 - 6/30/2020

Account 01-01-120-200-500 Operating Contingency

BOS	BOF	Amount	Reason	Type
		172,000	Beginning Balance	
12/18/2019	1/15/2020	(4,250)	Police K-9	
1/8/2020	1/15/2020	(5,422)	Additional Hours HR Manager	
4/15/2020	4/29/2020	(10,340)	Dispatch Overtime	
4/15/2020	4/29/2020	(8,525)	Dispatch Part time	
4/15/2020	4/29/2020	(8,220)	NFD Part time FF	
5/6/2020	5/13/2020	(1,000)	Executive Order 7S implementation programming	
6/3/2020	6/10/2020	(1,000)	BoF Recording Secretary	
		133,243	Balance prior to this request	
		(25,424)	PS Building Reimburse 2019/20 Electric	
		(4,734)	PS Building Reimburse 2019/20 Propane	
	6/30/2020	103,085	Remaining Balance	

Board of  
Selectmen

SEP 02 20

Agenda Item  
# 70

July 2020

Dear members of the Board of Selectmen-

I want to first thank each and every one of you for your support of our great town and the hard work you have put forth during these challenging times to continue to govern. I admire your willingness to adapt to change and to continue solving the problems we face as a town. Above all else, I want to thank you for offering me this award. I am humbled and honored that it comes from the East Lyme Board of Selectman over any other scholarship association. As for myself, I look forward to attending Nichols College this fall to study Business. My passion for government started when I was younger. A majority of my family served in the military, most notably my uncle, serving as the highest ranked officer in the US Coast Guard under the Obama administration. I always admired the military, but I found my true admiration lay in the duties he had in Washington DC. Appearing before committees, both in the senate and the house and of course, meeting the President of the United States on the regular. I knew it was something I needed to have a part in. When I heard about Mrs. Hardy's Contemporary Issues class early junior year, I knew it was an opportunity I was not going to pass up. Two semesters later and the amount of information I have learned not just in the classroom, but in real life from Mrs. Hardy has been unsurmountable. I truly appreciate her dedication to history, government, and this country. I am beyond grateful to her and it is her style of politics that I do believe we need more of on every level of government. Mrs. Hardy also introduced me to town level government, something I didn't know much of before her class. I hope to learn as much as I can about business and politics in college, and use that information to open my own small business in a town like East Lyme in the future. I would also like to run for town government as soon as I can from the knowledge I have gained from my experiences. Again, I want to thank all of you for your recognition and support.

Best Regards,



Jack LeBeau