

**EAST LYME BOARD OF FINANCE  
REGULAR MEETING MINUTES  
Wednesday, SEPTEMBER 9th, 2020  
Via Zoom Meetings**

**Members in Attendance:** Camille Alberti, Chairperson  
Ann Cicchiello, Vice-Chairperson  
John Birmingham  
Peter DeRosa  
Anne Santoro  
Richard Steel

FILED

Sept 17, 20 20 AT 10:02 AM/PM  
*Brooke Honors* ATC  
EAST LYME TOWN CLERK

**Also In Attendance:** Mark Nickerson, First Selectman  
Paul Dagle, Selectman & PSB Vision Committee Chair  
Jeffrey Newton, Superintendent of Schools  
Maryanna Stevens, School Finance Director  
Anna Johnson, Finance Director

**Absent:** No One

**A. Call Regular Meeting to Order**

Chairman Alberti called this Regular Meeting of the East Lyme Board of Finance to order at 7:04 PM. She noted that all members were present.

**B. Delegations**

Ms. Alberti called for delegations.

Jessica Todd, East Lyme Public Trust President read into the record the 'Will of the People' statement that had been presented to all of the Board members earlier citing a history on the hurricanes Sandy and Irene FEMA reimbursements. (Copy attached #1)

Ms. Alberti noted that two (2) letters had been emailed to her to read into the record for those who were not able to attend the meeting. Ms. Alberti read:

From – Michael Goss, 40 Rivervlew Road, Niantic, CT citing a history on the storms and the fiscal warnings that Mr. Nickerson had stated to the public in 2018 and urging them to complete the project at the original budget or to see the Honeywell building. (Copy attached #2)

From – Lucira Jane Nebelung, Quarry Dock Road, stating that she did not have any specific opposition to the use of the FEMA funds but citing that full disclosure was absolutely necessary. (Copy attached #3)

Steve Larcen, Oswegatchie Hills Road said that he had spoken at a previous meeting on this indicating that he did not support the extra \$2.5M to \$7.5M due to the increase in borrowing. The biggest part of the debt service is the principal. He said that he urges that there be some sort of compromise between the \$5M and the \$7.5M and that he does support the use of the FEMA funds as an option and also does support the need for the building. He congratulated the Board for acting as a 'brake' with this project and for their due diligence acting on behalf of the towns' people. Further, he urged them not to come together on the \$1.5M to move this forward. He also discussed the concept of holding a referendum and urged that one be held for this amount of money.

Eric Straub, 61 Corey Lane said that he would not mind this going to a referendum. He said that we are a small town and do not have a high crime rate and that he does not feel that it justifies this type of expenditure and that we do not need this. This money could be used for other issues down the line that are coming as a result of Covid.

## C. Minutes

### ▪ Special Meeting July 20, 2020

Ms. Alberti recalled that they had tabled this so that she could review it further. She said that their recording secretary does an excellent job of capturing a lengthy meeting in few pages. She had a few additions to the minutes and presented the following:

Page 5 last paragraph second line from the bottom where Mr. Dagle is speaking - add after they did apply for one (a FEMA Grant for the generator) ...

Page 6 – second paragraph in the last sentence – Mr. Dagle said – change the sentence to read: Mr. Dagle said that Town staff determined the initial requirements and then they reviewed the information when it was presented to them.

Page 6 – seventh paragraph, third line where Ms. Alberti is speaking – add after 'to have heard' at a PS Building Vision Committee meeting ....

Page 6 – Next to the last paragraph on the page – add the following sentence after Mr. Cleveland's sentence:

Mr. Dagle said that Noble Construction has included the generator and installation in the base bid of \$3,081,750.

Ms. Alberti asked if there were any other additions, changes or corrections to the minutes.

### \*\*MOTION (1)

Ms. Cicchiello moved to approve the Special Meeting Minutes of July 20, 2020 as amended.

Ms. Santoro seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

### ▪ Regular Meeting August 12, 2020

Ms. Alberti called for a motion for approval or any changes to the Board of Finance Regular Meeting Minutes of August 12, 2020.

### \*\*MOTION (2)

Ms. Alberti moved to approve the Regular Meeting Minutes of August 12, 2020 as presented.

Ms. Santoro seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

## D. Reports

### ▪ Board of Education

Mr. Newton, Superintendent reported that he had a very preliminary projection of Covid related expenses. They have about \$218,000 encumbered. They opened school for the year last week in the hybrid model with half of the students in on Mondays & Tuesdays; Wednesday a remote day for all and the other half of the students in on Thursdays & Fridays. They also have around 300 students who are working only remotely. He said that they would reassess this model in early October. They are on a tight budget freeze this year which Ms. Stevens is monitoring.

Ms. Cicchiello asked what the Monday-Tuesday students are doing on Thursdays & Fridays.

Mr. Newton said that they are doing independent work but are in contact with the school.

Mr. Newton reviewed the PPE component expenses as mandated by the State and said that if they go fully remote then those expenses would go away.

Mr. Steel asked if water bottles that are being filled in the schools are the students own.

Mr. Newton said yes, they bring their own and only they can touch them.

Mr. Steel asked if masks are being provided.

Mr. Newton said that they ask them to bring their own but if they drop or lose them then they do provide them with one immediately. He continued that they utilize Zoom and that there is a cost to it. They also have a Distance Learning Help Desk for parents who need help with items at home (zoom, etc) and the have already had 1500 questions regarding a need for help.

Ms. Drowne noted that they are obligated to provide help to families in the home.

Mr. Newton continued that transportation is a big expense and that each bus would have to have a monitor. They have very low numbers on the buses and they have four (4) monitors and will determine if the need arises for more. Also, there are no buses on Wednesdays. They do anticipate that the buses on the other

days will fill up further as time progresses. They have contracted services as every school needs a Health Aid for a isolation room if or as necessary. They also have contracted services for staff if someone has to isolate for two (2) weeks.

Mr. Steel asked if the isolation room has a separate entrance/exit.  
Mr. Newton said yes, adding that is the intended purpose of it

Ms. Alberti asked if any of the teachers have retired or taken early retirement due to Covid.  
Mr. Newton said that a few have – some due to medical; and some have taken a year leave of absence.  
Ms. Alberti asked if home schooling has increased.  
Mr. Newton yes – from around 15 to 45 now.  
Mr. Hagen and Mr. Newton noted that they have also seen some new enrollments of people moving from NY and some coming up from the south.  
Mr. Newton said that they also returned \$270,000 from last year and that they had come up with an additional \$240,000 which is some \$500,000 and they are hoping that it could be used to help with some of this or the lawsuit.

Ms. Cicchiello asked if it ends up going all remote whose decision is it – the Governor's or each Superintendent.  
Mr. Newton said that it would come from his people first for discussion and then they would reach out to the State.

Mr. Steel asked if there are any dollars for Covid testing.  
Mr. Newton said no, that is not something that the district does.

Mr. Hagen commended the incredible amount of work that their members have done for all of this to be able to work. They have had a very successful first week of school.  
Ms. Alberti thanked them for all of their hard efforts.  
(Side note: Mr. Newton did not provide his projection sheet as he wanted to first present it at a future BOE meeting first.)

- **First Selectman**

Mr. Nickerson said that in the interest of time he would forego his report.

- **Finance Director**

Ms. Johnson noted that the BOE was returning \$527,000 to the undesignated fund balance; and that they have grown the fund balance over \$3M over the year to 10.5%. She reported that revenues are at about the same as last year; building permits are up over \$36,000 compared to last year at this time. We are holding our own at this point in time. With regard to areas of concern she noted that there are two (2) accounts – both of the Fire Departments overtime and also Parks & Rec had an unexpected expense on their irrigation system which they took from their budget but they may need some additional funding later on in the year.

## **E. New Business**

### **a. Special Appropriation and Transfer – Town Clerk \$14,312.40**

Ms. Alberti said that they had received information that this number had changed as they had received funds from the State for the printing. She said that Karen Galbo, Town Clerk was present.

Ms. Galbo said that the absentee ballot volume has increased greatly – for the August 11<sup>th</sup> primary they received 2,410 when the usual was around 193.

Ms. Alberti questioned Ms. Johnson on the dollar figures.  
Ms. Johnson said that the poll dollars (\$3000) will go to the Registrars. She added that there will also be more money coming in the upcoming weeks.

Ms. Santoro asked Ms. Galbo if she has any flexibility on the number of ballots being printed.  
Ms. Galbo said that the Secretary of State's office suggested that they order 80% of the registered voters.

Ms. Alberti asked Ms. Johnson how this would be handled when the BOS approved a higher amount at their meeting last week.

Ms. Johnson said that they can decrease an appropriation; they just could not increase one.

Ms. Cicchiello noted that she had called the Day newspaper and was told that it was an error on their part that they had not listed East Lyme as receiving grant dollars for this.

**\*\*MOTION (3)**

Ms. Alberti moved to appropriate and transfer \$7,269.68 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 and #01-01-107-100-314 – Overtime Town Clerk - \$4,340.00 for the Presidential Election. This request is made due to the ongoing Covid-19 pandemic.

Ms. Santoro seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

**\*\*MOTION (4)**

Ms. Alberti moved to approve the transfer of up to \$3,846.96 from account #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. This request is made due to the ongoing Covid-19 pandemic.

Ms. Santoro seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

**b. Special Appropriation – CNRE Gateway Development Sidewalks - \$105,000**

Mr. Nickerson explained the sequence of events regarding the use of these dollars on future sidewalks in the Town in lieu of building internal sidewalks at the Gateway apartments.

Mr. Steel said that Ms. Hardy had mentioned that the sidewalks would have cost two times as much as what we were given here had they had to be put in.

Mr. Nickerson said that they could have built them however the waiver was granted by the Zoning Commission.

Ms. Alberti mentioned that she had heard that Mr. Nickerson had some involvement with this also.

Mr. Nickerson said that it was a decision of the Zoning Commission.

Ms. Alberti asked Ms. Johnson about the \$10,000 in the sidewalk account along with the \$14,000 encumbrance and if that makes it a negative number.

Ms. Johnson said that it is \$24,000 in total with the encumbrance.

Ms. Alberti said that she does think that it makes sense to put this here and to further fund this account.

**\*\*MOTION (5)**

Ms. Cicchiello moved 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. This resolution is passed under the guidance of Executive Order 7S with no town meeting and being less than 1% of the current budget.

Mr. Birmingham seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

**c. Reimburse PS Building 2019/20 Utilities \$30,158.29 and use of 2020/21 Public Safety Contingency - \$40,890 for utilities**

Mr. Nickerson said that in May of 2019 the Honeywell building became a Town facility making us responsible for the utilities.

Ms. Alberti said that even though we did not budget explicitly for this and the bills were paid out of the project funds that it is her opinion this should be paid from the project funds and not from contingency.

Ms. Johnson said that they were not paid through operating accounts but from project funds and that further she did project that they would be using contingency funds for this.

Ms. Alberti reiterated that she is not in favor of using contingency for this.

Mr. Nickerson said that then it would be a part of the debt service.

Ms. Cicchiello said that she is somewhat confused with how this was done and asked when this was paid if it came out of the PS building funds.

Ms. Johnson said yes it did.

**\*\*MOTION (6)**

Ms. Santoro moved to approve an operating transfer in the amount of \$30,158.29 out of the fiscal year ending June 30, 2020 general fund account 01-01-120-200-500 (Contingency) to PS Building Project Fund account 57-70-028-500-002 (Renovations FFE – PS Building) with an effective date of June 30, 2020.

Mr. Birmingham seconded the motion.

Ms. Alberti said that if they approve this motion that they are taking \$30,000 in funds from contingency to cover the project and if they do not then the project will continue to pay for it.

Mr. Birmingham asked how it would affect the project funds.

Ms. Johnson said that there will be fewer funds for the project itself.

Ms. Santoro recalled that she had outlined three (3) categories of costs and explained that operational costs for an unoccupied building is the same as it was for the school renovations where the buildings were unoccupied and the utilities were paid but not from any project funds. She asked Ms. Johnson if there is a difference between occupied and unoccupied with regard to the buildings.

Ms. Johnson said that if we own the building then we pay for the costs.

Ms. Alberti said that this is a start-up cost and a cost of the project; if you think about it and if they built new then the utility costs would come from the project.

Ms. Santoro said that it seems that this is being singled out as it is not this way when you speak with the architects and other project entities.

Mr. Dagle said that in his day job that he purchases buildings and renovates them and that they do not charge utility costs to the project. If they leave this in the PS Building account then we will be paying interest on it as debt.

Ms. Cicchiello asked Ms. Johnson if they were building a new building where the utility billing would be paid from.

Ms. Johnson said that it would depend upon a number of factors and the project itself.

Ms. Alberti called for a vote on the motion.

Vote: 5 – 1 – 0. Motion passed.

Against: Ms. Alberti

**\*\*MOTION (7)**

Ms. Cicchiello moved to authorize the use of up to \$40,890 in the 2020/2021 budget account 01-01-120-300-500 (PS Building Contingency) per the estimated electric and heating allocations.

Ms. Santoro seconded the motion.

Ms. Johnson explained the various costs that they had come up with and which they want to come from contingency.

Ms. Alberti said that she is in agreement with this as they did set up an account for this last year.

Vote: 6 – 0 – 0. Motion passed.

(Note: 9 PM – a brief break was taken here)

**d. Special Appropriation - PS Building – FEMA funds \$1,527,046.72**

Mr. Nickerson said that they received FEMA funds not just for the Boardwalk but for buckled roads, storm damage and clean-up throughout the Town and that they decided to reduce the debt of this project with it. They used \$200,000 of this for the Boardwalk and the rest of the Boardwalk came from other funds. He said that once this is done, they could have bond counsel work this up. The difference is about the cost of the sally port and cells (\$700,000). Allocating this funding would enable them to move forward on this project.

Mr. Dagle presented his information (copy attached #4) explaining that the roof costs would be future costs.

Ms. Cicchiello asked about the road/parking lot.

Mr. Dagle said that it does not need to be done as it can be crack sealed for around \$30,000. He continued, noting the loss of tax revenue (\$205,410) on the building; and the parking canopy and extra lockers which are not necessary at this time.

Ms. Alberti said that the last time when they came before them for the \$2.2M appropriation they did not have full disclosure on the expenses. Mr. Dagle has presented that to them now and they have transparency and disclosure on the project and the associated costs however there is no referendum. She also questioned why a special meeting was not scheduled to go over the plan regarding the needed \$2.2M with the \$1.5M now. Mr. Dagle said that the BOS clearly delineated that \$2.2M was needed. The \$1.5M leaves \$700,000 to get to the total \$7.2M which remains unchanged. The BOS unanimously approved the \$7.2M so the bonding would come after – if the \$1.5M is approved here then they plan to come back for the \$700,000.

Ms. Alberti asked Mr. Nickerson to explain the referendum.

Mr. Nickerson said that this is FEMA money and the PS building purchase went to referendum so it has been approved by the Town. They would come back after this \$1.5M is decided and the BOS will come back for the rest.

Ms. Alberti said that there is no doubt that this is a windfall and that it could be used towards this item. The question is what the preference is on how much of it to use for this project.

Mr. Steel noted that all the documentation is public record and it is lengthy. Mr. Dagle has provided and gone through his information which was critical. He said that the new regulations on police transparency that are coming forth; it makes it such that this building becomes a greater need. He said that he would also like the money for the body cameras etc to be moved from these FEMA funds. This was estimated at around \$120,000 – which if they pull it from the FEMA funds for later use. He said that he would also pull out \$50,000 for the upkeep of the Boardwalk as requested as it was the will of the people so this would reduce the \$1.5M to \$1.325M. He also wondered if the police could move to the new building while it was under construction.

Mr. Nickerson noted that they do not have the authority to pull money out to spend elsewhere – they have to act on the \$1.5M which they could only reduce not increase.

Mr. Dagle said that the communications systems would need the contractors to do the utility work to get it to be activated and they would also have to explore obtaining a temporary CO.

Mr. Steel asked if the \$7.2M includes the sally port and holding cells.

Mr. Dagle said yes.

Ms. Cicchiello proposed that \$1M go to the PS Building and the rest to body cams, etc and also Covid as they have the school coming in with other needs.

Mr. DeRosa said that he supports the \$1.5M in principal; respects the \$50,000 request of ELPT; understands the Covid expenses which are unknowns – but wants to be conservative with the bonding.

Mr. Birmingham said that with respect to the \$50,000 for the ELPT that he had researched it and wants to know how they came up with that number.

Mr. Nickerson said that it is an arbitrary number that they came up with as there have not been any maintenance costs on it since it was built.

Mr. Birmingham said that his initial reaction is to put forth the \$1.5M; then get them into the building as soon as possible.

Ms. Santoro said that in its entirety the \$1.5M should be put towards the PS Building just as the BOS voted. She noted that there has been very little maintenance on the Boardwalk; feels that Covid is real however funding over that could come from FEMA and other sources. The PS Building is a dire situation and this would help greatly to reduce that burden. She recalled that Steve Larcen said earlier that he viewed this as a 'bridge to yes.'

Ms. Alberti suggested that if the dollars were borrowed from the sidewalk funds for the Boardwalk that it seemed prudent to put some back. She noted also that no maintenance has been done -

Ms. Johnson said that Parks & Rec has it in their budget but it is routine maintenance.

Ms. Alberti said that she thought that there was only \$3300 in that account, adding that she would not be opposed to putting more in that or of throwing more into the sidewalk fund for what was used.

Mr. Nickerson explained that it was determined that the Boardwalk was a public sidewalk which is why the dollars were used from there.

Ms. Alberti continued that she was also not opposed to the funding for the body cams.

Mr. Nickerson said that the body cams are mandated and that they will be funded.

Ms. Alberti said that there were three (3) things that they were looking for – 1 – transparency; 2 – the total amount to fund the project - \$2.2M and 3 – the right to vote on this.

She said that she is looking for a consensus on the \$1.5M.

Mr. Nickerson said that by the Charter that they have to act on this within 30 days – they can vote no but they have to act.

Mr. DeRosa said that they have to come to a consensus on the amount they want to go to the PSB project.

Ms. Santoro agreed that is what they are here to do.

Mr. Dagle said that depending upon how much of the \$1.5M they allocate that he could guarantee that the BOS will come back with the rest necessary for the \$7.2M – that is a guarantee. If they support the whole amount then that is less they will have to bond. There is no one on the BOS who wants to reduce the project or the \$7.2M to get there.

Ms. Alberti said that they will put some numbers out but maybe they should take a vote first.

Mr. Dagle said that it is incumbent upon the Board of Finance to vote on the \$1.5M and if all or how much of it will be allocated to this project.

#### **\*\*MOTION (8)**

Ms. Santoro moved to approve a special appropriation in the amount of \$1,527,046.72 for the Public Safety Facility Project; source of funds being from Storm Sandy and Storm Irene. This is in addition to the \$5,000,000 previously authorized in bonding for this project.

Mr. DeRosa seconded the motion.

Vote: 3 – 3 – 0. Motion failed.

For: Mr. Birmingham, Mr. DeRosa, Ms. Santoro

Against: Ms. Alberti, Ms. Cicchiello, Mr. Steel

Ms. Alberti asked for recommendations on how much of the \$1.5M they wanted to go towards the PSB.

Mr. Steel said that it is hard to predict Covid and the schools etc. He would like to cover the Covid expenses but they do not know what they would be. He suggested a reduction of \$175,000 for the body cams and the ELPT for the Boardwalk and allocating \$1,352,046.72.

Mr. DeRosa suggested allocating \$50,000 to the ELPT for the Boardwalk as the Covid remains an unknown and allocating \$1,477,046.72 to the PSB.

Ms. Alberti said that she supports the \$50,000 to go into the repairs and maintenance so that they will be prepared in that way. She can get behind the body cams and the repairs for the \$175,000; also \$200,000 for the rainy day fund and \$115,000 to the sidewalk fund. She said that she would allocate \$1M to the PSB.

Mr. Birmingham said that he could get behind the \$125,000 for the body cams but not the \$50,000 for ELPT.

Mr. Nickerson said that they have insurance for anything major on the Boardwalk.

Ms. Cicchiello said that she could see \$1M going to the PSB as she thinks that there are a lot more Covid expenses. The body cams for the police would be a necessity and she is concerned with the schools.

Ms. Santoro said that she is staying with the decision to utilize the entire amount of the FEMA dollars - \$1,527,046.72. She said that they as Board of Finance members cannot reduce something on hypothetical situations. They are faced with a very valid need with known facts and she feels that the total amount should be utilized towards it.

Ms. Cicchiello said that she deals in this everyday in her work and suggested that they meet half way between the \$1.5M and \$1M – that way while no one may be really happy - everyone gets something.

Ms. Alberti said that she could get behind the \$1.2M for the PSB.

**\*\*MOTION (9)**

Ms. Cicchiello moved to approve a special appropriation in the amount of \$1,200,000 for the Public Safety Facility Project; source of funds being from Storm Sandy and Storm Irene. This is in addition to the \$5,000,000 previously authorized in bonding for this project.

Ms. Alberti seconded the motion.

Mr. Nickerson said that for the sake of moving on this project that the BOS would support this.

Vote: 5 – 1 – 0. Motion passed.

Against: Ms. Santoro

**F. Old Business**

There was none.

**G. Public Discussion**

Kathy Cassidy, Waterford, CT (also owns property on Main St. in Niantic) said that she is on the ELPT Board and that they only asked for \$50,000 and a whole section of the Boardwalk is full of cracks. She said that as a taxpayer she would have hoped that they would have supported the \$50,000.

Paul Dagle, 5 Riverhead Lane said that he appreciated the discussion on the various items that they are interested in funding with the balance of the funds. He said that he would bring those recommendations to the BOS for discussion as it is their decision on what is funded.

**H. Board Comments**

Ms. Alberti said that she feels badly regarding Ms. Cassidy's comment in that they should have more authority to decide where funds go. But – the BOS can appropriate it and it would have to come back to them for a vote.

Ms. Santoro said that she agrees with Ms. Alberti's comments but the procedural item that is perhaps misunderstood is that the suggestions need to be brought to the BOS for action. She said that she does not think that all hope is lost however that is the proper process on the dollars. .

**I. Adjournment**

Ms. Alberti called for a motion to adjourn.

**\*\*MOTION (10)**

Ms. Cicchiello moved to adjourn this Regular Meeting of the East Lyme Board of Finance at 11:33 PM

Mr. Steel seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary



Board of Finance Meeting-September 9, 2020

To: The East Lyme Board of Finance

From: The East Lyme Public Trust Foundation

Re: FEMA reimbursement funds from Hurricanes Sandy and Irene

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## The Will of the People

As you begin your deliberations on how to allocate the FEMA funds recently received by the town as reimbursement for repairs made to the boardwalk after Hurricane Irene of 2011 and Hurricane Sandy of 2012, the East Lyme Public Trust Foundation urges you to set aside a portion of this reimbursement (\$50,000) for the Niantic Bay Boardwalk. We ask that these funds be placed in a dedicated account to be used only for Boardwalk maintenance and upkeep.

In 2014, as repairs to the Boardwalk were being made, a special town meeting was held on March 19, 2014, in which citizens approved this item:

“Item #5 of the Call: Special Appropriation of up to \$4,442,779 from proceeds related to legal settlement, insurance settlement and FEMA Funds from Capital Projects Fund 57 into an account entitled “Niantic Bay Boardwalk 2014” to fund betterment and repairs. **Remaining funds to be used for maintenance and upkeep.**”

As is clear from this item approved by the town meeting, the citizens intended for the FEMA funds to be used for the maintenance and upkeep of the Boardwalk.

No one can predict when a future storm may damage the Boardwalk. However, we should be prepared for that eventuality. At the August 18, 2020 special meeting of the Board of Selectman, one Selectman mentioned that since we have only been paying \$1/yr. for the rental of the present Police Station Building, we should have been putting money away for a new building. That philosophy of foresight is also applicable to the Boardwalk. We need to save money for any

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unforeseen storm damage that occurs. In addition, a more immediate consideration is the significant need for Boardwalk maintenance.

There are those who would argue that it is imprudent to put funds aside for the Boardwalk when the town intends to borrow money for other projects, necessitating the payment of interest. However, it would be fiscally irresponsible not to provide for the maintenance and upkeep of the Boardwalk with FEMA funds that were intended for Boardwalk maintenance.

It has also been stated that the Town can do whatever it chooses with the FEMA funds. While that may be legally accurate, it disregards the will of the people of East Lyme when they clearly voted that "FEMA Funds from Capital Projects Fund 57 (be put) into an account entitled "Niantic Bay Boardwalk 2014" to fund betterment and repairs. Remaining funds to be used for maintenance and upkeep."

Each year, over 100,000 people visit the Boardwalk. Many people have contacted us, imploring the Foundation to take action on the many maintenance needs which have not been addressed this year because of the Covid-19 pandemic. We hope you will take in to consideration the citizens' original intent for the FEMA funds and allocate at least a portion of these funds for the Boardwalk. In 2014, the citizens of East Lyme clearly indicated that was their intent.

Thank you for your consideration to help protect our Town's valuable asset.

## **Addendum1: Who We are**

The East Lyme Public Trust Foundation is a not-for-profit corporation created by a group of dedicated citizens of southeastern Connecticut to promote, provide and protect an improved quality of life for all people in the region and state through its activities in the public trust.

ELPTF is probably best known for its first project, the Niantic Bay Overlook. Our goal was to create a mile-long walkway that would increase the enjoyment of the Bay for the residents of East Lyme, its neighbors, and the citizens of Connecticut. Planning began in 1994 and, in cooperation with the town of East Lyme, the Overlook was originally completed in 2005. It suffered storm damage and was eventually reconstructed and rededicated in 2016. It is now called the Niantic Bay Boardwalk and Beach. You can find more about this endeavor in the Projects section of our website. <http://publictrustfoundation.org/>

The Foundation continues to be active and open to new ideas in the public interest. It has worked cooperatively with federal, state and local agencies, and maintains special ties with the East Lyme Parks and Recreation Department and the University of Connecticut. We developed a live webcam of Niantic Bay now run by the town. We recently helped to promote and fund the new McCook Park Bandstand in Niantic. Current interests include Boardwalk and beach maintenance, the study of beach sand movement and preservation, marine vegetation research, UConn Sea Grant sponsorship, and co-management of memorial bench and tree-planting programs in town parks. The Foundation also continues to manage a popular commemorative plaque program on the Boardwalk.

We hope that you will visit the magnificent Boardwalk or view it on our drone video. Enjoy reading the memorials on the plaques and benches. Delight in the many new trees in the town's parks. You can also visit us on our Facebook page Niantic Bay Boardwalk and Beach. We invite people in the region to join us with your interest and support as we continue our endeavors in the public trust.

## **Addendum2-Contributions of the Foundation**

In 1995, The East Lyme Public Trust Foundation launched the project of creating the current Boardwalk and eventually provided four major donations to the Town:

(1) All federal and state environmental permits and requirements needed to design and build the Boardwalk;

(2) Amtrak Beach and adjacent land parcels on which to construct the Boardwalk-\$2.1 million market value;

(3) Preliminary design drawings, a land survey, geotechnical testing and preliminary specifications to create the Boardwalk;

(4) \$3.8 million in federal/state grant monies (\$1.5 million State Bonds, \$2.3 million Federal ISTE A grant).

We have continued to provide support and work cooperatively with the Town and the Parks and Rec. Department related to Boardwalk upkeep. For example, we donated the monument, the educational signs, and the beach grass plantings. We sponsored the benches, and we continue to sponsor the plaques and trees. In addition, we continue to coordinate the beach survey, to distribute educational pamphlets, and last year to donate the security cameras for the park system.

We are dedicated to the support and protection of this community asset.

Hi Camille, I will be unable to attend September 9th BOF meeting. Would you please read and add the following letter as my statement during the public delegations portion of the meeting.

Thank you To the members of the Board of Finance From:

Michael Goss

40 Riverview Road, Niantic

Dear BOF members and neighbors.

I ask the board of finance to be mindful of the times we live in. Harder storms and harder budgets are on our town's horizon. This pandemic will have long-term negative economic impacts to state and municipal governments. Future storm repairs, budgets, and capital needs for the town will be difficult to come by. Big changes in quality and services provided by the town will be unavoidable, if the reimbursement money is used to fund the renovation. Future leadership will face very hard and some heartbreaking decisions. The ripple effect will touch every town department, including emergency services and police.

I would like to bring to your attention the February 7, 2018, letter to the Board of Selectmen by Mr Nickerson. The then new fiscal year budget letter contained a cautionary warning describing the difficult budgetary challenges ahead as the state navigated a financial crisis. To empathize awareness and importance of his message Mr Nickerson chose to capitalize selected phrases, "BALANCE IS KEY, ZERO PERCENT INCREASE, & NO NEW PROJECTS...PERIOD" . also that the Board of Selectmen should prepare for eventual loss of some state aid — \$7.62 million at the time the letter was written.

Amongst the many fiscal warnings, one small paragraph stands out. In this paragraph Mr Nickerson instructs the board that they MUST (all caps in his letter) invest in the public safety building. He makes a point to recall two recent plans for a new police station had failed to gain public approval. As he closes the paragraph he writes (again in caps) that the board MUST commit to either investing in renovations and expansion or a new building. That was alarming to read. Regardless of the hard financial decisions before the town of East Lyme, the Public safety building project was rapidly pushed forward. It was irresponsible for the first selectman to start that narrative back then. Instructing the Board of selectman that they must invest and promote the project forward during a statewide financial crisis was unwise.

It took FEMA many years before the town was reimbursed, 31 months has passed since that letter was written, and 18 months since the referendum. In that time the town has faced unprecedented challenges. A pandemic that has overwhelmed emergency services, a nationwide call for police reform, racial equality, and a much larger economic crisis that was unimaginable in 2018

The \$2.3 million increase to the previous approved budget has triggered community speculation about the transparency of the process with wide disapproval. Public objection was amplified when Mr Nickerson was quick to declare that the FEMA reimbursement should be used to fund those extra expenditures.

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#2

2pg.

It cannot be ignored that the Honeywell building is a larger building and will have larger operations and maintenance costs. Adding a sally port and detention cells may eliminate the need to rent facility space from Waterford. Although it's not unreasonable to assume that additional staffing and care for detainees will cost the town more money yearly, than negotiating a partnership with regional police departments.

I hope the Board of Finance will take into account all the financial warnings outlined by Mr Nickerson in his 2018 letter. As economic challenges still face this community, I do not support using the FEMA reimbursement for the public safety building. I would hope the FEMA money would be used as a rainy day fund to go toward future storm repairs and cleanup. As I believe that is the intent of any money from FEMA. I would hope requests for extra funding for the public safety building will come to a definitive end at this meeting with a no vote by the board of finance.

I encourage the board of selectman to complete the project at the original budget or sell the Honeywell property. It is a tragedy that the town owns and maintains an empty building. The longer this debate continues the more money is wasted.

The first selectman has said many times, do more with less. These words are more important today now than ever. Because of these hard financial times I do not support any increases to the Public safety building budget.

Thank you, Michael Goss



**Michael**

**Sent 9/7/20**

<https://eltownhall.com/wp-content/uploads/2018/02/2018-02-07-First-Selectman-Budget-Address.pdf> The link to the letter I refer to in my statement

To the East Lyme Board of Finance:

Once again, I greatly appreciate that Board Chairman Camille Alberti is ensuring that our voices are heard.

After careful review of the Minutes of the Board of Selectmen's August 19 Special Meeting on the use of the FEMA funds for the renovations of the Honeywell building, I will state up-front that I have no specific opposition to using the \$1.5M for this purpose. I will say that I was surprised that other high-level options for the use of the money were not suggested and discussed.

However, I do have several questions and comments related to the PSB. Some of them are reiterations of questions and comments that I submitted for the July 20 Special Meeting of the Board of Finance that are only partially answered.

Truth means full disclosure, not omitting selected information. After working with senior management in large organizations for more than 30 years, I have seen executive working groups immersed in long-term discussions such as this and then frequently expected that the larger employee population will get on board with minimal information and so ignore thorough communication. Initiatives and strategic changes always failed when this happened.

It was and is the responsibility of both Mr. Dagle and Mr. Nickerson to ensure that both an overview and details of key decisions by the Vision Committee be made explicit and reported to both the Board of Finance and the public. By Mr. Dagle's own admission, this did not happen (even though the same questions were asked multiple times by different people over the past nearly two years).

From the August 19 minutes, Mr. Dagle said that items being deferred include replacing the roof, an air handler and the parking lot. What is their total estimated cost? Are there additional items?

No one has ever said borrow money for these items "at this current time" for these items as Mr. Dagle stated; it was the expectation for future borrowing. East Lyme is renowned for funding pet projects rather than

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#3

3 pp.

investing in maintenance or saving for future needs, so putting money aside is unrealistic and won't happen. Also, Mr. Nickerson commented, "for now we only need to do repairs to extend the life of these items." What is the cost of these repairs going to be in addition to their eventual replacement?

We didn't do repairs for the Dominion building and the town has a history of letting things go. Our past predicts future choices, so that I think that it is fair to assume that we will need to borrow the money for these replacements when the time comes.

Mr. Dagle also said, "some items are not needed for this project" and "none of them effect the operability of the building nor do they represent the need for future dollars." Just what are these items that total \$850,000? This is a lot of money and quite frankly given the history of this project, I am skeptical of Mr. Dagle's statements.

I do hope that Mr. Dagle follows through on his commitment to the Board of Selectmen to share the past and projected operating costs with the Board of Finance.

Mr. Nickerson acknowledged that with the \$1.5M, we will still need to borrow \$700,000 to complete the project at \$2.2M.

When? Since grant availability is a complete unknown, should we anticipate a referendum in 6+ months to approve at least this amount to address Ms. Hardy's and Mr. Cunningham's concerns about doing this piecemeal?

Let's end the ongoing game of "I'll-tell-you-what-you-need-to-know" and "Let's-just-push-this-through-and-leave-out-the-details" culture and take responsibility for real transparency and accountability which means the proactive sharing of thorough information to ensure fully informed decisions by both boards and taxpayers.

Let's go in with our eyes wide open and demonstrate comprehensive foresight for the implications of our choices and consequences of our actions.

Camille Alberti and the East Lyme Board of Finance's role is to provide financial oversight. I think along the lines of fiduciary rather than fiscal



responsibility because they take accountability for OUR tax dollars. If they decide to endorse the use of the FEMA reimbursement funds for the PSB, the implication that follows is that we will need to borrow at least the additional \$700,000 to complete the project. Perhaps the anticipated need for this bonding should be acknowledged and included as part of any motion considered and voted on by the Board of Finance for the use of FEMA funds.

Thank you for your time, attention and consideration of my comments.

*Lucira Jane Nebelung*

72 Quarry Dock Road

Niantic CT

| BOF Submitted Record Comparison |                                             |                 |                 |                 |               |                |
|---------------------------------|---------------------------------------------|-----------------|-----------------|-----------------|---------------|----------------|
|                                 | S&P                                         |                 | BOF             |                 | Delta         |                |
| 1                               | Building Purchase Costs                     | \$ 2,789,937.00 | \$ 2,775,000.00 |                 |               |                |
| 2                               | Prepurchase Asbestos Inspection             |                 | \$ 1,670.00     |                 | \$ 1,670.00   |                |
| 3                               | Property Tax adjustment                     |                 | \$ 6,911.00     |                 |               |                |
| 4                               | Septic Tank Inspection                      |                 | \$ 400.00       |                 | \$ (400.00)   | voided         |
| 5                               | Title Fee                                   |                 | \$ 8,026.00     |                 |               |                |
| 6                               | Furniture                                   |                 | \$ 5,000.00     |                 | \$ 5,000.00   |                |
| 7                               |                                             | \$ 2,789,937.00 |                 | \$ 2,797,007.00 | \$ 7,070.00   | \$ 6,670.00    |
| 8                               | Base Bid                                    | \$ 3,081,750.00 | \$ 3,081,750.00 |                 | \$ -          |                |
| 9                               | Furnishings (Allowance)                     | \$ 30,500.00    | \$ 30,500.00    |                 | \$ -          |                |
| 10                              | Relocation of exisitn Furniture (Allowance) | \$ 10,000.00    | \$ 10,000.00    |                 | \$ -          |                |
| 11                              | A&E Contract Design & Bid Base Services     | \$ 86,100.00    | \$ 96,910.00    |                 |               |                |
|                                 | A&E Contract Add Alternate (Sally Port &    |                 |                 |                 |               |                |
| 12                              | Cells)                                      | \$ 46,600.00    | \$ 37,038.00    |                 |               |                |
| 13                              | A&E Furniture Inventory & MM Services       | \$ 22,248.00    | \$ 22,248.00    | \$ 156,196.00   | \$ (1,248.00) |                |
| 14                              | Environmental Engineer Services             | \$ 6,028.00     | \$ 6,028.00     |                 | \$ -          |                |
| 15                              | Clerk of the Works                          | \$ 50,000.00    | \$ 50,000.00    |                 | \$ -          |                |
| 16                              | Connect to Public Water                     | \$ 40,375.00    | \$ 40,375.00    |                 | \$ -          |                |
| 17                              | Materials Testing                           | \$ 6,000.00     | \$ 9,000.00     |                 | \$ (3,000.00) |                |
| 18                              | Zoning Appliction Fee (Waived)              | \$ -            | \$ -            |                 | \$ -          |                |
| 19                              | Building Permit Fee (Waived)                | \$ -            | \$ -            |                 | \$ -          |                |
| 20                              | State Education Fee                         | \$ 801.00       | \$ 852.00       |                 | \$ (51.00)    |                |
| 21                              | Owner's Contingency (10% Baase Bid)         | \$ 308,175.00   | \$ 308,175.00   |                 | \$ -          |                |
| 22                              | Communications Equipment (Allowance)        | \$ 500,000.00   | \$ 500,000.00   |                 | \$ -          |                |
| 23                              | Town Legal Review                           | \$ -            | \$ 1,140.00     |                 | \$ (1,140.00) | Not project re |
| 24                              |                                             | \$ 6,978,514.00 | \$ 6,991,023.00 |                 |               |                |
| 25                              | Bid Alt Add Elevator Cab                    | \$ 201,051.00   | \$ 198,000.00   |                 | \$ 3,051.00   |                |
| 26                              |                                             | \$ 7,179,565.00 | \$ 7,189,023.00 |                 | \$ 9,458.00   |                |
| 27                              |                                             | \$ 6,670.00     | \$ (5,839.00)   |                 |               |                |
| 28                              |                                             |                 | \$ 3,051.00     |                 |               |                |
| 29                              |                                             | \$ 7,186,235.00 | \$ 7,186,235.00 |                 | \$ -          |                |

#4  
2pgs.

pp. 1 & 2  
Attachment P. Single submitted & presented

BOF  
9/9/2020

|                      | BOF                                                                   | FINANCING       | OPERATING             | MAINTENANCE/CNRE |
|----------------------|-----------------------------------------------------------------------|-----------------|-----------------------|------------------|
| <b>Related Costs</b> |                                                                       |                 |                       |                  |
| 1                    | Short Term Financing Costs (2019-2021)                                | \$ 143,819.00   | \$ 143,819.00         |                  |
| 2                    | Bonding Costs (2022 & 2023)<br><i>(does not include 2024-2042)</i>    | \$ 553,450.00   | \$ 553,450.00         |                  |
| 3                    | Operating Costs (2019-2021)<br><i>(does not include future years)</i> | \$ 61,298.00    | \$ 61,298.00          |                  |
| 4                    | Waterford Rental Savings (2022 & 2023)                                | \$ (98,000.00)  |                       |                  |
| 5                    | Future Replacement of 2nd HVAC AHU                                    | \$ 86,000.00    | Future Cost           | 85000            |
| 6                    | Future Parking Lot Grading/Paving                                     | \$ 186,000.00   | Potential Future Cost | 186000           |
| 7                    | Future Parking Canopy                                                 | \$ 50,000.00    | N/R                   |                  |
| 8                    | Future Roof Repacement                                                | \$ 372,636.00   | Future Cost           | 372636           |
| 9                    | Future Real Estate Tax Revenue Lost                                   | \$ 205,410.00   |                       |                  |
| 10                   | Lockers                                                               | \$ 10,000.00    | N/R                   |                  |
| 11                   |                                                                       | \$ 1,570,613.00 | \$ 697,269.00         | \$ 61,298.00     |
|                      |                                                                       |                 |                       | 644636           |

| <b>List of Items "Omitted" from this Project</b> |                                                       |                 |                       |  |
|--------------------------------------------------|-------------------------------------------------------|-----------------|-----------------------|--|
| 1                                                | 6 Cells reduced to 3                                  | \$ -            |                       |  |
| 2                                                | 10 Officer Lockers                                    | \$ 10,000.00    | N/R                   |  |
| 3                                                | 15K Lost Renovated Space                              | TBD             |                       |  |
| 4                                                | 2 Flag Poles (from 3 to 1)                            | \$ 4,600.00     | Included in Bid       |  |
| 5                                                | Building Permit Fee                                   | \$ 29,159.00    | N/R, Town Waived      |  |
| 6                                                | Fire Supression System & Extention to Entire Building | \$ 296,392.00   | N/R, Fire Walls       |  |
| 7                                                | Generator                                             | \$ 225,000.00   | Included in Bid       |  |
| 8                                                | Landscaping Reduced from Original Concept             | \$ 10,000.00    | N/R Value Engineering |  |
| 9                                                | New Appliances                                        | \$ 3,600.00     | N/R, Use Existing     |  |
| 10                                               | Structural Improvements to Risk Category 4            | \$ 268,111.00   | N/R State Waiver      |  |
| 11                                               | Vinal vs Epoxy Flooring                               | \$ 3,269.00     | N/R Value Engineering |  |
| 12                                               |                                                       | \$ 850,131.00   |                       |  |
| 13                                               |                                                       | \$ 9,609,767.00 | \$ 2,430,202.00       |  |