

EAST LYME BOARD OF SELECTMEN
REGULAR MEETING OF SEPTEMBER 16, 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, Paul Dagle and Dan Cunningham
ALSO PRESENT: Finance Director Anna Johnson, Town Planner Gary Goeschel, and Michelle Williams, Chair of the POCD.

FILED

First Selectman Nickerson called the meeting to order at 7:32 p.m.

2. Additional Agenda & Consent Calendar Items
There were none.

Sept 24, 2020 AT 1:20 AM/PM
Brooke Horan ATC
EAST LYME TOWN CLERK

3. Delegations

Mr. Ray O'Connor, Chairman of the Town Building Committee, stated that he had three concerns regarding the Public Safety Building project that he would like addressed. 1) \$70,000 allocated for heating and lighting; what line item will that be coming out of. 2) Regarding previous discussions about installing a secondary access to the site from Capitol Drive; he cannot find that referenced in the plans. And 3) There are no provisions for COVID protocols, such as disinfecting the building periodically, etc. Mr. Nickerson noted that Mr. Dagle will address those concerns during the meeting as the Board does not answer questions directly during delegations.

4. Approval of Minutes

MOTION (1)

DISCUSSION: Mr. Dagle stated that under agenda item 8a, ex-officio reports, the research being done on the town boundary in the river between East Lyme and Waterford was brought forth by the East Lyme Harbor Management and Shellfish Commission, not WELSCO.

Mr. Seery MOVED to approve the Regular Meeting Minutes of September 2, 2020, as amended.

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

5. Consent Calendar

MOTION (2)

Mr. Seery MOVED to approve the Consent Calendar for the meeting of September 16, 2020, in the amount of \$26,379.31.

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

6a. POCD

MOTION (3)

DISCUSSION: Mr. Nickerson stated that the Town Planner as well as members of the POCD were in attendance to answer any questions that the Board might have. It was decided that the Board of Selectmen

would hold a public meeting to solicit feedback from the public on this matter before forwarding any recommendations to the Planning Commission. Mr. Goeschel explained the time frame, and also noted that the Board is not required to hold a public hearing on this matter, nor is the Board required to forward comments and/or recommendations to the Planning Commission. If recommendations are brought forth to the Planning Commission on this matter, those recommendations will be heard as part of the Planning Commission's public hearing to be held on November 10, 2020. Mr. Nickerson inquired if in the plan there is industrial space to be added, and Ms. Williams responded that there are no recommendations on reducing or expanding industrial, commercial or residential zones in this draft proposal. Mr. Nickerson stated that he would like to see some industrial zones added and noted that maybe there could be a placeholder put in for light industrial zones should appropriate land become available. Ms. Williams stated that some language has been put in the plan to ensure that industrial zones are used for that purpose only, and not, for instance, used for residential housing. Mr. Salerno noted that a great deal of the Town's light industrial zone has been recently lost to an affordable housing project, so this is a good point for further discussion, and noted that because of decisions many years ago to build residential in the light industrial zone set the precedent for these current residential projects being approved to take up this light industrial zoned land. Ms. Hardy stated that she feels that people move to this town because of its residential nature, and she would be opposed to adding more industrial zones. She stated that she does not want to see residential land clear cut for future housing, and that the plan should include a provision that open space be included with any residential building. Mr. Dagle and Mr. Cunningham agreed that open space is very beneficial necessary for natural habitat and should be a part of all future development plans. Mr. Goeschel explained that after the public meeting on the 30th, the Board of Selectmen would send to the Planning Commission either a favorable or non-favorable recommendation, with comments if appropriate. Mr. Nickerson encouraged the public to review this proposed plan and attend the special meeting on the 30th to share their comments and noted that the plan is available on the Town Hall website, as well as in the Town Clerk's office. Mr. Seery MOVED to schedule a Special Public Meeting on Wednesday, September 30th for the purpose of reviewing and gathering feedback from the public on the proposed Plan of Conservation and Development (POCD) for the Town of East Lyme.

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

7a. Public Safety Building Bond Resolution

MOTION (4)

DISCUSSION: Mr. Nickerson gave a summary of the steps and how we got to this number for bonding and noted that we can now move forward with bonding as both the Board of Selectman and Board of Finance have agreed on a final number. We are amending the original bond resolution to add \$985,000 to that amount. Using the \$1,200,000 of FEMA money, we should move forward and schedule a special meeting for September 21st to set the date for a referendum to be held on October 1st, and the additional \$300,000 of FEMA funds will be re-appropriated at a future date. Absentee Ballots will be available between September 25th and October 1st for pick up only, and cannot be mailed in. The Secretary of State confirmed that the current executive orders regarding voting and COVID does not apply to referendums, so only the standard absentee ballot reasons will be accepted for in person absentee ballot submission. The referendum will be held on October 1st at one location only, the East Lyme Community Center of Society Road, from 8am until 8pm. Voting for the referendum will be done in person, and the Registrars will make available drive up drop off ballots at the Community Center on October 1st.

Mr. Seery MOVED 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 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 \$985,000 from \$5,000,000 to \$5,985,000. 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.

7b. Cini Park Fishing Dock Lease Subcommittee

Mr. Nickerson stated that this item is on the agenda simply to re-group the subcommittee to begin working on this matter as it needs to be resolved and ready to address at the December Board of Selectmen meeting. The Subcommittee members are Dan Cunningham, Marc Salerno and Paul Dagle.

8. Communications

There were none.

9a. Ex-Officio Reports

Mr. Dagle stated that he would like to address the questions brought up earlier in the meeting during public delegations. Regarding the \$70,000 allocated for heating and lighting, Ms. Johnson stated that for the 19/20 fiscal year the funds were transferred from the Contingency account, and for the current fiscal year, we will charge it directly to the Public Safety Contingency account that has been established in the General Fund. Mr. Dagle stated that the contractor is held responsible for applying COVID protocols, at the contractor's expense, during this project and until the building is turned over to the Town upon completion of the project. Mr. Nickerson stated that in regard to the egress on Capitol Drive, this road is being constructed as part of the housing development project and is a requirement of that project. He noted that this development has begun.

9b. First Selectman's Report

Mr. Nickerson reported that there is a discrepancy in where the town border lies between East Lyme and Waterford in the Niantic River, and he stated that he has asked the Harbor Management Commissions in both towns to work with both he and the First Selectman in Waterford to work this out. In the meantime, he has asked both Town's Harbor Management Commissions to not take any further action until this group has had a chance to sit down and thoroughly evaluate the situation. Ms. Hardy stated that a study was done by the Town Attorneys previously and inquired as to whether we should be reviewing that first before asking the attorneys to re-visit this town line issue. Mr. Nickerson stated that they did go back and review what documentation is on file and will take that to Waterford and meet with them and work it out.

The Miracle League had a ribbon cutting to open the field, and it was attended by a small group of people consisting of the sponsors, Board of Directors and family members. A town-wide ribbon cutting event will be scheduled when we can safely gather. Please take a moment to stop by and check out this beautiful addition to our town.

There will be a cornhole tournament this Sunday at the VFW at 2pm. The Children's Museum had a successful online annual gala this past weekend and did very well and received a lot of support; thank you to everyone who participated. The Niantic Main Street group held a crafts fair and antiques show this past weekend that was very successful. Mr. Nickerson reported that at a recent Council of Governments meeting it was discussed that concerts, art shows, theatre, etc. should not be expected to get back on schedule and open for the near future, and possibly into 2022. In the case of concerts specifically, it will not be feasible to think that a group can travel throughout the United States to perform until this pandemic is under control. He stated that the Governor has issued an executive order to allow for fines to be given to people not wearing masks, but that there is no real clarity on how those orders can be enforced. The Council of Governments and local law enforcement has requested some clarification on these enforcement issues. Mr. Nickerson reported that there have been nine new cases of COVID in East Lyme, and spikes in other towns across the state, and we can expect that there will be a second wave so please continue to wear your masks, practice proper cleaning measures and continue to follow the recommended social distancing guidelines.

10. Public Comment

There was none.

11. Selectman's Response

There was none.

MOTION (5)

Mr. Seery MOVED to adjourn the September 16, 2020, regular meeting of the East Lyme Board of Selectmen at 8:30 p.m.

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

Respectfully Submitted By:



Sandra Anderson
Recording Secretary