

EAST LYME BOARD OF SELECTMEN
REGULAR MEETING OF OCTOBER 6, 2021
MINUTES

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

ALSO PRESENT: Finance Director Anna Johnson and Human Resources Coordinator Traci Santos

Mr. Nickerson called the meeting to order at 7:21 p.m. and stated that the Pledge of Allegiance was done at the Town Meeting.

1c. Delegations

Mr. Pat Larkin, 14 Oak Hill Drive, address the Board of Selectmen and read into record a letter from the Parks and Recreation Commission to the Board of Selectmen dated January 27, 2021; said letter is attached hereto as Exhibit 1. Mr. Larkin stated that the Parks and Recreation Commission would like the Board of Selectmen to bring this matter up at a future meeting as the Parks and Recreation Commission requires the Board of Selectmen's authorization to move forward with their proposed plans.

1d. Approval of Minutes

MOTION (1)

Mr. Seery MOVED to approve the Regular Meeting Minutes of September 1, 2021, as submitted. Seconded by Mr. Salerno. Motion passed 6-0.

MOTION (2)

Mr. Seery MOVED to approve the Special Meeting Minutes of September 28, 2021, as submitted. Seconded by Mr. Salerno. Motion passed 6-0.

1e. Consent Calendar

MOTION (3)

Mr. Seery MOVED to approve the Consent Calendar for the meeting of October 6, 2021, in the amount of \$6,181.17.

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

2a. Special Appropriation – P/T HR Clerk

MOTION (4)

DISCUSSION: Mr. Nickerson stated that the Town needs professionalizing the Human Resources department. Hiring a new Human Resources Coordinator was the first step, and now she has identified some items that need to be addressed. Ms. Traci Santos, Human Resources Coordinator, addressed the Board and reported that she has identified several items that need to be taken care of expeditiously, and stated that having a part-time clerk to assist her is necessary at the very least through the organizational phase of her plan. Phase one of the process will be to create all the files and properly purge obsolete information to get the office organized, and the second phase will be to concentrate and get up to speed all the administrative duties of the office. Ms. Santos stated that she will be looking for someone with a high level of confidence, and someone with human resources would be ideal but not necessary especially for phase one of the project. She envisions that someone would come in for 20 hours a week. Mr. Dagle inquired if this will be enough to

FILED

Board of Selectmen Regular Meeting
October 6, 2021

OCT 14, 20 21 AT 12:34 AM (PM)
Brooke Foreman ATC
EAST LYME TOWN CLERK

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get through to the end of the fiscal year, and Ms. Santos stated that she that she is hopeful and that is the plan. Ms. Santos stated that she estimates that it will take approximately three to six months to complete the first phase of her plans. Ms. Hardy asked if Ms. Santos had worked previously for an HR office and if so, what the staffing was at that job. Ms. Santos stated that she worked for a neighboring town and there was a Director of Human Resources, two HR Specialists, and one Assistant. Ms. Hardy asked if Ms. Santos was aware of the state of the human resources department when she accepted the job, and Ms. Santos stated that she was told that the department needed work; she reported that she has started phase one by creating actual personnel files for all full-time, part-time, and seasonal employees, and she will continue to create and organize the department from there. Mr. Salerno inquired how the \$10,000 was calculated and if this position will be temporary or permanent. Ms. Johnson stated that this figure is based on proposed 15 hours per week at ~\$15 to \$20 per hour, and Mr. Nickerson noted that this position will start as a temporary position, but we should consider that it is time for full-time position. It was noted that this board has previously discussed and supported the hiring of a floater, but that the Board of Finance did not see the value in that type of employee. The need for an HR Clerk, coupled with some unforeseen absences and attrition, makes this a good time to revisit that discussion beyond the immediate need of the Human Resources Coordinator. Mr. Seery stated that aside from the permanent need of a floater position, all other Town's employee at least two people in their Human Resources departments so this is not an unreasonable request. Mr. Cunningham stated that the overall issue of lack of staffing needs to be addressed and requires a permanent fix.

Mr. Seery MOVED to approve a special appropriation in the amount of \$10,000 from account 01-01-120-100-500 (Contingency) to account 01-01-106-100-412 (PT Clerical – HR) to hire temporary assistance and forward to the Board of Finance for approval.
Seconded by Mr. Salerno. Motion passed 6-0.

Mr. Nickerson stated that they would go out of order and address agenda item #2d next.

2d. Historical Society Museum

MOTION (5)

DISCUSSION: Mr. Norm Peck III addressed the Board and stated that he is the President of the East Lyme Historical Society and has also been a member of the Zoning Commission for thirty-two years. He stated that the Society has a room at the library where a good amount of the historical items of the Town are kept, but the library needs that space, and the historical society has outgrown it. He reported that there are several historical items spread out in different places around town and they would like the Board of Selectmen to consider the existing Emergency Operations Center as an appropriate space once the new Public Safety Building is complete. They feel that this is a very appropriate use of the space since it is on school grounds there is very little that the town can use it for besides town and school business. Mr. Peck handed out an article from *The Day* newspaper from 1974 showcasing the new fire station at the time, attached hereto at Exhibit 2. Mr. Peck stated that he believes that the building is pretty much ready for use, and that they would plan to use the first floor as the main museum, with the second floor being used for private viewings and such. It was noted that there is not an elevator in that building so the second floor cannot be used for general purpose. All the Selectmen agreed that having the items all in one permanent place is ideal, and Ms. Hardy made note of the increased possibility of items being broken or lost/stolen when they are constantly moved around. It was noted that the building itself already has the appearance of a museum, so the aesthetic is there, and the location of the building nestled in with the high school and Flanders Elementary school makes it the ideal location for the students to benefit from the historic value. Mr. Nickerson noted the

equipment room that houses the IT equipment will remain in the building so the heat and air conditioning will remain constant and will be maintained by the Town. Mr. Seery noted that the second floor not only has research space and plenty of storage space, but it also has a full kitchen and plenty of parking on site. Mr. Dagle stated that this is a tremendous opportunity to repurpose this building, but he would like to see more details on what renovations need to be done and he noted that there should be a lease drawn up. Ms. Lisa Timothy, Library Director, stated that she is working with the Historical Society, and they have an experienced grant writer working with them to try to secure some grant monies.

Mr. Seery RESOLVED that the Board of Selectmen hereby authorizes the First Selectman to negotiate with the East Lyme Historical Society for the use of the Old Flanders Fire House to store and display various historical artifacts and documents.

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

2c. Special Appropriation – Removal/Storage of Abandoned Vessel

MOTION (6)

DISCUSSION: Mr. Nickerson stated that by State Statute, the Town is responsible for the removal of any vessel that has been abandoned in our waterway. Mr. Dagle, ex-officio to the Harbor Management/Shellfish Commission reported that the boat had been abandoned and the police were notified, and the vessel was anchored in the bay. The vessel became unanchored a couple of times and ended up on the beach at Cini Park and the Harbor Master was then notified and took over the situation and had the vessel towed to Marker 7 Marina. It was discussed that a process needs to be established for situations such as this, and that the Harbor Master should have been the first person contacted. Mr. Nickerson stated that the \$9,000 is to pay for storage of the vessel and does not include the cost of disposal, which we do not have a figure for now. He noted that he expects to be able to recover some of the money through liens on the owner's property. Mr. Dagle reported that the vessel has been deemed not salvageable and will need to be disassembled and destroyed; he noted that the Harbor Master made numerous attempts to work with the owner on this matter to no avail.

Mr. Seery MOVED to approve a special appropriation of up to \$9,000 from account 01-01-120-200-500 (Contingency) payable to Marker 7 Marina for removal of a derelict vessel known as "Lex Sea II," from Cini Beach pursuant to Connecticut General Statutes Title 15 and forward to the Board of Finance for approval.

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

2e. Special Appropriation – American Rescue Plan

MOTION (7)

DISCUSSION: Mr. Ben North, Utility Engineer, addressed the Board and spoke on the \$920,000 being requested from the American Rescue Plan funds for the work that needs to be done on Well 5; he handed out a letter with supporting documents attached hereto as Exhibit 3. He stated that Well 5 has the lowest level of manganese but is the lowest performing well and needs to be fixed, at which point he anticipates that this well will produce approximately 500-600 gallons of water per minute. He noted that the projects to upgrade wells 1A and 6 have just completed, so this upgrade to Well 5 will bring all the Town's wells up-to-date and improve the infrastructure for the next approximately twenty years. It was noted that the final cost was higher than originally anticipated due to the pandemic and the rise in cost of materials and prevailing wage. Mr. North stated that this covers the complete cost of the upgrade project for this well, and this price is currently locked in until March of 2022 to give the Town some time to review it and decide. Dan Cunningham brought up the Hathaway property and asked if it is in the same aquifer as Well 5; Mr. North responded that it is indeed the same aquifer and that they would need to meet with DEEP to discuss withdrawal limits should that property

be developed. There are current restrictions at certain times of the year where we need to shut the well down, so all these things will need to be discussed and reviewed. Ms. Hardy inquired as to how long it would take to start the project once they have all the proper approvals to spend the money, and Mr. North responded approximately three months. He stated that because of the condition of the well currently and the low output, there will not be any impact on the water supply during the project and he has not been notified of any material shortages. Mr. North reported that we will still send water to New London during the project and have considered that it might be helpful to get a jump start on sending that supply now to avoid any potential disruption of service should an issue arise. He stated that with the new system in place using a submersible pump, we should see a significant savings. Ms. Johnson stated that because well 6 was done recently and within that certain amount of time, we will be able to work with the bids we have in hand already through that bid process.

Speaking on behalf of the Niantic Main Street group was President Dan Walsh who explained a little about what the organization does for the community, and he referenced the Yale Charette study and handed that out to the Board of Selectmen; it was noted that they are scheduled to meet with Yale next week to discuss moving forward with another Charette study. He explained that Niantic Main Street not only supports large scale economic development and improvement, but their volunteers work every day on things such as maintaining all the planters in the downtown area, hosting merchant meetings, running the farmers market, hosting the holiday stroll, to name a few. He noted that they have also recently re-vamped and renamed their webpage to align with their organization, Niantic Main Street; it was formerly Discover East Lyme. Mr. Walsh reported on the numerous items that they have successfully checked off the list from the 1997 Yale Charette study, such as the park on Main Street, streetscape construction, the bandshell and traffic calming measures from downtown to Flanders. He stated that this group has a history of success in enhancing and improving the town and will continue to do so. Mr. Nickerson agreed that Niantic Main Street is very important to the Town and to the success of our business community and thanked the members for their continual hard work. He stated that one percent of the American Rescue Funds should be earmarked for arts and this group satisfies that. It was discussed that any improvements or changes made to Liberty Green should be done in consult with the East Lyme Veterans Council. Mr. Seery and suggested that the Board approve half of the requested amount tonight and discuss the second half when the second round of funds are received in a year. Mr. Salerno stated that he would like to wait and have Niantic Main Street come back when they have more solid numbers, maybe after the initial meeting with Yale next week. Ms. Hardy inquired if the Yale Charette study will include the north end of town, and it was confirmed that the study encompasses the entire town with an emphasis on enhancing the Flanders/north end. All the Board members agreed that Niantic Main Street is a valuable resource to the community and agreed that approving \$30,000 to cover the cost of the Yale Charette study is a good place to start. The Board members requested that the Niantic Main Street group come back with a prioritized list and as much financial detail as they can.

Mr. Nickerson spoke on Care and Share's behalf and stated that they are in desperate need of freezer and are requesting \$4,000 for that item. The Rotary and Lions Clubs recently donated a new freezer, and this request is to purchase a second freezer identical to the one just donated. He noted that this item is not permanent and can be moved if needed.

Ms. Karen Galbo, Town Clerk spoke on her request for money from the American Rescue Funds to digitize town records. Her original request was for \$7,500 to do a portion of the records was passed by the Board of Selectmen but denied by the Board of Finance. That Board requested that the Town Clerk get a quote for the entire project of digitizing the records all the way back to 1838; Ms. Galbo stated that volumes 1-28 are handwritten and more expensive than volume 29 to present. The total cost of the project is \$99,547.85. The Board of Selectmen agreed that they would move forward with the project of Volume 29 through present for a cost of \$59,507.85, rounded up to \$60,000.

Ms. Hardy left the meeting at 9:12 p.m.

Mr. Seery MOVED to approve a special appropriation in the amount of \$1,014,000 for the following items with the source of funds being America Rescue Funds:

\$ 920,000	Water & Sewer – Well 5 Reconstruction
\$ 30,000	Niantic Main Street
\$ 4,000	Care & Share
\$ 60,000	Town Clerk Digitizing of Land Records

And forward to the Board of Finance for approval. Note: Town Meeting is required.
Seconded by Salerno. Motion passed 5-0.

2f. Ratify Department Transfers for 06/30/2021 - \$138,794.80

MOTION (8)

Mr. Seery MOVED to ratify departmental transfers in the amount of \$138,794.80 processed for fiscal year end June 30, 2021 and to forward to the Board of Finance for approval.

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

2b. Smoking/Cannabis Moratorium

MOTION (9)

DISCUSSION: Mr. Nickerson stated that this item was brought to the Board by State Representative Holly Cheeseman who is asking the Board to support a six-month moratorium to prohibit any action relative to the zoning, sale or use of cannabis in the town of East Lyme. Mr. Nickerson stated that many towns have taken this move to step back for a six-month period, and are supported by the Connecticut Council of Municipalities, and not make any major decisions on this topic until more information is available. There are many concerns that should be addressed and reviewed before we make any decisions that will affect the entire community. He noted that Zoning has a text amendment change to the regulations on their upcoming meeting agenda, so there is already interest in our town. Mr. Cunningham stated that there are two separate issues; one is the zoning and sale of the project, and the other is the actual usage, which is not only smoking but comes in other forms such as gummies, food, etc. Mr. Nickerson noted that if this Board decides to move forward with a six-month moratorium ordinance, that will cause a public hearing to be scheduled where more discussion on this matter can be had between lawmakers and the public. Town Attorney Tracy Collins was present and stated that under the statute the Town has the authority, either through Zoning or through Board of Selectmen, to regulate smoking or vaping of cannabis on any public way. There are three ways to proceed to regulate the use; one would be for the public to petition it and get in on the ballot of a referendum or election, Board of Selectmen or Zoning Commission. If the Town chooses to do nothing at all, the use would be allowed. Mr. Nickerson stated that the legislation on this issue gave a lot of leeway to the municipality to craft a regulation that works for that individual community. His suggestion is that the Board call for an ordinance to halt any action on the matter for a set amount of time, six month is suggested, to give the town an opportunity to really discuss this issue and make informed decisions. It was decided that a public hearing will be held to get the public's feedback on this issue and propose an ordinance that would halt all activity on this matter for a six-month period.

Mr. Seery RESOLVED to authorize the First Selectman to execute a notice of public hearing to be held on Wednesday, October 20, 2021, at 7:00 p.m. in the main conference room of the East Lyme Town Hall regarding a proposed ordinance entitled "Ordinance Prohibiting The Establishment Of A Cannabis Establishment and Smoking Cannabis in Public Within The Town Limits For A Period of Six Months". The Ordinance shall expire six (6) months from the date it becomes effective.
Seconded by Mr. Salerno. Motion passed 5-0.

Mr. Nickerson called for a quick recess. They left the meeting at 9:49 p.m. and returned at 9:51 p.m. and resumed the regular meeting.

3a. Mr. Seery reported that he attended the Board of Education meeting and there is an issue with the floor in the library at Lillie B. Haynes school. The floor will need to be completely taken out for them to resolve the issue at an approximately cost of \$40,000.

Mr. Cunningham reported that the Brookside Farm Museum will be hosting an exhibit entitled "In The Groove" showcasing the history of music and related technology.

Mr. Dagle reported that the Town Building Committee approved a path forward for the public safety building based on the inability to procure certain building materials. He stated that they approved the installation of a second barrier in the IT room to prevent leakage during rainstorms. Inspections are currently underway, and the project will be wrapping up; once the second barrier is installed the equipment will be moved and the date will be set for the switchover of technology to the new location.

3b. Mr. Nickerson stated that there have been some changes in personnel at town hall, most notably an open position in the Assessor's office. He stated that he would like to keep the discussion open as to the value that a Floater position would bring to the Town Hall staff overall to maintain day-to-day operations despite absences, both planned and unplanned.

4. Communications
There were none.

5. Public Comment
There was none.

6. Selectman's Response
There was none.

MOTION (10)

Mr. Seery MOVED to adjourn the October 6, 2021, regular meeting of the East Lyme Board of Selectmen at 9:58 p.m.

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

Respectfully Submitted By:



Sandra Anderson
Recording Secretary

***Town of East Lyme
Parks and Recreation***

*David M. Putnam, Director
Dputnam@eltownhall.com*



***41 Society Road
Niantic, Connecticut 06357
Phone: 860-739-5828
Fax: 860-691-2409***

MEMORANDUM

**To: Board of Selectmen
From: Parks and Recreation Commission
Date: January 27, 2021
Re: Darrow Pond Open Space Area**

The East Lyme Parks and Recreation Commission is recommending to the Board of Selectman that the Town owned open space (300 acres) located at Darrow Pond be designated under the control of the Parks and Recreation Commission as referenced in the Town Ordinance.

The Darrow Pond property is identified in the Town's Plan of Conservation and Development for the possible advancement of passive recreation opportunities. This proposed recreational area will provide a unique opportunity for a variety of activities. The Commission has formed a sub-committee led by member Todd Donovan to investigate the area for suitable recreational activities.

Currently our parks inventory does not include a dedicated area north of Interstate 95; the Darrow Pond Recreation area will enhance healthy activities for the community.

Thank you for your attention in this matter.

Old Firehouse Soon May Be Torn Down



EAST LYME — The old Flanders firehouse on Boston Post Road is not really old at all.

It was constructed in 1944 — 28 years ago — to provide a base of operations for the Flanders Fire Department, organized in December 1943.

But the firehouse is empty now and could soon be facing the wrecker's ball. The future of the two-story structure rests with the Board of Selectmen.

The building was abandoned last fall when the Flanders volunteer firefighters moved into the new firehouse.

Chief William Kerr recalled Thursday night that the old firehouse was really a product of a fire which destroyed the Old Colonial Inn on post Road.

"After the inn burned down, residents of the northern end of East Lyme (Flanders) became concerned because they were located quite a distance from the Niantic Fire Department, near Main Street.

"The concern led to the organization of the Flanders Department and construction of the firehouse. The first chief was Lawrence "Red" Fraser who also happened to be the

judge at the old Niantic Justice Court."

In those days, each town had its own court. And the Flanders volunteers had a 1946 Arons-Fox firetruck with a pumping system fashioned for city hydrants, not country streams.

"There were problems with that truck," Kerr said. The department managed to squeeze three vehicles into the old firehouse by the time the new firehouse was ready for occupancy.

Even with a meeting room and kitchen facilities on the second floor, the old firehouse doesn't appear to fit into the town's plans.

First Selectman Dennis J. Murphy said Thursday night the selectmen will probably take some action on the building before May.

Murphy, Selectmen Paul J. McDonough and George Seebeck are a subcommittee to make recommendations about the future of the firehouse.

Murphy said the idea of establishing a youth center at the firehouse was abandoned. "It simply isn't suitable," he explained.

Then the possibility of localizing

school officers in the building was explored. The school board showed no further interest after learning it would cost \$16,800 to renovate the firehouse to provide offices, Murphy said.

So the firehouse has a gloomy future—if indeed it has any future.

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Niantic's New Fire Substation In Operation on Rt. 156



EXHIBIT 2

Town of

P.O. Drawer 519
Water & Sewer Department



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357
Phone: 860-691-4104

October 6, 2021

East Lyme Board of Selectman
PO Box 519
Niantic, CT 06357

Re: American Rescue Project – Rehabilitation of Water Well #5

East Lyme Water Board of Selectman:

The East Lyme Water and Sewer Commission has requested that a portion of the Town's American Rescue relief money be considered to fund a project to rehabilitate the water treatment facility that serves Well #5, which includes constructing a replacement well, restoring the three pressure filters in the facility, and associated building maintenance and controls upgrades.

The commission believes that out of four projects that were deemed the highest priority for construction in the next five years that this project would be the most effective use of potential funding that would allow water and sewer rates to remain relatively stable over time.

Please find attached an analysis that was performed that summarizes the highest monthly average production and highest daily production between 2006 and 2021 of Well #5, one of six wells that comprises the East Lyme Water System. As is demonstrated in the chart, Well #5 was originally capable of producing at its design capacity and diversion permit of 0.78 Million Gallons per Day (MGD). It is now only capable 0.2 MGD, or about 25% of its original capacity.

The well, which was constructed in 1994, has now reached the end of its useful life. This can be seen in the rapidly deteriorating production capacity of the well since 2017. Numerous efforts have attempted to redevelop this well to no avail. The well has the potential to supply over 1/3 of the daily demand of the East Lyme water system but can currently only produce about 1/10 of the daily demand. It is for this reason that we urge consideration of this important project before the East Lyme Board of Selectman.

Ben North

Utilities Engineer
East Lyme Water and Sewer

Well #5 Production Over Time

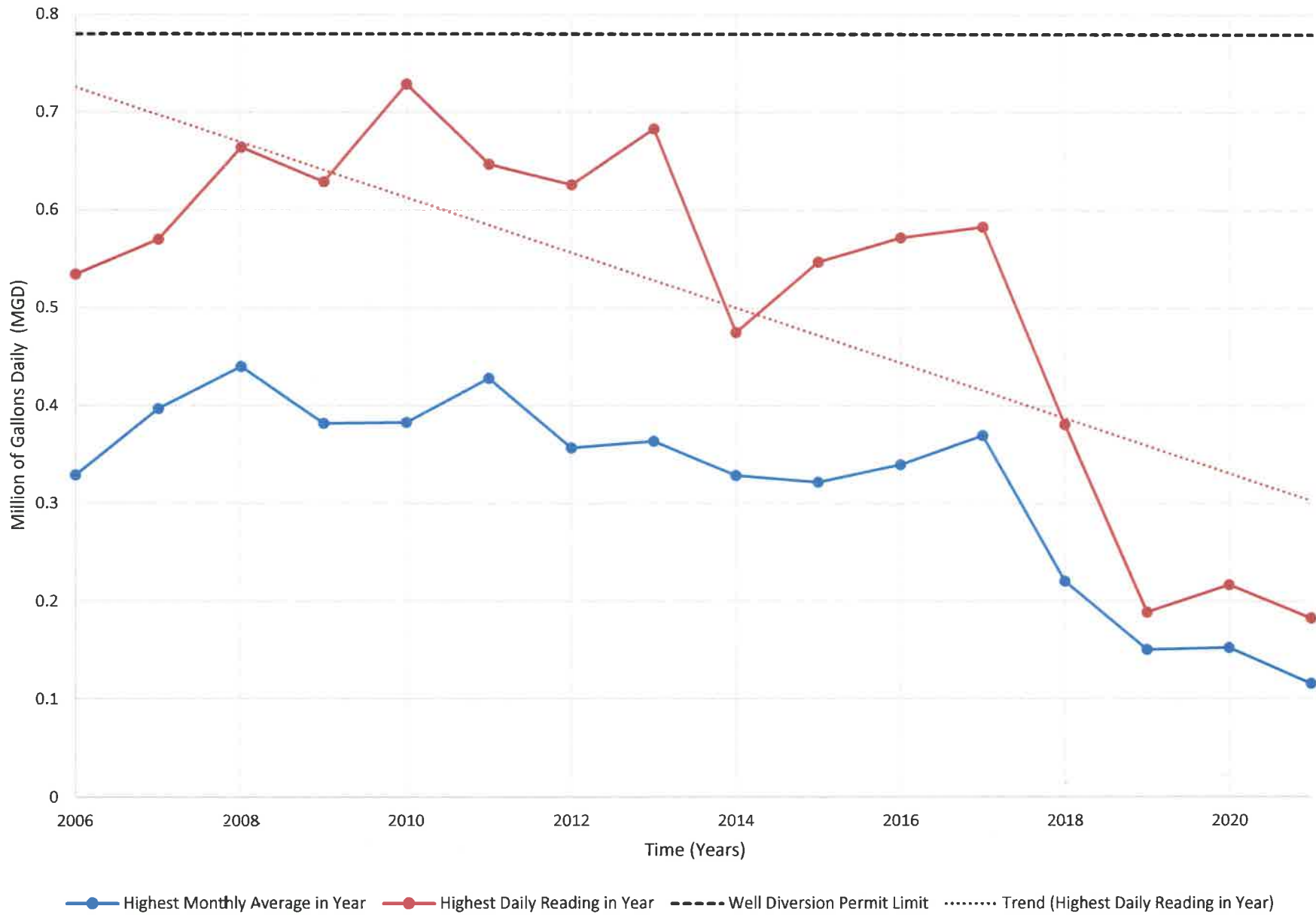


EXHIBIT 3

**East Lyme Water and Sewer Commission
American Rescue Plan
Upcoming Staff Recommended Projects for Consideration
September 28 2021**

Project	Unit Price	Estimated Cost	Priority Level	Total Costs	Description
Rehabilitation of Well #5			1		Construct a replacement, submersible well at Well 5 WTP to increase capacity from 125 gpm back to design capacity of 540 gpm. Rehabilitate Pressure Filters and Convert to Greensand Plus Sand Blast and Paint Piping and Pressure Filters Upgrade SCADA instrumentation
New Well with Site Work	\$ 150,000.00				
Filter Rehabilitation	\$ 400,000.00				
Sandblast & Paint Piping and Vessels	\$ 100,000.00				
Building Maintenance & Improvements	\$ 50,000.00				
SCADA & Instrumentation Upgrades	\$ 100,000.00				
Contingency (15%)	\$ 120,000.00	\$920,000		\$920,000	
Recoat Boston Post Rd Water Tank		\$550,000	3	\$1,470,000	Sand Blast and Paint Exterior of Tank. Recommended to be performed every 20 years.
Upgrade Niantic Sewer Pump Station		\$250,000	2	\$1,720,000	Replace two original motor/driveshaft pumps, remove PARCO hydraulic actuating valve system, modify piping, add VFD controls.
Upgrade Pattaganset Sewer Pump Station		\$300,000	4	\$2,020,000	Replace three original motor/driveshaft pumps, modify piping, add VFD controls.
Total Costs of Projects:				\$2,020,000	