

EAST LYME BOARD OF SELECTMEN  
SPECIAL MEETING OF JANUARY 5, 2022  
MINUTES

PRESENT: Kevin Seery, Rose Ann Hardy, Dan Cunningham, Bill Weber, Ann Cicchiello and Anne Santoro

ALSO IN ATTENDANCE: Finance Director Anna Johnson, Parks and Recreation Director Dave Putnam and NFD Chief Jim Barone

Mr. Seery called the meeting to order at 7:07 p.m. and stated that the Pledge of Allegiance was done at the beginning of the Town Meeting.

Mr. Seery stated that our two newest officers have both just graduated from the Police Academy on December 23<sup>rd</sup> and will now be on the schedule to perform their 400 hours of field training. He introduced Officers Taylor Desjardins and Ryan Gries, and each gave a summary of their experience and background.

1b. Additional Agenda & Consent Items

There were none.

1c. Delegations

There were none.

1d. Approval of Minutes

DISCUSSION: Mr. Weber noted that on page 6 under item 3h, Mr. Seery was the one that stated that IT should work on a backup plan. Ms. Hardy stated that although she left the meeting early on December 15<sup>th</sup>, she has reviewed the full minutes and is comfortable with voting on them.

**MOTION (1)**

Ms. Santoro MOVED to approve the Regular Meeting Minutes of December 15, 2021, as amended. Seconded by Ms. Cicchiello. Motion passed 6-0.

1e. Consent Calendar

Mr. Seery stated that there is no consent calendar for tonight's meeting, and that the new Tax Collector will have one prepared for the next meeting.

2a. Parks and Recreation Tent

DISCUSSION: Mr. Putnam explained that the existing tent was purchased used seven years ago and that it needs to be replaced. At their meeting of December 9, 2021, the Parks and Recreation Commission approved the purchase of this 30' x 60' Eureka Pole Tent and it now requires Board of Selectman and Board of Finance approval to expend the funds from their Special Revenue account. This tent is used at McCook's Point Park and generates revenue by its rental for special event.

FILED

Jan 11, 2022 AT 12:28 AM (PM)  
BRUCE J. STURM ATC  
EAST LYME TOWN CLERK

**MOTION (2)**

Ms. Santoro MOVED to approve a special appropriation in the amount of \$9,609 in Parks and Recreation Special Revenue Fund 18 to account number 18-45-421-600-101 Tent – McCook’s, source of funds being Passport Sales receipts within the fund, and forward to the Board of Finance for approval.  
Seconded by Ms. Cicchiello. Motion passed 6-0.

**2b. Assessor’s Office**

DISCUSSION: Mr. Seery explained that the Assessor’s office is in need of assistance at this time; the Tax Assessor is out on leave, and the two staff members are both new to the office so support as well as training is needed at the moment. He reported that we have been fortunate enough to have three Assessors from other towns who have stepped up to come in and assist our staff with workload and training; two of which have been alternating coming in to assist up to this point, and the third who has committed to work with our staff through March of 2022. Ms. Johnson explained that there are deadlines that need to be met for the Grand List, and that with this third Assessor in house to assist we should have no problem meeting such deadlines. She noted that the original deadline has been extended in order for our office to complete the work.

**MOTION (3)**

Ms. Santoro MOVED to appropriate and transfer \$6,934 from account 01-01-120-200-500 (Contingency) as follows: \$2,300 to 01-01-102-200-216 (Contract Services); \$4,146 to account 01-01-102-100-412 (PT Clerical); \$488 to account 01-01-102-100-311 (Assessment Aides) and forward to the Board of Finance for approval.  
Seconded by Ms. Cicchiello. Motion passed 6-0.

**2c. Niantic Fire Department**

DISCUSSION: Mr. Seery explained that the Niantic Fire Department is requesting additional funds to their vehicle maintenance account to cover the emergency major repair to NFD Engine 3. The repair cost was estimated at \$23,906.98, and a purchase order was approved from existing funds to pay for this emergency repair. The fire department now needs to replace what was spent for this repair, as that money is needed to maintain the rest of the apparatus throughout the remaining fiscal year. Chief Barone explained that this funding is critical to maintaining the rest of the fleet and ensuring all apparatus is in a ready condition and able to serve the town. He explained that the vehicle is out of warranty, but that he is working with the manufacturer and if anything changes, he will come back before the Board. Mr. Weber inquired if the work could be done somewhere else for less, and Chief Barone explained that it is a Cummins engine, and they are the only ones who have the parts on hand and available.

**MOTION (4)**

Ms. Santoro MOVED to appropriate and transfer \$23,906 from account 01-01-120-200-500 (Contingency) to account 01-25-217-200-220 (Vehicle Maintenance) and forward to the Board of Finance for approval due to the emergency major repair of Niantic Fire Department Engine 3.  
Seconded by Ms. Cicchiello. Motion passed 6-0.

**2d. SCORE Resolution**

DISCUSSION: Mr. Seery explained that several months ago before this new Board was seated, this group came and gave a presentation and asked that our town authorize a resolution to declare racism as a public health crisis. He stated that he and Mr. Cunningham have met with this group numerous times since that presentation and are working together to create a resolution that supports every member of our community no matter their ethnicity, race, gender, age, etc. Mr. Seery stated that it is important that the community

understands that the leaders in our Town are aware of their concerns and are committed to open conversation and discussion on this and all matters that bring concern to the community. Ms. Cicchiello stated that she has not had enough opportunity to bring herself up to speed on this matter and to review the work that has been done up to this point and before she was a member of this Board. She thanked everyone for their hard work on preparing this resolution, and respectfully asked for additional time to review. Mr. Weber and Ms. Santoro also expressed a desire to review this further before making any decision on how to move forward. A general discussion was held on whether there are other ways to communicate this message and support the community as a whole without creating a resolution. Ms. Santoro stated that under Section 3.33 of the East Lyme Town Charter, which reads “The Board of Selectmen shall be responsible for coordinating the activities of all the agencies of the town, and for keeping under review the present and future needs of the town. It shall require such reports and joint meetings as may be useful to it in the performance of its duties”, it is in this Board’s purview to discuss this further and act on this in the best interest of the community. It was decided that this matter would be continued to a future meeting in order to give the new members of the Board an opportunity to be brought up to speed and meet with members of the SCORE group to move this discussion forward.

#### 2e. Pandemic Discussion

Mr. Seery explained that the Town had the opportunity to hand out some at home COVID test kits to our community this past Monday, and that the process did not go as smoothly as we had envisioned. He stated that the Town has been told by the Governor’s office that there is a possibility that we might receive additional at-home test kits to distribute, but that there is no guarantee. He stated that the community should watch the East Lyme Town Hall webpage and Facebook pages for information on upcoming events, and that the Town will make its best efforts to get the information to public as quickly and to as many outlets as possible. Ms. Hardy inquired as to why the number of test kits was reduced by the State, and Mr. Seery stated that no explanation was given; it was noted that our local health agency, Ledge Light Health District, is not involved in the distribution of these kits and that the kits and the communications have been coming directly from the Federal Government via Homeland Security, through the State and the Governor’s office. Ms. Cicchiello inquired if we would be going back to virtual meetings because of the contagious nature of the Omicron variant, and Mr. Seery confirmed that this is a possibility but that for now we will remain at in-person meetings requiring a mask be worn.

#### 2f. Appointments

##### **MOTION (5)**

Ms. Santoro MOVED to appoint Samuel Sims, 10 Green Valley Lakes Road, East Lyme, as a Member on the Inland Wetlands Agency for the Town of East Lyme with a term to expire on January 5, 2026. Seconded by Mr. Cunningham. Motion passed 6-0.

##### **MOTION (6)**

Mr. Cunningham MOVED to appoint the following people as Members of the Parks and Recreation Commission for the Town of East Lyme:

Patrick Larkin, 14 Oak Hill Drive, Niantic, with a term to expire on January 5, 2026;

Susan Kumro, 14 West Main Street, Niantic, with a term to expire on January 5, 2026;

Robert Tukey, 111 Sleepy Hollow Road, Niantic, with a term to expire on January 5, 2026.

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

**MOTION (7)**

Ms. Santoro MOVED to appoint the following people as Members of the Board of Police Commissioners for the Town of East Lyme:

Mark Powers, 4 Round Rock Road, Niantic, with a term to expire on January 5, 2026;

Regina Hitchery, 27 Saunders Drive, Niantic, with a term to expire on January 5, 2026.

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

**MOTION (8)**

Mr. Cunningham MOVED to appoint the following representatives for the Town of East Lyme to the Southeastern Connecticut Water Authority (SCWA):

Carol Russell, 4 Bramble Bush Drive, Niantic, with a term to expire on September 1, 2023;

Kevin Seery, 25 Quailcrest Road, East Lyme, with a term to expire on September 1, 2023.

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

**MOTION (9)**

Ms. Santoro MOVED to appoint the following people as Members of the Town Building Committee for the Town of East Lyme:

Dean Fiscus, 255 Giants Neck Road, Niantic, with a term to expire on January 5, 2026;

John Rhodes, 6 Seebeck Road, East Lyme, with a term to expire on January 5, 2026;

Abraham Fisher, 18 Sunnyside Drive, Niantic, with a term to expire on January 5, 2026;

Jerry Fortier, 13 N. Ledge Rock Road, Niantic, with a term to expire on January 5, 2026.

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

**MOTION (10)**

Mr. Cunningham MOVED to appoint Peter Harris, 5 South Ridge Road, Niantic as a Member on the Waterford East Lyme Shellfish Commission with a term to expire on January 5, 2026.

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

**MOTION (11)**

Ms. Santoro MOVED to appoint the following people as Members of the Youth Services Commission for the Town of East Lyme:

Ken Roberts, 2 Rockwell Street, Niantic, with a term to expire on January 5, 2026;

Julie Horner, 42 Manwaring Road, Niantic, with a term to expire on January 5, 2026;

Julie Dowling, 24 Huntley Court, Niantic, with a term to expire on January 5, 2026.

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

**MOTION (12)**

Mr. Cunningham MOVED to appoint the following people as Members of the Zoning Board of Appeals for the Town of East Lyme:

Wayne Blair, 4 Hillside Avenue, Niantic, with a term to expire on January 5, 2026;

Larry Fitzgerald, 35 Plum Hill Road, East Lyme, with a term to expire on January 8, 2024.

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

**MOTION (13)**

Ms. Santoro MOVED to appoint P. Spencer Clapp, 11 Chadwick Place, Niantic as an Alternate Member of the Zoning Board of Appeals for the Town of East Lyme with a term to expire on January 8, 2024.

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

**MOTION (14)**

Mr. Cunningham MOVED to appoint Elizabeth Kuchta, 154 Pennsylvania Avenue, Niantic as the East Lyme Town Historian with a term to expire on January 5, 2026.

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

**MOTION (15)**

Ms. Santoro MOVED to appoint Susan Graham, 47 Oswegatchie Hills Road, Niantic as a Member of the Ledge Light Health District Board of Directors with a term to expire on January 8, 2024.

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

**MOTION (16)**

Mr. Cunningham MOVED to appoint the following people as Members of the Historic Properties Commission for the Town of East Lyme:

Rodney McCauley, 228 Roxbury Road, Niantic, with a term to expire on January 5, 2026;

Margaret Prokop, 52 Lovers Lane, Niantic, with a term to expire on January 5, 2026.

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

**MOTION (17)**

Ms. Santoro MOVED to appoint Patricia Lannon, 30 Chesterfield Road, East Lyme to serve as a Member of the Cable TV Advisory Council with a term to expire on January 5, 2026.

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

**MOTION (18)**

Mr. Cunningham MOVED to appoint the following people as Members on the Water & Sewer Commission:

Stephen DiGiovanna, 1 Old Oak Lane, Niantic, with a term to expire on January 5, 2026;

Joseph Mingo, 397 Boston Post Road, East Lyme, with a term to expire on January 5, 2026;

David Murphy, 490 Boston Post Road, East Lyme, with a term to expire on January 5, 2026.

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

**MOTION (19)**

Ms. Santoro MOVED to appoint the following people as members of the Pension Committee:

Robert Curry, 28 Brainard Road, Niantic;

John Wohler, 266 Giants Neck Road, Niantic.

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

3a. Hathaway Property

DISCUSSION: Mr. Seery reported that the Town has retained an individual who is going to perform a survey and appraisal of the property, and he has spoken with the town attorney, and they are going to represent us by doing a title search and by reviewing the documentation received from the Land Trust regarding the purchase. He noted that upon review of such documentation dated June 30, 2020, the purchase price of \$1.65M was for 132 acres; the current offer specifies 120 acres so he will investigate that further. Mr. Seery anticipates that they would be entering into executive session at the next meeting to discuss the details further. Mr. Weber noted that at the last meeting it was mentioned that the title search would be a lengthy process, and Mr. Seery stated that the appraisal of the property is a longer process and has already begun so we are in good shape.

3b. BOS Rules and Regulations

DISCUSSION: The Board decided that this would be discussed at a future meeting, but in the meantime Ms. Santoro and Mr. Weber will begin reviewing the existing document and will be prepared to begin the discussion at the next meeting.

3c. ARP Ad-Hoc Committee Appointment

DISCUSSION: The Board discussed that an ad-hoc committee will be formed to begin the process of gathering requests for the ARP funds; there is approximately \$3.7 million left in the fund. It was generally decided that this committee would focus on infrastructure first, then the community members requests. Mr. Seery noted that the Department Heads are working on prioritizing items to submit to this committee for consideration. Ms. Hardy expressed her concern with appointing members of the community to participate on the committee so soon in this process and feels that this Board should concentrate on infrastructure before bringing the community into the process.

**MOTION (20)**

Ms. Santoro MOVED to (1) to establish an ad-hoc committee to be known as the ARP Ad-Hoc Committee (the "Committee") to develop a plan of distribution of federal funds allocated to the Town of East Lyme pursuant to the American Rescue Plan Act of 2021 (ARP or Act); (2) to appoint the following individuals to this Committee:

Anne Santoro, Board of Selectmen

Ann Cicchiello, Board of Selectmen

(2) Members of the Board of Finance, as selected by that Board

Pandy Wohler, Representative, Local Nonprofit Organizations

Rita Rivera, Representative, Local Small Businesses

Lee Edwards, Community Member At Large

Aileen Cahill, Community Member At Large

(3) to charge the Committee as follows: In order to help mitigate the negative impacts of COVID-19, the Committee shall develop and recommend to the Board of Selectmen a plan to distribute \$3,792,337.68 remaining in federal ARP funds allocated to the Town. The recommended plan must be consistent with the provisions of the American Rescue Plan Act as well as the current governing regulations of the U.S. Treasury Department that implement the Act. In particular, the plan must recommend uses of the allocated funds that are allowable under the Act, and that can be completed by December 31, 2026, and that take into consideration ARP funds thus far appropriated and distributed by the Town. The plan shall be completed and delivered to the Board of Selectmen on or before March 8, 2022 for their review and consideration as well as submittal to Town Counsel. It is expected that the Committee will present its plan to the Board of Selectmen at the Selectmen's regular meeting of March 16, 2022. The term of the Committee shall end on April 7, 2022 or as otherwise determined by the Board of Selectmen. As the role of the Committee is advisory, nothing in this charge shall limit the ability of the Town to address COVID related impacts independently from the plan, particularly those that may be pressing or immediate, by appropriating ARP funds in accordance with the terms of the Act and the Town Charter.

Seconded by Mr. Cunningham. IN FAVOR; Seery, Santoro, Cunningham, Cicchiello and Weber. OPPOSED; Ms. Hardy. Motion passed 5-1.

#### 4a. Ex-Officio Reports

Ms. Cicchiello reported that she attended the Waterford East Lyme Shellfish Commission (WELSCO) meeting, and they continue to work on the lease renewal for shellfish activities.

Ms. Santoro stated that the Library is reporting 100% circulation, with about 60% of people physically going into the library. She reported that they received a \$2,000 grant to be used for upkeep of the Story Walk at Bride Brook park. The \$10,000 grant has been approved for the archive facility to be put in place using the former Emergency Operations Center, once Dispatch moves to the new public safety building. They are working on their budget for 2023 and that is going well. She reported that Ms. Timothy is working on what is called a “collabatory” that would allow others to bring their equipment into the library to bring some participants on site; equipment such as a 3-D printer, or a quilting machine or other type of crafting machinery. She stated that in Wallingford they have a space for bicycle repair; it is really a great way in which to encourage communication and collaboration within the community.

#### 4b. First Selectman’s Report

Mr. Seery reported that the public safety building is getting closer to completion and that they are meeting weekly now and the punch list is getting smaller. He reported that the roofing materials have been received but that the work requires clear weather for a number of days, so they are waiting on the weather to finish that job. The Fire Marshal has already moved into their space on the second floor, dispatch is tentatively scheduled to move the week of January 19<sup>th</sup>, and the Police are hoping to move in early February. He reported that they continue to troubleshoot the remaining leaks and may need to replace some of the wall materials to fully correct the issue; he will report back on this at the next meeting. Mr. Seery reported that they have been in discussions with the Town of Old Lyme and the 3 beach communities regarding the sewer agreement and whether there should be one general agreement or two separate agreements; one with the Town of Old Lyme and one with the three beach communities. It is generally agreed that having one agreement would be the simplest for receipt of the fees; it was noted that our main concern is the total amount of flow, and it would be easier to receive one check and one flow report instead of separating them into two. He reported that Amtrak will be replacing their fence along Main Street sometime in the spring. He stated that he will be meeting with the DOT soon to discuss concerns over the proposed truck stop and gas pumps at exit 75. Mr. Seery reported that the Miracle League gala has been postponed until April due to concerns over the increasing number of Covid cases. Smith Acres has started their winter farmers market on Sunday’s if you are looking for something to do. The budget process will be beginning, and he asked the Board members to bring their calendars to the next meeting. Mr. Weber asked if the fourth dock at Cini Park has been released yet by the State, and Mr. Seery stated that the town received a check from the State to make up for the time that we lost out on the rental of the lease, and that he will advise when the dock has been returned. Mr. Seery stated that he will be meeting with the Waterford First Selectman in a couple of weeks to get some information on the process they used to distribute the ARP funds.

#### 5. Communications

There was none.

6. Public Comment

Matvey Sokolovsky, 26 White Birch Circle, Niantic, addressed the Board and stated that he does not believe that a resolution for the SCORE matter is going to have any impact on the community, and he feels that bringing a more diverse population into the community will have the biggest positive impact. Mr. Sokolovsky noted that there is no Asian representation on the Board of Selectmen, which is the minority group that makes up ~25% of the population in East Lyme. Secondly, Mr. Sokolovsky stated that he supports the purchase of the Hathaway property for open space but by doing this the town would remove approximately seventy building lots that would be classified as low-income housing thus ultimately making East Lyme unaffordable to lower income families. He feels that the zoning regulations restrict lower income families while forcing property values higher.

7. Selectman's Response

Mr. Seery thanked Mr. Sokolovsky for his input on the composition of the Board, and he stated that the Town has always encouraged every member of this community to get involved and that he would love to see a more diverse makeup of the boards. Regarding the matter of open space and low incoming housing, he stated that Rocky Neck Village apartments are brand new and have low-income units. In addition, another eighty-seven unit housing complex with low-income units has been approved on Bridebrook Road.

8. Adjourn

**MOTION (21)**

Ms. Cicchiello MOVED to adjourn the January 5, 2022, special meeting of the East Lyme Board of Selectmen at 9:07 p.m.

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

Respectfully Submitted By:



Sandra Anderson  
Recording Secretary