

EAST LYME BOARD OF SELECTMEN
PUBLIC HEARING AND REGULAR MEETING
MINUTES
JUNE 1, 2022

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

ALSO PRESENT: Town Attorneys Ed O'Connell and Tracy Collins, Finance Director Anna Johnson and Public Works Director Joe Bragaw

Mr. Seery called the meeting to order at 7:30 p.m., and he stated that the Pledge of Allegiance was done at the start of the Town Meeting.

1b. Additional Agenda & Consent Items

MOTION (1)

Ms. Santoro MOVED to add Agenda Item #2i – Authorize First Selectman to sign grant applications.

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

MOTION (2)

Ms. Santoro MOVED to add Agenda Item #2j – Certified Resolution – Historic Preservation Survey Grant.

1c. Delegations

Mr. Robert Vancour, 107 S. Beechwood Road, addressed the board and asked for an explanation as to why the Town did not plan ahead on what to do with the former police department, and also what the \$850,000 for town roads, sidewalks, etc.

1d. Approval of Minutes

MOTION (3)

Ms. Santoro MOVED to approve the Public Hearing and Regular Meeting Minutes of May 18, 2022 as submitted.

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

1e. Consent Calendar

MOTION (4)

Ms. Santoro MOVED to approve the consent calendar for the regular meeting of May 18, 2022, in to approve the consent calendar for the regular meeting of June 1, 2022, in the amount of \$4,237.15

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

2a. Charter Revision

DISCUSSION: Attorney Ed O'Connell presented on the process for charter revision, and handed out a summary of the process, attached hereto as Exhibit #1. He stated that this is an arduous process that must be followed very closely. To meet this very specific timeline, we should plan to include this item with the 2023 November election; the timeline can then be set into place by working backwards from that date. In East Lyme, the Board of Selectmen are the "municipal appointment authority". The Board of Selectmen will want to appoint a Charter Revision Subcommittee, who in turn will create their own subcommittees; please note that all of these subcommittees are subject to FOIA and will require an agenda and minutes for each meeting.

FILED

June 1 2022 AT 9:30 AM/PM

EAST LYME TOWN CLERK

Board of Selectmen
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In selecting members to be appointed, it will be prudent to include people that are familiar with how our government process works as there will not be a lot of extra leeway to allow for learning workshops. Step 8 Publication; we are seeking to change this step to allow for the full copy to be available on the website and in the Town Clerk's office, versus publishing the entire document. The last charter revision was in 2008; members should review those notes as well as review other municipalities that have recently done a charter revision. Mr. Seery stated that he anticipates appointing a subcommittee in the September or October timeframe. Attorney O'Connell stated that all meetings will be open to the public, but it is up to the Board and the subcommittees to determine if there will be public comment included on the agenda. There may be certain points in the process where public delegations will be helpful and encouraged. Step 4 states that the date of submission will be set and must be adhered to; however, the schedule of deadlines, for draft submission as an example, may change as long as that final submission date stays intact.

2b. Emergency Management NSEP Grant

MOTION (5)

Ms. Santoro MOVED to approve a special appropriation in the amount of \$15,940.00 to account number 01-70-725-224-006 (NSEP Equipment), to cover the cost of purchasing the above listed equipment for the new EOC in grant allocation 2022-98 and forward to the Board of Finance for action. NOTE: This requires a town meeting.

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

2c. Special Appropriation – Bonding – Roads Etc.

MOTION (6)

Ms. Santoro RESOLVED that the resolution entitled "Resolution Making An Appropriation In The Amount Of \$850,000 For The Rehabilitation Of And Improvements To Various Town Roads, Town Parking Lots And Sidewalks And Authorizing The Issuance Of \$850,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", 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 Town Meeting.

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

2c. Special Appropriation – Bonding – BOE CIP

MOTION (7)

Ms. Santoro RESOLVED: That the resolution entitled "Resolution Making Appropriations Aggregating \$1,180,000 For Various Board Of Education Capital Improvements And Authorizing The Issuance Of \$1,180,000 Bonds Of The Town To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", 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 Town Meeting.

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

2d. Special Appropriation – CNRE General Fund Subsidy

MOTION (8)

Ms. Santoro MOVED to approve a special appropriation for the following projects in CNRE Fund 32 which are consistent with the 2022/23 Capital Improvement Plan and forward to the Board of Finance for approval. NOTE: This requires a town meeting.

FILED

Board of Selectmen
Regular Meeting of June 1, 2022

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[Handwritten signatures and stamps, including "TOWN CLERK" and "JUN 1 2022"]

CNRE - Municipal Project	Amount
Town Projects (Roofs)	\$10,300
HVAC Replacement Town-wide	15,500
East Lyme/Waterford Boat Motor	8,500
Town Projects - Various	25,000
Town-wide Servers	5,000
Revaluation	45,000
AED Defibrillators	2,000
CAD Software & Survey Equipment	4,000
TOTAL	\$115,300

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

2e. Special Appropriation - LoCIP

MOTION (9)

Ms. Santoro MOVED to approve a special appropriation in the amount of \$165,000 to be used as follows: \$30,000 Town-wide Garage Door Repairs/Replacement \$30,000 Public Safety Buildings Repairs & Improvements, \$85,000 Lift Jacks for Highway Maintenance Garage and \$20,000 Rebuild Plants Dam Study with the source of funds being the LoCIP program in accounts to be established titled with the State project number and forward to the Board of Finance for approval. These projects are consistent with the 2022/2023 Capital Improvement Plan. NOTE: This requires a town meeting.

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

2f. Special Appropriation – 22/23 Acquisition Program

MOTION (10)

Ms. Santoro RESOLVED that the resolution entitled "A Resolution of the Town of East Lyme, Connecticut Authorizing the Execution and Delivery of an Equipment Lease/Purchase Agreement and Schedules Thereto for the Acquisition, Purchase, Financing and Leasing of Certain Equipment", 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 Town Meeting. We waive reading the resolution in its entirety, it has been on file with the Town Clerk.

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

2g. Next Town Meeting

Mr. Seery stated that there are a few items on tonight's agenda that require a town meeting, which will be scheduled for July 8th as long as everything is approved at the Board of Finance meeting next week. A special meeting will be held next week to schedule said town meeting.

2h. Appointments

MOTION (11)

Ms. Santoro MOVED to appoint Robert Curry, 28 Brainard Road, Niantic, Connecticut, to serve as a Member on the Pension Board for the Town of East Lyme with a term to expire on January 5, 2026.

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

MOTION (12)

Ms. Santoro MOVED to appoint John Wohler, 266 Giants Neck Road, Niantic, Connecticut, to serve as a Member on the Pension Board for the Town of East Lyme with a term to expire on January 5, 2026.

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

MOTION (13)

Ms. Santoro MOVED to appoint Denise Hall, 23 West Lane, Niantic, Connecticut, to serve as a Member on the Pension Board for the Town of East Lyme with a term to expire on January 8, 2024.

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

MOTION (14)

Ms. Santoro MOVED to appoint Beth Hogan, 10 Wildwood Drive, Niantic, Connecticut, to serve as a Member on the Pension Board for the Town of East Lyme with a term to expire on January 8, 2024.

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

2i. Authorize First Selectman to sign grant applications

MOTION (15)

Ms. Santoro MOVED that the First Selectman is hereby authorized and directed to sign all grant applications and execute and deliver any and all documents on behalf of the Town of East Lyme for Fiscal Year 21/22 through Fiscal Year 22/23, and to do and perform all acts and things which he or she deems necessary or appropriate to carry out the terms of such documents, including but not limited to executing and delivering all applications contemplated by such documents.

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

2j. Certified Resolution – State Historic Preservation Grant

MOTION (16)

Ms. Santoro RESOLVED that Kevin A. Seery, who is the First Selectman of the Town of East Lyme, is empowered to execute and deliver in the name and on behalf of the Town of East Lyme on a certain contract with the State of Connecticut, Department of Economic and Community Development, and to affix the Town Seal.

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

3. Old Business

Mr. Seery stated that there is no follow up information on the compost restrooms at this time.

4a. Ex-Officio Reports

Dan Cunningham

- Brookside Farm Museum is looking for community members to join the commission, and to assist in finding fundraising opportunities and helping to carry those out.
- The Barn at the Museum is available to rent for the 2022 season; the commission is in the process of reviewing and revising the current fee schedule.

- The Museum is looking for suggestions on how to attract people to both the house and the barn.

Anne Santoro

- The May 23rd Board of Education meeting was a long meeting.
- Donation received ~\$10,000 in gym equipment.
- BOE yearly retreat is scheduled for the end of June.
- They held a lengthy discussion on policies presented to the Board by the appointed subcommittee.
- They discussed the impact of the \$500,000 reduction in the 22/23 budget.
- There might be a need to hire an additional two (2) elementary teachers based on the current enrollment numbers for the fall.

Bill Weber

- The Town Building Committee discussed when the upgrade to the community center will begin.

4b. First Selectman's Report

- The Community's hearts go out to the victims of the shooting in Texas. The Board of Police Commissioners will be holding a school security review at their meeting on June 9th.
- The Town Attorney is finalizing the documentation needed to distribute the American Rescue Plan funds; requesters will need to call to make an appointment to come in and meet with the Finance Director to sign the agreement and receive their check.
- Demolition of the Mobil station and Starlight Motel is scheduled to begin in the next couple of weeks.
- The State of Connecticut DOT has started their work on the Rte. 161 Corridor Study, which will analyze both vehicular and pedestrian traffic from Society Road to East Pattagansett. A public meeting will be held at Town Hall some time in the fall, hosted by the DOT, to discuss this project further.
- This year's budget referendum passed; with a total of 4.5% of electorates voting. The process by which we pass our budget will be reviewed during the upcoming charter revision. As noted by Attorney O'Connell earlier in the meeting, a total of 15% of electorates are required to vote in order to change the charter, so this may be a
- COVID numbers and hospitalizations have started to go back down.
- Beach passes are now necessary, and dogs are not allowed on the beaches and McCook's Point park until after Labor Day.
- A crime in process was witnessed by one of our officers and she was able to identify and then take the suspect into custody and recover the stolen items.
- Amtrak has not yet made a final decision on the type of fencing that they will be installing to replace the current fence; he anticipates that a decision will be made soon as replacement is scheduled for this Fall.
- At an upcoming meeting we will hear a presentation from Dave Putnam on the purchase of compost garbage cans for the beaches and downtown areas. The first few cans are being purchased with the newly formed NIP Bottle surcharge funds received.
- Our Emergency Operations team participated in a regional emergency management drill, simulating a Category 3 hurricane; thank you to our emergency management team for making this a successful drill.
- Over 150 people participated in the recent Run for the Hills 5K to support the Oswegatchie Hills Nature Preserve.
- The first Vintage Market of the season was a big success; look forward to more events throughout the summer.

- Congratulations to the Girls Lacrosse team who took the ECC Championship in their win over Stonington.
- There have been some concerns about the Town's coyote population; the Animal Control Officer will attend a future meeting to provide some information to the community. Local Animal Control Officers do not respond to wildlife calls, unless there is a rabid animal involved or an attack on human or pets, for instance.

5. Communications
There were none.

6. Public Comment
There was none.

7. Selectman's Response
There was none.

8. Executive Session

MOTION (17)

Ms. Santoro MOVED to enter into executive session at 8:35 p.m. for the purpose of discussing a real estate matter, Hathaway Farms LLC., and personnel matters, Unaffiliated Employees compensation.

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

Returned to the regular meeting at 9:54 p.m. Ms. Santoro stated that no formal votes were taken in executive session.

MOTION (18)

Ms. Santoro MOVED to approve the Unaffiliated Employees compensation, as discussed in executive session.

Seconded by Ms. Cicchiello. IN FAVOR; Hardy, Santoro, Cicchiello, Cunningham and Weber. ABSTAINED; Seery. Motion passed 5-0-1.

9. Adjourn

MOTION (19)

Ms. Santoro MOVED to adjourn the June 1, 2022, regular meeting of the East Lyme Board of Selectmen at 9:55 p.m.

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

Respectfully Submitted By:

Sandra Anderson

Sandra Anderson
Recording Secretary

Exhibit #1

BASIC STEPS FOR REVISING OR DEVELOPING A MUNICIPAL CHARTER

Below is a simple step-by-step outline of the charter development or revision process, as prescribed in *Connecticut General Statutes (CGS) 7-188* "Initiation of action for adoption, amendment or repeal of charter or home rule ordinance."

STEP 1: INITIATION

A charter revision proposal must be initiated by either a 2/3 vote of the entire membership of the municipal appointing authority (town or city council, board of selectmen, etc.), or a petition signed by not less than 10% of the electorate.

CGS §7-187(a); §7-188(b)



STEP 2: APPOINTMENT

Within 30 days, the appointing authority must appoint a charter commission, charter revision commission, or home rule ordinance revision commission. The commission must consist of five to fifteen electors (registered voters), not more than 1/3 of whom may hold another public office in the municipality, and with no more than a bare majority from the same political party. "The commission shall proceed forthwith to draft a charter or amendment to the existing charter, or amendments to the home rule ordinance as the case may be."

CGS §7-190(a)



STEP 3: PUBLIC HEARINGS

The commission must hold at least two public hearings; one prior to beginning "substantive work," and one after the commission has completed a draft report, but before submitting it to the appointing authority. The commission may hold other meetings it deems necessary.

CGS §7-191(a)



STEP 4: SUBMISSION

The appointing authority shall prescribe a date, no later than 16 months from appointment, by which the commission must submit the draft report, including the proposed revisions, to the municipal clerk. Although the appointing authority can prescribe a date, decisions are not definitive.

CGS §7-190(b); §7-191(b)



STEP 5: FINAL PUBLIC HEARING

The appointing authority shall hold its last public hearing within 45 days of submission of the commission's draft report

CGS §7-191(b)



STEP 6: RECOMMENDED CHANGES

Within 15 days of the last hearing, the appointing authority may recommend changes to the draft report.

- If there are recommended changes, the commission shall confer with the appointing authority concerning such recommendations and may amend its report or reject the recommendations. In either case the commission shall make its final report within 30 days of receiving such recommendations.
- If there are no recommended changes, the commission's report becomes final and the appointing authority shall act on it.

CGS §7-191(b), (c)



STEP 7: APPROVAL OR REJECTION BY APPOINTING AUTHORITY

Within 15 days after receiving the final report, the appointing authority shall, by majority vote, either approve or reject the proposed changes. Following a vote to reject, a petition may be filed for referendum within 45 days after rejection by the appointing authority. The commission shall terminate upon acceptance or rejection of its final report by the appointing authority.

CGS §7-190(c); 7-191(d)



STEP 8: PUBLICATION

Within 30 days of the authority's approval or certification of a petition from the electorate, the charter and amendments shall be published in full at least once in a general newspaper having circulation in the municipality.

CGS §7-191(d)



STEP 9: REFERENDUM

After approval or the filing of a petition, the appointing authority decides by majority vote whether to hold a vote on the charter, amendments or revisions at either a regular election (majority vote of participants needed for approval), or a special election (majority equal to at least 15% of qualified electors needed for approval). The election must be held not more than 15 months after approval by the appointing authority or certification of a petition.

CGS §7-191(e), (f)



STEP 10: CERTIFICATION

Not later than 30 days after approval by the electors, the municipal clerk must notify the Secretary of the State, in writing, of the results. The clerk must also file three certified copies of the charter, amendments or revisions with the Secretary of the State.

CGS §7-191(g)