

# Minutes of EAST LYME BOARD OF SELECTMEN MEETING - 11/02/22

**Date and time:** 11/02/22 07:00 pm to: 11/02/22 08:00 pm

**Present:** Brooke Stevens, Recording Secretary, BOS Members Present:, Kevin Seery, First Selectman, Ann Cicchiello, Dan Cunningham, Bill Weber, Anne Santoro, Rose Ann Hardy

**CC:** Also Present: , Kevin Gervais, Finance Director, Chris Lund, Director of Facilities East Lyme School District, Jeffrey Newton, East Lyme Superintendent of Schools, Maryanna Stevens , East Lyme Public Schools Director of Finance, Gary Goeschel, Town Planner

**Location:** EAST LYME TOWN HALL UPPER MEETING ROOM

## Topics

### 1. Call Meeting to Order and Pledge of Allegiance

**Note** Mr. Seery called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

#### 1-1. Additional Agenda & Consent Calendar Items

**Note** There were none.

#### 1-2. Delegations

**Note** There were none.

#### 1-3. Approval of Minutes - Regular Meeting of October 19th, 2022

**Note** See attached meeting minutes.  
 [BOS-October-19-2022-Minutes.pdf](#)

#### **Decision** MOTION (1)

Ms. Santoro moved to approve the Regular Meeting Minutes of October 19,2022, as submitted.  
Ms. Cicchiello seconded the motion.  
Motion carried, 4-0-1.  
Mr. Weber abstained from the vote due to his absence from the October 19th, 2022, meeting.

#### 1-4. Consent Calendar

**Note** See attached consent calendar.

#### **Decision** MOTION (2)

Ms. Santoro moved to approve the consent calendar for the Regular Meeting of November 2nd, 2022, in the amount of \$3,204.07.  
Ms. Cicchiello seconded the motion.  
Motion carried, 5-0-0.

**Note** Ms. Hardy arrived at 7:02 p.m.

### 2. New Business

RECEIVED FOR RECORD  
EAST LYME, CT  
2022 NOV -1 P 1:12  
Cecilia M. Weber  
TOWN CLERK

## 2-1. Special Appropriation - LEARN Fund - Replacement of ELMS Water Heater

**Note** Chris Lund, Director of Facilities for the East Lyme School District, reported the following: The water heater at the middle school, which is located in the basement, sprung a leak in March. It was a very slow drip, but they didn't want to leave anything unchecked. They brought in their mechanical contractor, who in turn, called the manufacturer's rep for the tank itself. They were already past budget season and have been nursing it along as best they can. Over time, it has gotten progressively worse, and they estimate that it's leaking anywhere from 5-7 gallons per hour. It's a steady stream now so there's obviously further deterioration in the tank itself, and the tank cannot be taken apart and repaired. They need to replace it much like one would replace their water heater at home. The estimated cost using their contractor is \$84,084. The unit itself and the associated plumbing costs are \$76,000. The rigging and labor to get the old one out and put the new one in is \$7800. The price is driven by the cost of the unit itself. It's basically a one-on-one replacement for what's there but the more modern version. The Middle School is our shelter in town, so the unit is bigger than what you would normally see. They did check around and consult Chief Finklestein, but unfortunately, there are no grants available. With the Board of Selectmen's permission, they would like to use their internal LEARN funds.

**Note** Mr. Seery pointed out that the Middle School is not just a local shelter, but a regional shelter as well.

**Note** Mr. Weber said he believes the water heater is 20 years old and Mr. Lund replied that it is and is original to the building.

**Note** Mr. Weber asked if this is a single quote or if they got multiple quotes. Mr. Lund explained that the pricing is through their vendor that they use for their mechanical service contract; this quote is lower than the other informal verbal quotes they received.

**Note** Ms. Hardy asked if Emcor requires that all maintenance surfaces be done through them, and Mr. Lund confirmed that Emcor is their mechanical contractor, so they maintain all of their equipment.

**Note** Ms. Hardy said the town generally has a three-bid requirement and Mr. Lund replied that they did go out to some other vendors as he just mentioned, for quotes and got informal quotes, which were significantly higher. He added that their saving quite a bit on labor because the component would have been a similar price no matter what vendor was chosen.

**Note** Ms. Hardy asked what the expected lifespan is on this unit and Mr. Lund said 15 to 20 years.

**Note** Ms. Cicchiello asked if service is included in the price and Mr. Lund explained that they have a comprehensive separate maintenance contract for all the buildings with Emcor, which covers everything from water heaters to boilers, and the like.

**Note** Ms. Santoro said the pricing is from May 23rd and asked if that quote of \$84,004 is still valid given inflation and Mr. Lund replied that they have held the price for them.

**Note** Ms. Santoro asked if the funds in the LEARN account had been originally earmarked for any other items and Mr. Lund said the intent has always been to use it for CNRE like projects, such as a past vehicle purchase.

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**Decision** MOTION (3)

Ms. Santoro moved to approve the expenditure of \$84,084 from account 32-99-094-900-002 (LEARN Rental Fees) for the purchase and installation on a new hot water heater for the East Lyme Middle School, forward to the Board of Finance for approval, and noted that this item requires a Town Meeting.

Mr. Cunningham seconded the motion.

Motion carried, 6-0-0.

## 2-2. Special Appropriation - LEARN Fund - Replacement of ELPS Pickup/Plow Truck

**Note** Mr. Lund said some of the following:

This request is to replace one of the plow trucks that they have.

The truck in question is from 2006 and is a Chevy 35 truck that was originally owned by Parks and Rec and transferred to the Board of Ed in 2019.

At the time of its transfer, the head mechanic told us to expect three or four more years of life out of it.

In the most recent checkup, the mechanic informed them it can no longer be used for plowing or towing and shouldn't be driven on the highway.

Therefore, they're looking to replace this truck.

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**Note** Mr. Seery said he's surprised they could find a vehicle right now and Mr. Lund said this is the Statewide Contract quotes, and his concern is what may have been on a lot at that time may not be there now.

**Note** Mr. Lund said they were instructed to call when they have approval, and the owner will tell them what they have available.

**Note** Mr. Lund said he anticipates that it will take them a while to actually get the vehicle on site after they make the securement, and they may miss part of the plow season; he has been working with a fleet management rental agency out of North Haven to ensure that they have rental truck plow truck support to use for this winter season.

**Note** Ms. Hardy asked how this compares to the other vehicles used by the town and Mr. Lund commentated that they always try to match the town, who is currently leaning more towards Ford models; purchasing similar vehicles ensures that the town mechanics are familiar with maintaining them.

**Decision** MOTION (4)

Ms. Santoro moved to approve the expenditure of \$53,191.46 from account 32-99-094-900-002 (LEARN Rental Fees) for the purchase of a 2022 F-350 Super Cab 4WD Pickup Truck with a Tommy Gate lift gate and a BOSS Vee snowplow attachment, forward to the Board of Finance for approval, and noted that this item requires a Town Meeting.

Ms. Cicchiello seconded the motion.

Motion carried, 6-0-0.

### **2-3. Discussion and Possible Action - Release of Easement - Deerfield Village**

**Note** Gary Goeschel, Town Planner, shared the following:

The Connecticut DOT has requested that the town subordinate an existing conservation easement to Deerfield village, that's associated with the I-95 interchange and exit 74 improvements at route 161, and replacement of bridge number 00250, otherwise known as project #44-156.

Since the State plans to widen I-95 and improve abutments, they would like us to subordinate a conservation easement, which would provide them access to the area on the east side of the bridge.

They can't actually access the area under the bridge without coming in from the west.

He's analyzed this with the Town Engineer and there's no other impacts of the conservation easements otherwise.

This will provide the State the ability to maintain that area of the rock weirs in the future.

Long term environmentally, this is ideal, since they will have the ability to go in there and maintain their structures.

The access is already there, no new access would have to be created that would go through wetlands or the stream on the other side of the bridge.

He doesn't foresee any adverse impacts.

**Note** Mr. Goeschel clarified that it's not a complete release of the easement.

**Note** Ms. Hardy asked about the material that will be used and Mr. Goeschel said it will be basic natural stone, but it won't be visible from the highway, any of the side streets, or even from Deerfield Village because it's virtually not visible now given the existing vegetation.

**Note** Mr. Weber asked if it would go back to the way, it previously was once construction is complete. Mr. Goeschel replied that it's a subordination of easements; the State will maintain that access, it will be a gravel access to the bridge, as shown on the sheet, and continue on in perpetuity.

**Decision** MOTION (5)

Ms. Santoro moved to approve the following resolution:

Resolved, that the First Selectman is authorized, in the name of and on behalf of the Town, to execute and deliver a document entitled "Subordination Agreement" pertaining to a conservation easement in favor of the Town of East Lyme over land now owned by Deerfield 95 Investor Associates, LLC to be used in connection with the Connecticut Department of Transportation I-95 Interchange Improvements. Dated at East Lyme, on this 2nd day of November 2022.

Ms. Cicchiello seconded the motion.

Motion carried, 6-0-0.

### **3. Old Business**

#### **3-1. Discussion and Possible Action - Purchase of Garbage/Recycle Containers for Main St**

**Note** Mr. Seery said we've gotten our second disbursement from the net fund, and it was \$13,808. He added that the quote that was obtained a while back is for \$13,146.50, the plan is to put them in front of the movie theater and the Black Sheep and obtain more in the future if they work well.

**Note** Mr. Weber commented that he was just in Charleston, North Carolina and they have them everywhere there.

**Decision** MOTION (6)

Ms. Santoro to approve the expenditure of \$13,146.50 from account 32-30-400-700-727 (NIPS Grant Expenditures) for the purchase of two HC5/SC5.5 Double Station Garbage/Recycle containers, forward to the Board of Finance for approval, and noted that this item requires a Town Meeting.

Mr. Cunningham seconded the motion.

Motion carried, 6-0-0.

### 3-2. Charter Revision - Update

**Note** Mr. Seery shared the following:

Last night they held a Public Hearing at the Middle School and there was about five members of the public that got up and spoke.

He attended, as did Ms. Cicchiello.

One new item that came up is to look at establishing a Town Manager position, who would essentially be the CEO of the town.

A few members of the Zoning Commission were in attendance, and they spoke against merging the Zoning Commission and Planning Commission.

The Commission formed 3 subcommittees- Town Budget, Town Commissions, and Town Structures.

They're going to meet twice a month.

The first Tuesday of the month will be a regular meeting while the third Tuesday of the month will primarily deal with subcommittee work.

**Note** Ms. Hardy said she wanted to clarify that the merging of Planning and Zoning was not put on the list at her request; it was already on the list and not her request.

## 4. Ex-Officio Reports

**Note** Ms. Hardy reported the following:

She attended the Board of Ed Meeting, and it was pretty much a continuation of the previous meeting she already reported on.

The Zoning Commission Meeting was cancelled, and this is the third cancellation in a row due to applications being withdrawn.

The Historic Cemetery Association will be meeting on Friday.

They have very little funding and if we receive another round of Rescue Funds, they could consider helping them out along with some of the other historic organizations.

**Note** Mr. Seery said except for an emergency, all the Rescue Funds available have already been allocated.

**Note** Mr. Cunningham reported the following:

He attended the Brookside Farm Museum Meeting, and the outside siding of the barn is a huge concern.

They're unsure how to proceed and any solution will most likely be expensive.

They will have Christmas Trees adjacent to the barn again this year and are considering combining that with some hot chocolate events in the barn, to earn some extra money.

**Note** Ms. Santoro reported the following:

She attended Town Building and the final invoice for the elementary school project was approved. The Town Building Committee voted to recommend to the Board of Education to close out the project. She attended the Annual CCM Conference held at Mohegan Sun Casino. She went to a FOIA Seminar and a Green Energy Seminar that focused on EV Chargers. The seminars will eventually be made available on the CCM website for viewing. She received a lot of valuable information which she will share in the future as relevant topics come up. The third seminar she went to was on labor issues, in particular, arbitration decisions by the State Board.

**Note** Ms. Cicchiello said she had nothing new to report.

**Note** Mr. Weber said he had nothing to report this evening as well.

#### **4-1. First Selectman's Report**

**Note** Mr. Seery reported the following:

In the past there was a municipal revenue sharing account by which the State shares some revenue, but this hasn't happened since 2017.

It has started up again and they will be receiving an unanticipated addition to their revenue source.

They will be receiving \$368,600.

**Note** Kevin Gervais, the Finance Director, said some of the following:

The municipal revenue sharing account is a portion of the sales tax revenue that the State of Connecticut takes in.

They're supposed to allocate a certain percentage of that to four different grant programs for municipalities, and they haven't done that in the last four budget cycles.

This was a good surprise.

The other chunk of revenue he anticipates is interest.

The Fed has increased interest rates 35 basis points again, so when we collect money in January, we're going to collect about \$30-35 million of tax revenue.

The money will dwindle down as the fiscal year progresses, but we should be able to earn a good amount of interest while it sits there.

Suppose we have 25 million in February, at 3 1/2% or 4%, interest is almost \$80,000 a month.

**Note** Mr. Gervais further discussed interest and the new banking accounts. He added that he will have a more detailed interest income breakdown projection for the year, which he will present at the next Board of Finance Meeting. He will share this information at the next Board of Selectmen meeting as well.

**Note** Mr. Seery also reported the following:

He attended the annual graded Millstone drill yesterday and it went extremely well.

Dan Cleary, our new IT Director, and Sandy Spencer, our new Human Resources Director are now at work.

The Route 161 Corridor Presentation was very informative and they're seeking public input.

They're hoping to finally hold an open house at the new Public Safety Building sometime after the holidays.

The boys' cross-country team are Division Double M State Champions this year., and the girls team finished in third.

He congratulated them both.

The boys' soccer team is playing in the ECC Finals as we speak.

A Public Hearing was held for Water & Sewer, and rates will be increasing by 8%.

The water meter replacement project is 50% done and they're hoping to be finished in a year.

**Note** Ms. Hardy said she would like to add a review of the Ethics Policy to a future agenda. She added that the Board of Education was supposed to establish a sister plan, but she thinks the ball was dropped.

## 5. Communications

**Note** There were none.

## 6. Public Comment

**Note** There was none.

## 7. Selectman's Response

**Note** There was none.

## 8. Executive Session

**Decision** MOTION (7)

Ms. Santoro moved to enter Executive Session at 7:51 p.m. for the purpose of discussing Real Estate matters (EL Land Trust and Oswegatchie Hills).

Mr. Weber seconded the motion.

Motion carried, 6-0-0.

**Note** The Board exited Executive Session at 8:26 p.m., with no action taken.

## 9. Adjournment

**Decision** MOTION (8)

Ms. Santoro moved to adjourn the Regular Meeting of the November 2nd, 2022, Board of Selectmen at 8:27 p.m.

Mr. Cunningham seconded the motion.

Motion carried, 6-0-0.

**Note** Respectfully Submitted,  
Brooke Stevens, Recording Secretary Pro Tem

**Note**

