

**EAST LYME BOARD OF SELECTMEN
REGULAR MEETING
Wednesday, JANUARY 19th, 2011
MINUTES**

PRESENT: Paul Formica, First Selectman, Mark Nickerson, Deputy First Selectman,
John Birmingham, Rose Ann Hardy, Jack Hogan

ALSO PRESENT: Attorney Edward O'Connell, Town Counsel
Missy O'Brien, Youth Services Director

EXCUSED: Rob Wilson

Chairman Formica called this Regular Meeting of the East Lyme Board of Selectmen to order at 7:30 PM and led the assembly in the Pledge.

1.a. Pledge Allegiance to the Flag

The Pledge was observed.

1.b. Additional Agenda & Consent Calendar Items

There were none.

1.c. Delegations

Mr. Formica called for Delegations.

Kent Sistare, 22 Westchester Drive said that he would encourage East Lyme to keep the Town of East Lyme within the Ledge Light Health District and not make it change to a brand new district. He said that he served on the Board of Selectmen for many years and that he had mixed feelings at that time however he found that there were many things offered by Ledge Light that we were not doing so he voted in favor of 'joining' and at that time Ledge Light said that the cost to join would be less than having our own department. He said that he is speaking here as a citizen and that the part-time department that we had was a bare bones department and Ledge Light offered more. As a chair of the Ledge Light Health District he said that they said it was \$7.60 per person and it has never been more than that since East Lyme joined.

John Drabik, 18 Drabik Road said that he watched the Board of Finance meeting at home and that it was cutting in and out. He was watching about the water connection and said that he hears about pipes and water and that he thinks that they should be holding a Public Hearing on it and if not – send it to a referendum. Also, he said that he was in the Shack the other day and he heard people talking about mercury being taken out of the ground and he did not recall hearing that anywhere else.

1.d. Approval of Minutes, Regular Meeting of January 5, 2011

Mr. Formica called for any discussion on the Regular Meeting Minutes of January 5, 2011.

****MOTION (1)**

Mr. Nickerson moved to approve the minutes of the Regular Meeting of the East Lyme Board of Selectmen on January 5, 2011 as submitted.

Mr. Hogan seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

1.e. Consent Calendar

****MOTION (2)**

Mr. Nickerson moved to approve the Consent Calendar for the meeting of January 19, 2011 in the amount of \$726.91.

Mr. Hogan seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

2. NEW BUSINESS

2.a. Discussion – Budget Schedules

Mr. Formica explained that they had met three times in February and one or two times in March of last year.

Mr. Nickerson noted that the week of February 21, 2011 is school vacation week.

Ms. Hardy said that they had met and reviewed all of the budgets for the new people and that she would suggest that this year they not review those with no changes.

Mr. Nickerson agreed that they should bring in those departments with the larger budgets.

Mr. Formica asked if they would have their budget books for their next meeting on February 2, 2011.

Ms. Johnson said that she would expect yes.

Mr. Formica suggested that they get their books then and that an introduction and overview be given and that they can decide which departments they want to see. He noted that the Board of Ed has asked when they could present their budget to them.

Ms. Hardy suggested that they set up a budget meeting for Wednesday, February 9, 2011 from 5-7 PM and that they review the Police, Public Works and Parks & Recreation budgets at that time and then determine which departments they want to see on February 16, 2011 from 5 – 7 PM, prior to their Regular Meeting. She also suggested that they schedule the Board of Ed to give them a presentation on March 2, 2011 from 6:30 – 7:30 PM prior to their Regular Meeting. She asked Mr. Formica if he would have State funding information for them.

Mr. Formica said yes and added that he heard the Governor speak earlier today and it seems that they will have an idea on revenues earlier this year.

2.b. Sign Call – Special Town Meeting

Mr. Formica explained that this is for a number of items and that they have been saving them up to save money. He said that he would suggest that they hold the Special Town Meeting prior to their next Regular Meeting on February 2, 2011 at 6:30 PM and that he would also suggest Wednesday February 9, 2011 as the referendum date as it is a voting date within the State for positions that need to be replaced and he would think that people would make the association.

Mr. Hogan said that he liked the February 9, 2011 referendum date as it would be consistent with the political voting that would be going on.

Mr. Nickerson questioned the need for a referendum and if they could save the money that it would cost to do it.

Ms. Hardy said that the people spoke very clearly at the last Charter Revision that they want a referendum and the opportunity to weigh in on such items.

Mr. Formica asked Attorney O'Connell if the date and discussion was in order.

Attorney O'Connell said that after the referendum date is set that they can only disseminate neutral information on the topic.

Mr. Formica called for a motion.

****MOTION (3)**

Mr. Nickerson moved the following Sign Call:

TOWN OF EAST LYME
NOTICE OF SPECIAL TOWN MEETING

Notice is hereby given of a Special Town Meeting of the Town of East Lyme to be held on Wednesday, February 2, 2011 at 6:30 p.m. at the East Lyme Town Hall for the following purpose:

1. To receive communication from the Board of Selectmen and the Board of Finance with respect to a resolution entitled "Resolution Appropriating \$10,971,000 for the Acquisition, Design and Construction of the East Lyme – New London Regional Interconnection Project and Authorizing the Issuance of \$10,971,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose".
2. To consider a resolution entitled "Resolution Appropriating \$10,971,000 for the Acquisition, Design and Construction of the East Lyme-New London Regional Interconnection Project and Authorizing the Issuance of \$10,971,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof, the Making of Temporary Borrowings for Such Purpose".
3. Special Appropriation \$200,000 STEAP (Small Town Economic Assistance Program Grant) to construct the downtown Main Street Streetscape Phase III.
4. Special Appropriation \$7,740 from the CAD Software and Survey Equipment CNRE for the purchase of new replacement survey equipment.
5. Special Appropriation \$77,200 for DOT 2011 Comprehensive DUI Enforcement Grant

At its meeting held on Wednesday, January 19, 2011, the Board of Selectmen voted to submit Item 2 of the Call of the Special Town Meeting to a referendum vote at an Adjourned Town Meeting to take place at the East Lyme Community Center on Wednesday, February 9, 2011, at the hours to be determined by the Town Meeting.

6. To set the hours of voting of the above referendum.
7. To transact any other business proper to come before the meeting.

Copies of the proposed bond resolution are on file and open to the public inspection at the Office of the Town Clerk.

Dated at East Lyme, CT this 19th day of January 2011.

Mr. Hogan seconded the motion.
Vote: 5 – 0 – 0. Motion passed.

2.c. Discussion – Request of East Lyme Democratic Town Committee

Mr. Formica said that this was in their packets.

****MOTION (4)**

Mr. Nickerson moved to approve the request of the East Lyme Democratic Town Committee for an insurance waiver for their use of the meeting rooms at the East Lyme Library Community Complex through January of 2012.

Mr. Hogan seconded the motion.
Vote: 5 – 0 – 0. Motion passed.

2.d. Discussion – ELYSA – Special Appropriation – Grant monies

Mr. Formica said that this grant comes in annually and that Ms. O'Brien was present to explain it further and answer any questions they might have.

Melissa O'Brien, Youth Services Director said that she had supplied them with a copy of the grant award and that they have already received the funding. This is the third year that they have received it and it goes directly to staffing so that they will be able to run more programs.

Ms. Hardy asked if there are new programs that they plan to introduce.

Ms. O'Brien said that it is for the existing, on-going programs and for the student advisory board.

Mr. Birmingham asked what they did last year.

Ms. O'Brien said that they did band nights, coffee shop nights and leadership programs.

Mr. Nickerson asked if the grant last year was the same amount.

Ms. O'Brien said yes.

Ms. Johnson noted that this would also need to go to the Board of Finance for their approval.

Ms. Hardy asked if she was correct in that this was for staffing and not for programs.

Ms. O'Brien said yes that was correct.

****MOTION (5)**

Mr. Nickerson moved to disburse the State Department of Education Grant of \$6,250.00 for ELYSA as follows: \$5,500.00 to Program Payroll account #0-01-45-422-100-415 and \$750.00 to Program Coordinator account #0-01-45-422-100-311.

Mr. Hogan seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

3. UNFINISHED BUSINESS

3.a. Discussion – Amend Board of Selectmen Regulations – Phone Participation for Meetings

Attorney O'Connell said that they may be on the cutting edge here and that he should have something for them for their next meeting.

Ms. Hardy asked if he had contacted CCM.

Attorney O'Connell said that he had and that they did not have anything.

Ms. Hardy suggested that perhaps in their language that they should state 'video' also so that they would not have to change it again for future technology items that come up.

Attorney O'Connell said that the concern should be that the members get all of the information.

Ms. Hardy noted that they had stated that a minimum of 50% of the members be present and asked if that would be four members or three.

Attorney O'Connell said that the members for a quorum are four and that it would have to include electronically. He added that he also looked at reasons for participating in electronic means as they could have extremes such as a speaker phone with no one present. They have to meet FOI guidelines.

3.b. Discussion – Withdrawal from Ledge Light

Mr. Formica updated that a request was given to Ledge Light to itemize the number of persons serviced and that it was not received in time for it to be plugged in for this meeting. He said that he would forward the small amount that he has received. He added that there is no need to hurry and that they should be sure to have all of the information that they need.

Ms. Hardy said that she has some thoughts and asked if the total figure on revenues includes rent. Mr. Formica said that figure is only \$4000. He added that he had presented Mr. Hogan's comments about paying for the use of the meeting room, and the parking issues and that did get Mr. Mansfield's attention and he is willing to work on some compensation.

Ms. Hardy said that she does not want to mislead people with the talk of a part-time Health Department as Mr. Calkins was a full time Sanitarian and he had a restaurant inspection person full time and she said that she would like to see the same level of restaurant inspection and licensing staffing. She added that our needs are probably more in line with Old Lyme than Franklin and suggested that Mr. Formica speak with his counterpart in Old Lyme.

She also said that she had specifically asked (when they were considering joining Ledge Light) if they would be paying for Health Services, new initiatives, new buildings, etc. and Ledge Light said no and it has now come to light that is exactly what we have been paying for. She said that she does think that we need to do our homework.

Mr. Formica said that the \$800,000 Ledge Light bank account was certainly a surprise. He added that it does not hurt to have other information.

Ms. Hardy noted that Dr. Sikand in his email made some very good points.

Mr. Hogan suggested that they get in touch with the people from the East Lyme/Waterford Shellfish Commission and Harbor Management and hear first hand of the issues that they may have. He asked that they obtain this information.

Mr. Birmingham noted that on the sheets that they received that New London was not included and that they are with Ledge Light now and that would change the figures.

Mr. Sistare said that he wanted to clarify a few things. The \$7.60 per capita is for everyone. He explained that Dr. Thompson was the Director of Health for the Town and was part time and that even though they had a full time sanitarian, they were still considered to be a part time health department. With respect to the dollars that they saved and the new building that they are purchasing – he said that they had substantial funds prior to when East Lyme joined Ledge Light and that an amount of reserve monies is required for operations as everyone does not just send in their full years' money on the first day of the fiscal year.

4. COMMUNICATIONS

4.a. Hartford Marathon Request for Annual O'Niantic 5K Race on 3/20/2011

Mr. Formica noted that they had agreed on this.

****MOTION (6)**

Mr. Nickerson moved to approve the Hartford Marathon Request for the Annual O'Niantic 5K Race on March 20, 2011.

Mr. Hogan seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

4.b. Thank You letter from P. Formica to P. Strouch for donation of furniture

Mr. Formica noted that the old furniture from his office will go to the new Public Works building as they have a need for it there.

5. INFORMATION AND REPORTS

5. a. Ex-Officio

Ms. Hardy reported that the Natural Resources Commission had cancelled its last meeting in anticipation of a storm coming.

She also asked that the cable advisory people come to advise them of what is being donated to the Town as they typically donate equipment and it may be time for a third drop to be donated.

Ms. Hardy reported that the Commission on Aging is setting up a new pickle ball program on Saturdays.

They also have trouble with leaking coolant on the van and had to send it outside to be fixed.

Additionally they are busy with a lot of upcoming trips and a 'pretend yoga' class. The Zoning Commission settled the Village Crossing Affordable Housing case in a compromise agreement where they would reduce the number of units from 100 to 60, there would be no elderly units and they would only build townhouses as the rate of no more than 20 per year. They have also agreed to include four more affordable units.

Mr. Nickerson reported that the Economic Development Commission did not cancel its meeting due to the storm. They heard from the Agricultural subcommittee on what they are doing and what type of events they are in the process of setting up for the community. He said that he also went to the Emergency Operations Center during the storm and was impressed with how they come together behind the scenes. He reported that he went to an ELYSA Meeting the previous evening and heard about their operations and how they are handled and how they plan on better handling them.

5. b. First Selectman's Report

Mr. Formica reported:

- That Probate is up and running and they have renovated the building at a cost of \$14,036 that has been borne equally by the four Towns.
- The new server has been put into place at the East Lyme Community Center and they are all on RecTrac.
- He has been meeting with the various departments on their budgets.
- There is a CIP meeting coming up this week and the Pension Committee meets tomorrow
- He will be giving a Customer Service Seminar to the Town Staff in two sessions on Friday. This was developed in his business many years ago and updated on a regular basis.
- With regard to the issue that was brought up on some mercury – there was a slight accident at one of the wells that was outside of the well field area. It was a very small amount and the DEP has been handling it.
- He attended the COST annual meeting today and each year they give out a Town Crier award and with all of the items that he has been actively involved in – he was the recipient of this years' Town Crier Bell. The Legislator honored was Andrea Stillman.

Ms. Hardy asked what the source of the mercury was.

Mr. Formica said that it was an old piece of equipment that was being taken out and was tipped. It did not affect the integrity of the well.

Ms. Hardy asked if any families utilized the shelter during the storm.

Mr. Formica said that they had one call but no one came.

6. PUBLIC COMMENT

Mr. Formica called for Public Comment.

There were no public comments.

7. SELECTMEN'S RESPONSE

Mr. Formica said that there was a public session held on the Regional Water Interconnection on December 9, 2010. He added that the intent was always to go to referendum on this item.

ADJOURNMENT

****MOTION (7)**

Mr. Nickerson moved to adjourn the January 19, 2011 Regular Meeting of the East Lyme Board of Selectmen at 9:08 PM.

Mr. Hogan seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary, Pro-tem