

EAST LYME BOARD OF SELECTMEN
MEETING OF JUNE 5, 2013
MINUTES

FILED IN EAST LYME
CONNECTICUT
June 6, 2013 AT 3:00 AM/PM
Rose Ann Hardy
EAST LYME TOWN CLERK

PRESENT: Paul Formica, Mark Nickerson, Holly Cheeseman, Kevin Seery, Rob Wilson
Rose Ann Hardy.

ALSO PRESENT: Town Attorney Ed O'Connell, Attorney Tracy Collins.

Mr. Formica called the meeting to order and asked young Mr. McCulloch to lead the Pledge.

1b. Additional Agenda & Consent Calendar Items

MOTION (1)

Mr. Nickerson moved to add Item 2p. Appropriate Funds – Replacement of Welcome to Niantic Sign to the June 5, 2013 Board of Selectmen agenda.

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

1c. Delegations

There were none.

MOTION (2)

Mr. Nickerson moved to remove Item 2m., Un-affiliated COLA from the agenda and to move it to the June 19, 2013 agenda.

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

1d. Approval of Minutes, Public Hearing of May 15, 2013

MOTION (3)

Mr. Nickerson moved to approve the minutes of the Public Hearing of May 15, 2013 as submitted.

Seconded by Mr. Seery.

Aye: Mr. Formica, Mr. Seery, Ms. Cheeseman, Ms. Hardy.

Nay: None.

Abstain: Mr. Nickerson, Mr. Wilson. Motion passed 4-0-2.

MOTION (4)

Mr. Nickerson moved to approve the minutes of the Regular Meeting of May 15, 2013 as submitted.

Seconded by Ms. Cheeseman.

Aye: Mr. Formica, Mr. Seery, Ms. Cheeseman, Ms. Hardy.

Nay: None.

Abstain: Mr. Nickerson, Mr. Wilson. Motion passed 4-0-2.

1e. Consent Calendar

MOTION (5)

Mr. Nickerson moved to approve the Consent Calendar in the amount of \$9939.87 for the meeting of June 5, 2013.

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

2a. Authorize First Selectman to Sign Lease with Lions for Lobsterfest

MOTION (6)

Mr. Nickerson moved to authorize the First Selectman to sign a lease with the Lions Club for Lobsterfest 2013.

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

2b. Acquisition Program

Mr. Formica noted that this is for the purchase of the FY 2013/2014 CIP Vehicle and Equipment Plan for which the lease/financing payments are included in the approved budget.

MOTION (7)

Mr. Nickerson moved the following:

WHEREAS, the Board of Selectmen has determined that a true and very real need exists for the acquisition of the Vehicles and Equipment described above presented at this meeting.

BE IT RESOLVED, to approve an appropriation in the amount of \$806,430 for the purpose of acquiring by way of lease or purchase various vehicles and equipment more particularly described in the Town's FY 2013/2014 Equipment Acquisition Plan, as evidenced by one or more agreements for the acquisition of said vehicles by lease or purchase or a combination thereof, for a total price of \$780,526 plus interest at the rate of 1.29% per annum, payable in annual installments of \$161,286 (\$13,440/month) over a period of five (5) years. The First Selectman is authorized, in the name and on behalf of the Town, to execute and deliver any documents that may be required in connection with said transactions and send to the Board of Finance for approval and to Town Meeting.

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

Mr. Formica said that this is for the purchase of the FY 2013/2014 CIP Equipment plan for the third consecutive fiscal year in coordination with the town. The plan includes up to 235 desktops, 120 monitors, 52 notebooks, 16 Mac Minis w/Apple Care, 3 Smart Boards and 11 Smart Board with projectors. The equipment will be distributed throughout the district in accordance with the Technology Plan

MOTION (8)

Mr. Nickerson moved the following:

WHEREAS, upon the recommendation of the Board of Education, the Board of Selectmen has determined that a true and very real need exists for the acquisition of the Equipment described above.

BE IT RESOLVED, to approve an appropriation to the Board of Education in the amount of \$233,985 for the purpose of acquiring by way of lease or purchase or a combination thereof, various new computer and smart board equipment for the High School, Middle School, Niantic Center School, Lillie B. Haynes, Flanders School and the Central Office more particularly described in the East Lyme Public Schools Proposed Year One Computer Replacement Plan 2013/14 for the total amount of \$226,482 plus interest at the rate of 1.29% per annum, payable in annual installments of \$46,797 (\$3,900/month) over a period of five (5) years and, send to the Board of Finance for approval and to Town Meeting.

Seconded by Mr. Seery.

Aye: Mr. Formica, Mr. Nickerson, Mr. Seery, Ms. Cheeseman, Mr. Wilson.

Nay: None.

Abstain: Ms. Hardy. Motion passed 5-0-1.

2c. Budget Transfers \$14,913.37

MOTION (9)

Mr. Nickerson moved to ratify departmental transfers in the amount of \$14,913.37 processed for fiscal year end June 30, 2013 and to forward to the Board of Finance for approval.

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

2d. 2013 DUI Enforcement Program Carry Over Funds

Mr. Formica noted that this grant award does not follow our fiscal year so a carry over of funding is necessary.

Mr. Wilson added that due to the many storms this year, there had been less DUI checks because police were busy with storm related issues.

MOTION (10)

Mr. Nickerson moved to approve carry-over of grant funds remaining in the 2013 Comprehensive DUI Enforcement Program to meet payrolls in the 2013/14 fiscal year for this purpose and forward to the Board of Finance for their approval

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

2e. LOCIP – Carry Over Balance (2012/13 Budget)

Mr. Formica stated that each year we include in the General Fund operating budget an appropriation for our annual LoCIP entitlement. In the 2012/13 budget the current

remaining balance is the amount of \$89,400.04. In order to have access to all available funds to complete future planned CIP projects, recommend carry-over of remaining balance at fiscal year end. He added that projects completed during the 2012/13 fiscal year include: Town Hall Bathroom Upgrades, Town Hall Soffit Replacement, Signage at Field Services Facility and Hope Street Parking. We recently received approval to install air conditioning in the Field Services Mechanics Bay and to complete a handi-cap access entrance at the Police Department Building.

MOTION (11)

Mr. Nickerson moved to approve the carry-over of the remaining balance in account 01-30-317-500-100 (LOCIP) from the 2012/13 budget to the 2013/14 fiscal year and forward to the Board of Finance for their approval.

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

2f. Simulcast – Carry over funds of \$41,838

Mr. Formica noted that funding for the first of five payments to create a three site five channel simulcast system from the existing five channel analog voted system was included in the 2012/13 budget. Due to the original vendor of choice no longer being able to provide this service and securing new vendor we experienced a later than anticipated start with this project. During the proposed 2013/14 budget cycle, we discussed the carry-over of these funds since the payments will begin next year.

MOTION (12)

Mr. Nickerson moved to approve the carry-over of \$41,838 in account 01-70-724-700-465 (PS – Emergency Mgt – Radio System Upgrade) from the 2012/13 fiscal year to the 2013/14 fiscal year due to the late start date of the Simulcast Radio Project and forward to the Board of Finance for their approval.

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

2g. RE-Allocation \$15,000 Skate Board Park Funds – replace Playscape

Mr. Formica said that included in the 2012/13 budget in account 01-70-724-700-403 (Town – CIP) is \$15,000 for the construction of a Skate Board Park. No additional funds for this project were included in the 2013/14 budget, therefore, this project will not be able to move forward.

Mr. Putnam noted that the Parks and Recreation Commission would like to use the \$15,000 appropriated for the Skateboard Park for the replacement of the playscape at Bridebrook Park. The old wooden playscape was removed this spring because of safety issues. The new playscape if approved, will not exceed the \$15,000 budgeted.

Ms. Hardy noted that the Board of Finance may have a problem with this. She said that she believed it was a nice addition to the park and an appropriate expenditure.

MOTION (13)

Mr. Nickerson moved to approve the re-allocation of \$15,000 in account 01-70-724-700-403 (Town-CIP) from Skateboard Park to replace the old wooden Playscape at Sam Peretz Park at Bridebrook and forward to Board of Finance and noted this would need Town Meeting approval.

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

2h. Re-allocation of Town CIP Funds – Tax Collection Module

Mr. Formica said that the software vendor that the Tax Collection Department utilizes, R. Walsh Associates Inc. has a new module available, “Online Web Payments.” The cost of the module is \$2,800. This module creates a user friendly online payment service for taxpayers and increases staff efficiency. He noted that resources are available in the general fund Town – CIP account due to various projects coming in under budget.

Tax Collector McColloch noted that this program is similar to ones that are presently in use and that this cost was for a one-time installation fee and then we would have to pay annually to use the service.

MOTION (14)

Mr. Nickerson moved to approve re-allocating \$2,800 in account 3-01-70-724-700-403 (Town CIP) to be used for the acquisition of the Online Web Payments Tax Collections Module and forward to the Board of Finance for their approval. These funds are available due to completing re-finishing of the ELCC floors, NFD Floor Replacement and Painting the Smith Harris House projects under budget.

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

2i. Special Appropriation \$276,000 CNRE – various projects consistent with CIP

Mr. Formica pointed out the list of the projects recommended for funding from CNRE Fund 32. All of the projects are consistent with the Capital Improvement Program approved at the Annual Town Meeting May 13, 2013. He added that for efficiency purposes, we are forwarding all of the projects for authorization at this time.

MOTION (15)

Mr. Nickerson moved to appropriate the following projects in CNRE Fund 32 which are consistent with the 2013/14 Capital Improvement Plan and forward to the Board of Finance for approval and noted town meeting approval would be necessary.

<u>CNRE-Municipal Proj</u>	<u>Amount</u>
CAD Software & Survey Equipment	4,000
Town Projects (Roofs)	50,000
HVAC Replacement Town-wide	37,000
Sidewalk Repair - Town-wide	50,000
Town Projects - Various	

		25,000
Grand Street Boat Launch		70,000
<u>Revaluation</u>		<u>40,000</u>
TOTAL	2013/14	276,000

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

2j. Special Appropriation \$8598.43 – 3 Generators – Emg. Mgt.

Mr. Formica said that this request was for a special appropriation in the amount of \$8,598.43 to purchase three generators that will provide backup power for direction and control radio frequencies in East Lyme. These frequencies are used during incidents at the Millstone Nuclear Power Station. The allocation of these funds was approved by the Deputy Commissioner William P. Shea on April 12, 2013. Once the generators have been purchased, a reimbursement request will be submitted to DESPP.

MOTION (16)

Mr. Nickerson moved to approve a special appropriation in the amount of \$8,598.43 to account number 01-70-725-224-006 (NSEP – Equipment) for the purchase of three generators to provide backup power for direction and control radio frequencies during an incident at the Millstone Nuclear Power Station, and forward to the Board of Finance for approval.

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

2k. Special Appropriation Increase 2013/14 Budget LOCIP and Town Aid Road – due to 6/4/13 State Budget

Mr. Formica said that during the budget process we went the conservative route and did not increase the LoCIP and Town Aid Road budget appropriations by the projected state numbers. As the State is winding down in its session we will need to take action to increase our adopted 2013/14 budget by the final state grant numbers.

MOTION (17)

Mr. Nickerson moved to approve a special appropriation in the amount of up to \$267,132 in the 2013/14 budget to the following budget accounts \$107,916 to 01-30-317-500-100 (LoCIP) and \$159,216 to 01-30-317-500-224 (Town Aid Road) and corresponding revenue accounts due to changes in the State of Connecticut Grant accounts and send to the Board of Finance and added that this will need town meeting approval.

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

Ms. Hardy suggested moving up Item 2n. Request for donation of land by Cemetery Association and taking input now.

Mr. Formica reviewed the pictures of the fenced and treed area between the cemetery and Niantic Center School. He suggested allowing the use of the property with the

understanding that the Cemetery Association would clean up and plant new trees along the fence line at their expense.

Attorney O'Connell inquired if burial spots would be sold in this newly cleared area.

Mr. Cavanaugh of the Cemetery Association said that selling plots was the point of requesting the land.

Ms. Hardy said that a privacy barrier should be constructed along the line using trees of a good size.

Mr. Formica said if plots were to be sold, he would have Director of Public Works Bill Scheer survey the area and calculate where the property line is. He said that this item would be tabled to a future agenda so that this could be done.

2l. Bonding Resolution - \$990,000 – various Capital Improvements

MOTION (18)

Mr. Nickerson moved the following:

RESOLVED: That the resolution entitled “Resolution Making Appropriations Aggregating \$990,000 For Various Capital Improvements And Authorizing The Issuance Of \$990,000 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 Mr. Wilson.

Ms. Hardy inquired what road would be addressed this year.

Mr. Scheer responded that Green Valley Lakes, Quarry Dock, Oswegatchie roads would be re-done, and an evaluation of the southerly end of Old Black Point Road would be done.

Aye: Mr. Formica, Mr. Nickerson, Ms. Cheeseman, Mr. Seery, Mr. Wilson.

Nay: None.

Abstain: Ms. Hardy. Motion passed 5-0-1.

2o. Sign Call – Special Town Meeting 6/19/13

MOTION (19)

Mr. Nickerson moved the following:

TOWN OF EAST LYME NOTICE OF SPECIAL TOWN MEETING

Notice is hereby given of a Special Town Meeting to be held June 19, 2013, at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut at 7:00 P.M. (E.D.T.), to consider and take action on the following:

1. To approve an appropriation to the Board of Education in the amount of \$233,985 for the purpose of acquiring by way of lease or purchase or a combination thereof, various new computer and smart board equipment for the High School, Middle School, Niantic Center School, Lillie B. Haynes, Flanders School and the Central

Office more particularly described in the East Lyme Public Schools Proposed Year One Computer Replacement Plan 2013/14 for the total amount of \$226,482 plus interest at the rate of 1.29% per annum, payable in annual installments of \$46,797 (\$3,900/month) over a period of five (5) years.

2. To approve an appropriation in the amount of \$806,430 for the purpose of acquiring by way of lease or purchase various vehicles and equipment more particularly described in the Town's FY 2013/14 Equipment Acquisition Plan; as evidenced by one or more agreements for the acquisition of said vehicles by lease or purchase or a combination thereof, for a total price of \$780,526 plus interest at the rate of 1.29% per annum, payable in annual installments of \$161,286 (\$13,440/month) over a period of five (5) years. The First Selectman is authorized, in the name and on behalf of the Town, to execute and deliver any documents that may be required in connection with said transactions.

3. To approve an appropriation in the amount of \$276,000 to the Capital Nonrecurring Expense (CNRE) Fund 32 for various projects consistent with the Town's 2013/14 Capital Improvement Plan. Said projects are more particularly set forth in a document on file and open to public inspection at the office the Town Clerk.

4. To receive communications from the Board of Selectmen and the Board of Finance with respect to a resolution entitled "Resolution Making Appropriations Aggregating \$990,000 For Various Capital Improvements and Authorizing the Issuance Of \$990,000 Bonds of the Town to Meet Said Appropriations and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose".

5. To consider and act upon a resolution entitled "Resolution Making Appropriations Aggregating \$990,000 For Various Capital Improvements and Authorizing the Issuance Of \$990,000 Bonds of the Town to Meet Said Appropriations and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose". Copies of the proposed bond resolution are on file and open to public inspection at the office of the Town Clerk.

6. To approve an appropriation in the amount of \$107,916 for the purpose of implementing projects more particularly described in the Town's 2013/14 Local Capital Improvement Plan.

7. To approve an appropriation in the amount of \$159,216 for the purpose of implementing projects more particularly described in the Town's 2013/14 Town Aid Road program.

8. To approve an appropriation in the amount of \$15,000 for the purpose of the construction and installation of a new playscape at Bridebrook Park.

9. To transact such other business as may properly come before the meeting.

Dated at East Lyme, CT, this 5th day of June, 2013.

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

2p. Appropriate funds – replacement of Welcome to Niantic Sign

Mr. Formica said that the “Welcome to Niantic Sign” in the area of Cini Park was recently damaged beyond repair. He noted the estimate to replace the sign in the amount of \$3,460 and said that this item was added to the agenda this evening so if passed, could be funded with this year’s money.

MOTION (20)

Mr. Nickerson moved to approve an appropriation of up to \$3,460 in account 01-10-120-200-500 (Contingency) to replace the Welcome to Niantic sign and forward to the Board of Finance for approval.

Seconded by Ms. Hardy.

Aye: Mr. Formica, Mr. Nickerson, Ms. Cheeseman, Mr. Seery, Ms. Hardy.

Nay: None.

Abstain: Mr. Wilson. Motion passed 5-0-1.

5a. Ex-Officio

Mr. Wilson had no report.

Ms. Cheeseman noted that she attended a special Zoning meeting where the commission deliberated on an amended application on Capitol Drive.

Mr. Seery noted that he missed the Harbor Management Commission meeting while he was on vacation.

Mr. Nickerson said that he stood in for the First Selectman at the Veterans’ Vigil on the Town Green. He commended those involved for doing a very nice job.

5b. First Selectman’s Report

-Mr. Formica noted that he had been unable to attend the Vigil since he was attending his daughter’s college graduation however; he was back in time to march in the parade along with some other Selectmen.

-He attended a Connecticut Water Conference and spoke about projects in East Lyme.

-He attended the COST Day at the LOB

-He noted that the Safety Fair went great and was well attended. He said that had representatives from Old Lyme, Montville and Old Lyme. He added that Chris Atwood came in first for the best chili, he came in second and Victor Benni came in third.

-He attended Touch a Truck which was also well attended.

-He attended a state tourism conference where Niantic was awarded the fan favorite town of the State.

-He attended a Business After Hours event celebrating Smith Insurance.

-He attended the Elks Night honoring Police Officer of the Year Lindsay Cutillo and Dispatcher Molly Perrino.

-He attended an event where our Parks and Recreation department was given an award of excellence for Peretz Park and Bridebrook.

-He noted that the Water and Sewer Commission had a meeting with the Old Lyme beach communities.

-He said that he has met with Peter Minuitti and will be setting up meetings in the future with the 20/20 Commission to review future, best uses of town buildings now that the Board of Education has completed their report.

-He attended a pancake breakfast hosted by Senator Murphy.

-He took part in a retirement lunch for 44 year retiring employee Warren Tarr of the Public Works Department.

-He noted that the Bridge dedication and ribbon cutting would take place on June 7 at 10:00 a.m. at Cini Park and the public was invited. He added that part of the Boardwalk and the new beach would formally open on June 8th to the public.

-He attended a Rotary luncheon where students of the year were celebrated.

-He attended Mark Nickerson's 50th birthday bash.

MOTION (20)

Mr. Seery moved to adjourn the June 5, 2013 meeting of the East Lyme Board of Selectmen at 9:05 p.m.

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

Respectfully submitted,



Darlene C. Stevens, Recording Secretary