

TOWN OF EAST LYME
BOARD OF SELECTMEN
MARCH 6, 2013

Filed
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(AM)
8:47 PM Lesly A. Blais
East Lyme Town Clerk

REGULAR MEETING MINUTES

Members Present:

Paul Formica, First Selectman
Kevin Seery
Rose Ann Hardy
Holly Cheeseman
Mark Nickerson
Rob Wilson

Also Present:

Bill Scheer, Town Engineer
Anna Johnson, Finance Director
Ed O'Connell, Town Attorney
Matthew Kinell, Town Attorney
Dave Putnam, Parks & Recreation/Youth Services Director

1. A. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was observed at the prior Public Hearing.

B. ADDITIONAL AGENDA & CONSENT CALENDAR ITEMS

Mr. Formica asked to add a Resolution for the State of Connecticut Department of Energy Management and Homeland Security as Item 2A.1.

Motion (1) Mr. Nickerson moved to add the Resolution for the State of Connecticut Department of Energy Management and Homeland Security as Item 2A.1.

Seconded by Ms. Cheeseman.

Motion Passed 6-0.

C. DELEGATIONS

John Drabik of 18 Drabik Road asked about Cini Park and the new beach. They never asked if taxpayers wanted a new beach. Now sand has been brought in by Amtrak and we have a new beach like it's a gift. He doesn't think they should do anything down there.

Ron Rando 194 Boston Post Road asked about the property across from the high school on the hill. A member of the Board of Finance owns the property. He would like a description of the land and he would like to know what the cost is to the town.

Karen Rak of 27 Black Point Road thinks they should leave that as a natural beach, and put a sign there that there is no life guard. They should leave it alone. It is time to stop the spending.

John Drabik stated he would like an honest tax reduction in this town.

Giancarlo Deangeli stated this is a beach town and that is ultimately what brings people to our town. The beaches keep businesses going.

Karen Rak stated it is not her job to make sure someone stays in business.

Ron Rando stated they need to stop the spending. People want to put businesses in town and can't.

Mike Schultz of Lovers Lane stated this year everyone is getting raises again. The taxes have gone up, and they are talking about potentially 60 million dollars in repairs to the schools.

D.1 APPROVAL OF MINUTES – SPECIAL MEETING – FEBRUARY 20, 2013

Motion (2) Mr. Nickerson moved to approve the Special Meeting Minutes of February 20, 2013.

Seconded by Mr. Seery.

Mr. Formica stated under number 2 – Budget Reviews, the sixth line up it should state the “Field Services Office Manager position”.

Motion Passed 5-0-1 (Ms. Hardy Abstained)

D.2 APPROVAL OF MINUTES – REGULAR MEETING – FEBRUARY 20, 2013

Motion (3) Mr. Nickerson moved to approve the Minutes of the Regular Meeting of February 20, 2013.

Seconded by Mr. Seery.

Motion Passed 5-0-1 (Ms. Hardy Abstained)

E. CONSENT CALENDAR

Ms. Cheeseman recused herself from Item E – Consent Calendar.

Motion (4) Mr. Nickerson moved to approve the Consent Calendar in the amount of \$1,229.45.

Seconded by Mr. Seery.

Motion Passed 5-0-1 (Ms. Cheeseman abstained)

2. NEW BUSINESS

A. DISCUSSION/ACTION – PUBLIC HEARING – POTENTIAL NOISE CONTROL ORDINANCE

Ms. Hardy stated the Public Hearing operated exactly as it should. The publication costs were not taken lightly by this Board. We did our best to whittle it down. The State of Connecticut requires publication. Previous administrations have considered taking this type of action. We need to focus on addressing citizen's complains, and giving police officers some teeth. She suggested they do not act on this tonight.

Mr. Seery had given his feelings at the public hearing, but he firmly believes there are criminal remedies to this. He would like to hear from Sergeant Blanchette to see if he has the tools for this. He would like to see this continued and get input from him.

Mr. Wilson stated this is a big issue that is 4 years overdue. It is not just Mr. Scheel. He feels the timeframe may need to be adjusted, and the decibel level discrepancy should be reviewed.

Ms. Cheeseman stated she has varied feelings on this. Initially she was opposed. She would like to hear further testimony. She would like to see residents live a peaceful existence in the manner in which they wish to live.

Mr. Nickerson stated the Ordinance as it is written may be flawed. They may have to look at the State Statute on this.

Mr. Formica stated there are some things in the Ordinance that seem to conflict.

Attorney Kinell reviewed the motor vehicle Section A, which references the Statute, and Section B, which is not referencing motor vehicles, but references sound amplifying devices.

Mr. Formica stated we have tried to help with the land use department, and the First Selectman's Office. He agrees that Sergeant Blanchette should weigh in. The Ordinance may need tweaking.

Mr. Wilson asked if this would apply to dogs.

Attorney Kinell stated section B1 could be dog barking.

Mr. Wilson stated he is still confused about the decibel levels and he would like it looked at closer.

Attorney O'Connell stated this has been reviewed and approved by DEEP, and there is a level of consistency throughout the State.

Ms. Hardy asked if this applies to a light industrial zone.

Mr. Formica stated it says 50 foot distance from the noise source. They can make a decision at their next meeting. He will get Sergeant Blanchette to come in or write them a statement.

A.1. RESOLUTION - HOMELAND SECURITY

Mr. Formica stated this is to authorize him to do what has to be done in order to get the Homeland Security Grant money to the Town.

Richard Morris stated many towns have done this. They have done two others this year. This is grant money that has come out of Homeland Security. This is 2011 money he will be signing for. The money for the active shooter program comes from this.

Motion (5) Mr. Nickerson moved to approve the following Resolution:

RESOLVED, that the Town of the East Lyme may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Paul Formica, First Selectman of the Town of East Lyme, is authorized and directed to execute and deliver any and all documents on behalf of the Town of East Lyme and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

Seconded by Mr. Wilson.

Motion Passed 6-0.

B. SPECIAL APPROPRIATION – SIMULCAST SYSTEM

Mr. Formica stated this is year one of this appropriation. They are now using a new company. Their old company was bought out.

Motion (6) Mr. Seery moved to approve the following Resolution:

RESOLVED, to approve an appropriation in the amount of \$221,564 for the purpose of acquiring by way of lease or purchase of a Simulcast System to the towns existing system more particularly described in the Town's FY 2012/2013 Capital Improvement Plan, as evidenced by the agreement for the acquisition of said system by lease or purchase or a combination thereof, for a total price of \$213,131 plus interest at the rate of 1.59% per annum, payable in annual installments of \$44,313 (\$3,693/month) over a period of (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.

Seconded by Mr. Wilson.

Mr. O'Connell stated this is a five year payment plan, and this gives us flexibility the way it is drafted.

Mr. Morris stated this company has been in business 40 years.

Motion Passed 6-0.

C. SIGN CALL – TOWN MEETING – SIMULCAST SYSTEM

Motion (7) Ms. Cheeseman moved the following.

Notice is hereby given of a Special Town Meeting of the Town of East Lyme to be held on Wednesday, March 20, 2013 at 7:00 p.m. (EST) at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut to consider and act upon the following:

- 1.) To appropriate the amount of \$221,564 for the purpose of acquiring by way of lease or purchase a Simulcast System to be added to the Town's existing communications system, more particularly described in the Town's FY 2012/2013 Capital Improvement Plan, as evidenced one or more agreements for the acquisition of said system by lease or purchase or a combination thereof for a total price of \$213,131 plus interest at a rate of 1.59% per annum, payable in annual installments of \$44,313 (\$3693/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.

Seconded by Mr. Wilson.

Motion Passed 6-0.

D. CINI PARK PARKING LOT RENOVATION – SPECIAL APPROPRIATION – FUNDING FROM AMTRAK CL&P EASEMENT ACQUISITION

Mr. Formica stated they wanted to increase the number of spaces at the lot. CL&P requested an easement. They purchased that easement in the amount of \$59,118. This appropriation is for the purpose of improvements to the lot.

Bill Scheer presented a map of the proposed parking lot. They will have 129 spaces at the lot, which is approximately double what they have now.

Motion (8) Mr. Nickerson moved to appropriate \$59,118 received from AMTRAK towards the renovation of the Cini Park Parking Lot, and move this onto the Board of Finance for their approval.

Seconded by Mr. Wilson.

Ms. Hardy asked if they were redesigning the park.

Mr. Formica stated they would not be redesigning the park. The landscaped area with table and seating areas will remain.

Ms. Hardy asked if \$59,118 is the full cost of the project.

Mr. Scheer stated he is in negotiations with the contractor who is there now.

Ms. Hardy stated the public should know the full cost of the project.

Motion Passed 6-0.

Motion (9) Ms. Cheeseman moved to add the following to the Call of the March 20, 2013 Special Town Meeting:

2.) To appropriate the amount of \$59,118 for the purpose of repairing, renovating and installing related improvements to the Town's parking lot at Cini Park.

Seconded by Mr. Wilson.

Motion Passed 6-0.

E. REVIEW FINAL BUDGETS

- PARKS & RECREATION

Dave Putnam was present to present the Parks and Recreation budget. There was an increase in labor due to Cini Park and the new beach. They plan on staffing it with 6 life guards, a gate attendant, and a park supervisor.

Mr. Formica discussed the Boardwalk, and the potential of having to close Hole in the Wall over the summer to provide a staging area to the contractor for the building of the Boardwalk. If that happened and they didn't have to staff Hole in the Wall with personnel they could take \$20,000 out of the budget.

Mr. Wilson asked why they don't start the work on the Boardwalk until August, so that Hole in the Wall could remain open most of the summer.

Ms. Hardy asked if they start the last week of August would they be done prior to winter.

Mr. Scheer was unsure; he guessed the construction time would be 3 to 6 months.

Mr. Formica stated waiting until August made sense. They would have to put the \$20,000 back into the budget.

There was discussion of various issues that could arise with the new beach. The beach will be the length of Rocky Neck, but will have very little parking.

Mr. Putnam stated the Parks & Recreation Commission feels this is an extension of McCooks. There will be 1 and a half miles of continuous park. He discussed the fees that would be charged for passes.

Mr. Putnam stated his Maintenance Staff received an Excellence Award for Keser Field. He is very proud of them and he thanked his staff for their excellent work.

- FINANCE OFFICE/HUMAN RESOURCES

Mr. Formica stated in the last budget the Human Resources position was reduced to a two day work week, and the Human Resources Manager also filled a position funded equally by Parks and Recreation and Public Works for two days at the Field Services Building. The Human Resources budget is being reduced to zero this year.

There was a resignation in the Finance Office by a staff accountant for a 10 hour per week position. The Human Resources Manager will fill that position for 10 hours a week, and do 18 hours a week as Human Resources. Her position will be Human Resources/Office Coordinator. There are no benefits for that position.

The Field Services Manager job has been posted, and that position will do some Human Resources work up there. That money is already in the budget.

The Human Resources/Office Coordinator is also going to be preparing a procedures manual for the Finance office to cross train people in that office to do different duties.

The Staff Accountant line item has been reduced to zero.

Basically this is a flat budget for this department.

- **CAPITAL IMPROVEMENT PLAN**

There was discussion of the Capital Improvement Plan. They are projects that may occur such as CAD software, Grant Street Boat Launch, Savings Account for Revaluation, skateboard park, vehicle replacement.

- **REVENUES**

Mr. Formica discussed the Governor's proposed revenue to the town. He discussed various revenues that are projected to be increased such as Building Permits, Town Clerk Fees. Education Cost Sharing is proposed to increase \$772,000, but the PILOT funds are being reduced \$749,000. He is hoping the Town would get the \$772,000 from the ECS.

The Board of Education pushed their budget forward with no modifications. That includes a proposal for all day kindergarten.

F. APPROVAL OF 2013/2014 BUDGET

The budget needs to be given to the Board of Finance by March 15th. We need to have it to Anna Johnson in time to make changes that are discussed.

They will meet tomorrow at a Special Meeting to finalize the budget.

3. UNFINISHED BUSINESS

4. COMMUNICATION

A. LETTER DATED FEBRUARY 22, 2013 FROM NEW LONDON HHC, INC

Mr. Formica received a thank you letter from Cathy Zall at the New London Homeless Hospitality Center Inc.

5. INFORMATION AND REPORTS

A. EX-OFFICIO

There were no Ex-Officio reports.

B. FIRST SELECTMAN'S REPORT

The First Selectman did not have a report.

6. PUBLIC COMMENT

Karen Rak stated with a skate park at Peretz park it could turn into a three ring circus. Town Beaches are paid for by taxpayer money. Businesses are started on their own. Her job is not to support the businesses.

7. SELECTMEN'S RESPONSE

Motion (10) Ms. Hardy moved to adjourn the meeting at 11:35 p.m.

Seconded by Mr. Seery.

Motion Passed 6-0.

Respectfully Submitted,



**Karen Miller Galbo
Recording Secretary (Pro-Tem)**