

EAST LYME BOARD OF SELECTMEN
MEETING OF MARCH 7, 2012
MINUTES

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

ALSO PRESENT: Town Attorney Ed O'Connell, Finance Director Anna Johnson.

Mr. Formica called the meeting to order at 7:32 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items

MOTION (1)

Ms. Hardy moved to add Item 2f. Appointment – Cable TV Advisory – Grant Place to the March 7, 2012 Board of Selectmen Agenda.

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

1c. Delegations

Ron Rando of 194 Boston Post Road said that when he was on the Board of Selectmen they talked about hiring additional officers to get the overtime down and it had no effect. He said that we do not need another police officer. He asked for a print out of interest paid on bonding and asked who will pay for the fire hydrants on the Lombardi land and who will have the right to use them. He stressed that we need to cut the budget.

Karen Rak of 27 Black Point Road said that the Board needs to sharpen their pencils on the budget. She said the Amtrak beach should be left in its natural state and said we should not be hiring additional people and police officers. She added that the town has enough property and we do not want to see any more taken off the tax roles. She suggested that if this group wants the property, they should raise money to buy it.

1d1. Approval of Minutes, Joint Public Hearing with BOE on 2/7/12

MOTION (2)

Mr. Nickerson moved to approve the minutes of the Joint Public Hearing with the Board of Education on February 7, 2012 as submitted.

Seconded by Ms. Cheeseman

Mr. Formica noted that the meeting took place in the auditorium and the minutes should be corrected.

Mr. Nickerson moved to amend the minutes of the Joint Public Hearing with the Board of Education on February 7, 2012 noting the place of the meeting as the High School Auditorium.

Ms. Cheeseman seconded the amendment.

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

Nay: None.

Abstain: Ms. Hardy and Mr. Wilson. Motion passed 4-0-2.

1d2. Approval of Minutes, Meeting of February 15, 2012

MOTION (3)

Mr. Nickerson moved to approve the minutes of the meeting of February 15, 2012 as submitted.

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

1d3. Approval of Minutes, Special Meeting of February 27, 2012

MOTION (4)

Mr. Nickerson moved to approve the minutes of the Special Meeting of February 27, 2012 as submitted.

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

1e. Consent Calendar

MOTION (5)

Ms. Hardy moved to approve the Consent Calendar in the amount of \$19,526.10 for the meeting of March 7, 2012.

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

Mr. Formica noted he would be reviewing items out of order in deference to those people who were attending this evening.

PRESENTATION – HISTORIC PROPERTIES COMMISSION

Chair Luanne Lange was present and reviewed the commission's status. She noted that they have been in existence for 19 months and now they are working on numerous projects such as: the Niantic River Bridge, the Samuel Smith House, working on a list of historic homes in East Lyme and all of this with no budget.

Mr. Formica said that we have the Smith Harris Commission, the Thomas Lee House, and now the Samuel Smith House is being considered. He asked Ms. Lange and her group to consider a way in which to have one umbrella organization for all of these so that there can be a coordinated effort instead of several small groups and commissions. He passed out packets from the CT Trust from a seminar he had attended which details how historic properties affect property values in a community.

2b. Discussion / Action – Building Use Agreement – Children's Museum for Parks and Recreation Garage Area

Mr. Formica reviewed the bullets set out for a potential building use agreement between the Town and the Children's Museum for the old Parks and Recreation Garage area. He said that the Children's Museum will pay for all utility costs and they want the space for

building displays and storing power tools. He added that Attorney O'Connell will draft a formal lease if the Board supports this use.

Mr. Nickerson asked if there is a storm and there is a problem with the roof, who would repair and maintain it.

Ms. Hardy said that when they toured the building, she found it to be almost unsafe. She asked what would happen if the town entered into an agreement and someone gets hurt, will the town be liable.

Attorney O'Connell responded that this would be handled in a standard lease which would state all structural repairs would be at the expense of the renter and that the building is rented in an "as is, where is" state. He said that there could also be a clause stating a rental price of \$1.00 per year.

Ms. Hardy suggested that the Children's Museum pay for the Attorney fees to draft the lease.

Ms. Hammond of the Children's Museum said that the museum is facing tough times and she will be the only full time employee. She added that she can afford the \$1.00 per year rental price but the attorney's fees do give her some pause.

Mr. Wilson said that he has been invested in the museum's success from the very beginning and that he will offer to help pay the attorney's fees.

MOTION (6)

Mr. Nickerson moved to authorize the First Selectman to sign a lease containing the usual and applicable standards with the Children's Museum for the use of the old Parks and Recreation Garage area subject to an affirmative report of the Planning Commission in an 8-24 review; all bullet points reviewed to be incorporated into the lease.

Seconded by Mr. Wilson.

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

Nay: None.

Abstain: Ms. Cheeseman recused herself since she sits on the Board of Directors of the Museum.

Motion passed 5-0-1.

MOTION (7)

Mr. Wilson moved to add Item 2g. Care and Share lease for the Town Garage to the agenda.

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

MOTION (8)

Mr. Nickerson moved to have Town Attorney prepare the usual standard lease for Care and Share for their use of the Town Garage.

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

3a. Discussion – Samuel Smith Property

Mr. Formica noted that the Board needed to decide which direction that they were heading on this item. He said the appraisal had been done and the property came in at \$560,000 for two parcels equaling 17 acres. He added that there is \$500,000 left of a \$2 million dollar bond package for the purchase of purchasing open space; this amount was left after the purchase of Oswegatchie Hills.

Art Carlson of 30 Dean Road and Chair of the Resource Commission said that this property first appeared as a result of the open space study. He said that they would like the grant writer to apply for a potential pot of money available from the state for the purchase of historical property. He added that in order to do that, the town must have the money already in their coffers. He stated that the driving reason to purchase this property was to protect our water supply since much of the property is over the town aquifer.

Ms. Hardy stated that we need to appropriate the price of the property first and then apply and hope that we get the grant. If we are awarded the grant, the property would cost us \$360,000.

Ms. Cheeseman said that she is concerned that we not get the grant and this is a significant amount of money to be adding to the budget when we are already looking at a budget that we should be reducing. She added that this is a great property and a great opportunity, but we can't always have what we want, when we want.

Ms. Hardy said that this property will not always be available.

Mr. Nickerson voiced concern adding that the board has not heard any upkeep or maintenance costs. He agreed with Mr. Formica saying that we need these groups to come together to form one committee with one budget because it is too fragmented as is.

Attorney O'Connell stated that the Charter requires any town purchase of real estate must be approved by a town meeting. He said we will also need an 8-24 review by Planning and we need to decide upon a purchase price. He said that the town could get an option with a date that the option would be exercised after all the town's pre-conditions are satisfied and then have an appropriation process and then approved, then purchase.

The consensus of the Board was to keep this item on the agenda.

2a. Discussion / Action - Request for Use of Town Hall grounds on 9/1- 2 for Art Show

Mr. Formica noted that this is the first request that he had received like this – use to town hall property by a for profit organization. He asked if the board wanted to approve this and noted that if approved, the action would lead to other requests.

Ms. Cheeseman suggested looking into the organization’s history.

Mr. Nickerson said that a use like this would be a burden to the town unless a proper fee for police coverage, sanitation and clean up were assessed along with a rental fee.

Mr. Formica noted he would try to get some background information on the group and gather some costs and bring it back to the Board in the future.

2e. Budget Transfer – Town Clerk – Retirement

Mr. Formica noted that elected officials do not accrue leave however Ms. Williams is the exception. She was grandfathered in and now that she is retiring, we need to pay her for her accrued vacation time in the amount of \$11,341.

Ms. Cheeseman said that there will be a party hosted by the Republican Town Committee on April 15th at St. Matthias Parish Hall honoring retiring Town Clerk Esther Williams and she invited everyone in town to attend and salute Esther.

MOTION (9)

Ms. Cheeseman moved to approve a transfer in the amount of \$6,309 from account 2-01-45-422-100-211 (YS Director) to account 20-0-01-107-100-111 (Town Clerk) due to a retirement payment obligation and forward to the Board of Finance for approval.

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

The Board took a short break at 8:57 p.m.

The meeting reconvened at 9:05 p.m.

2d. Review Final Budgets

Mr. Formica polled the Board on what potential changes to the budget they wanted to discuss. The following were brought forward:

- In the Capital Budget – take out \$110,000 which includes the additional police officer and seasonal workers for the new beach (10,000).

- Remove 6000 for town signs and move to next year of capital plan.

- Remove 25,000 for Skate Board Park and move out to the following year.

- Remove 13,200 by delaying the upgrades to the Town Hall bathrooms.

- Remove 19,165 by delaying improvements to Amtrak beach.

Ms. Hardy said that a 2.35% increase in the budget was too high.

Ms. Cheeseman agreed. She suggested putting off the purchase of one or both of the police vehicles.

Mr. Wilson suggested removing 4000 from Budget 224 Emergency Management for replacement monitors for 911 and 4000 for the fire extinguisher training package. He disagreed with the postponement of the purchase of police vehicles saying that the maintenance of an old car costs us more in the end than a new car.

Mr. Nickerson voiced concern about the Amtrak Beach saying that the public will have access and we will be obligated to take care of this town asset. He agreed with putting off the skateboard park and the emergency management equipment.

Mr. Formica noted that the Niantic River Watershed Committee had requested \$5000 which he was not supporting.

Mr. Seery suggested removing the hiring of an additional police officer and not hiring until January which would enable them to cut half the cost or \$29,000.

Ms. Hardy said that the entire cost for a 22nd officer should be cut and Ms. Cheeseman agreed.

Mr. Nickerson and Mr. Wilson agreed with a ½ cut of the 22nd officer. The consensus of the Board was not to hire until January.

Ms. Hardy again stated her concerns about placing an additional burden on the taxpayers with the extra costs for the Amtrak beach.

2e. Approval – 2012 / 2013 Budget

Mr. Nickerson moved to approve and forward to the Board of Finance the General Government budget in the amount of \$15,359,270.

Seconded by Mr. Seery.

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

Nay: Ms. Cheeseman. Motion passed 5-1.

MOTION (11)

Ms. Hardy moved to approve and forward to the Board of Finance the budget for Debt Service in the amount of \$4,957,888.

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

MOTION (12)

Mr. Nickerson moved to approve and forward to the Board of Finance the budget for Capital in the amount of \$926,737.

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

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The consensus of the Board was to wait for the joint presentation of the Board of Education's budget to the Selectmen and Finance boards at the end of March to make recommendations to the Board of Finance on that budget.

2f Appointment – Cable TV Advisory

MOTION (13)

Mr. Nickerson moved to appoint Grant Place of 4 Old Black Point Road, Niantic, CT to serve on the Cable TV Advisory Council through January 6, 2014.

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

Due to the lateness of the hour, the Board decided to defer their Ex-Officio reports and the First Selectman's report to a future meeting.

6. Public Discussion

Ron Rando said that the property discussed this evening had been on the market for a long time and was not worth \$500,000. He asked how the town could rent something and not repair it and to rent town property for only one dollar was ludicrous. He thanked The Day reporter for being at the meeting.

MOTION (14)

Mr. Nickerson moved to adjourn the March 7, 2012 meeting of the East Lyme Board of Selectmen at 10:47 p.m.

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

Respectfully submitted,

Darlene C. Stevens, Recording Secretary

