#### TOWN OF EAST LYME

## **BOARD OF SELECTMEN**

## JULY 2, 2014

#### **REGULAR MEETING MINUTES**

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

FILED IN EAST LYME

CONNECTICUT

TULY 9,20 LY AT 8:25 AMPM

EAST LYME TOWN CLERK

Also Present:

Tracy Collins, Town Attorney Brad Kargl, Water Department Anna Johnson, Finance Director

## 1a. Pledge Allegiance to the Flag

The Pledge was observed at the Public Hearing immediately prior to the Regular Meeting.

## b. Additional Agenda & Consent Calendar Items

Motion (1) Mr. Nickerson moved to add item 2j. Special Appropriation of up to \$20,000 for Police Speed Enforcement Grant – Reimbursable to the July 2, 2014 Board of Selectmen agenda.

Seconded by Mr. Wilson.

Motion Passed 6-0.

## c. Delegations

John Bialowans of 61 Walnut Hill Road read a letter to the Board, attached as Exhibit A.

Mr. Formica stated he has traveled Walnut Hill Road and the process of repairing the curbs is underway. He sent Mr. Smith to Mr. Bialowans house and the builder had covered the area he spoke of. He will send him up there again if it is uncovered.

## d. Approval of Minutes – Meeting of June 4, 2014

Motion (2) Mr. Nickerson moved to approve the minutes of the meeting of June 2, 2014 as submitted.

Seconded by Mr. Seery.

Motion Passed 6-0.

#### e. Consent Calendar

Motion (3) Mr. Nickerson moved to approve the Consent Calendar in the amount of \$451.16 for the meeting of July 2, 2014.

Seconded by Mr. Wilson.

Motion Passed 6-0.

## 2. New Business

a. Discussion/Potential Action - Care Here

This item will be moved to a future agenda.

## b. Discussion/Potential Purchase Bayreuther Property

Chris Lambert of 10 Cove Hill Road stated this property is 37 acres off of Quarry Dock Road. It abuts the existing nature preserve. The Bayreuthers are interest in selling it. The total price they are asking is about \$300,000, the Friends of Oswegatchie Hills has received \$150,000, and the State has given them \$100,000, The Friends have raised over \$20,000, they are hoping the Town will allocate the additional \$25,000.

Mr. Formica stated it makes sense to buy this, it is contiguous to existing Friend's land, the Conservation Easement would go to the Friends, but the Town will own the property.

## Motion (4) Mr. Nickerson moved the following Resolution:

RESOLVED, to approve and forward to the Board of Finance a special appropriation in the amount of \$25,000 from Open Space Fund 59 to purchase the property located on Assessor's Map 22, Lot 1 and abutting Quarry Dock Road. The First Selectman is authorized to execute, in the name and on behalf of the town, a contract to purchase said property at the above price, subject to usual and customary adjustments and contingencies, and also subject to approval of the proposed purchase by the appropriate boards, commissions and agencies of the Town. The First Selectman is also authorized to execute a Declaration of Conservation Easement and Restrictions regarding the use of such property in favor of the Friends of the Oswegatchie Hills Nature Preserve, Inc.

(This will need Town Meeting Approval).

Seconded by Mr. Wilson.

Mr. Wilson asked if they should change the wording that the consent to transfer is subject to the Town of East Lyme Board of Selectmen.

Attorney Collins stated the Town of East covers that, a change is not necessary.

Ms. Cheeseman commended the Friends. They are aware the Town doesn't have the resources to acquire what we want, and this is a small contribution from the Town.

Ms. Hardy asked about Item 4B, is hunting only allowed for over population?

Attorney Collins stated they can put in that the Town will not permit hunting of animals.

Mr. Wilson stated he doesn't know that we want to limit it to not doing it.

Joe Mingo of Boston Post Road stated DEEP does controlled hunts, the Town could bring them in and let them assess the population of the deer.

Mr. Nickerson stated it doesn't say that it will allow hunting.

Mr. Formica stated they could add "as directed by the Board of Selectmen" at the end of Paragraph 4B in the Easement, and then the Board of Selectmen can make arrangements with DEEP.

Mr. Nickerson amended his Motion to add "as directed by the Board of Selectmen" at the end of paragraph 4B of the Easement. (This Amendment was Redacted)

Mr. Nickerson amended his original Motion to add that they authorize the First Selectman to work on the Conservation Easement language, specifically Paragraph 4B on animal population management.

Motion Passed 6-0.

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

Resolved to forward the proposed purchase of the property located on Assessor's Map 22, Lot 1 and abutting Quarry Dock Road to the East Lyme Planning Commission for its report and recommendation, in accordance with Connecticut General Statutes 8-24.

Seconded by Mr. Wilson.

Motion Passed 5-0-1 (Mr. Seery left the room)

## c. Special Appropriation Scott Air Packs

Mr. Formica stated a number of our air packs are going out of date. They are a large amount of money. This is an effort to bring both departments air packs compatible with each other. The Ambulance Association has agreed to fund \$22,000 in year one and \$10,000 in years two through five.

John McDonald, Chief of Niantic Fire Department stated their cylinders are becoming obsolete. Everyone in the county uses Scott Air Pack 4.5, we are currently using Scott Air Pack 2.2.

Mr. Formica stated he has met with everyone involved, compatibility makes sense.

Anna Johnson stated Shipman's offered a leasing option, but the rates were double what we can get through our Financing Company.

Mr. Wilson stated times have changed, and it is time to catch us up.

Motion (6) Mr. Nickerson moved to approve the carry-over of \$9,069 in account 4-01-01-120-200-500 (Contingency) from fiscal year 2013/14 to the 2014/15 fiscal year to account number 5-01-70-724-700-461 (PS-NFD) for acquisition payments for the purchase of 4.5 Scott Air Packs, Bottles and Masks for NFD which is for improved public safety in the Town of East Lyme and forward to the Board of Finance for approval.

Seconded by Mr. Seery.

Motion Passed 6-0.

Motion (7) Mr. Nickerson moved to approve a special appropriation in the amount of \$22,000 from East Lyme Ambulance Association in the 2014/15 fiscal year to increase revenue account 5-01-08-800-005 (Miscellaneous Revenue – Ambulance Fund) and budget account 5-01-70-724-700-461 for acquisition payments for the purchase of 4.5 Scott Air Packs, Bottles and Masks for NFD which is for improved public safety in the Town of East Lyme and forward to the Board of Finance for approval.

Seconded by Mr. Seery.

Motion Passed 6-0.

Motion (8) Mr. Nickerson moved to approve the following Resolution:

WHEREAS, the Board of Selectmen has determined that a true and very real need exists for the acquisition of 4.5 Scott Air Packs, Bottles and Masks for NFD for improved public safety in the Town of East Lyme as presented at this meeting.

BE IT RESOLVED, to approve an appropriation in the amount of \$205,045 for the purpose of acquiring by way of lease or purchase 4.5 Scott Air Packs, Bottles and Masks, as evidenced by one or more agreements for the acquisition of said self-contained breathing apparatus by lease or purchase or a combination thereof, for a total price of \$197,180 plus interest at the rate of 1.55% per annum, payable in annual installments of \$41,009 (\$3,417.41/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.

(This will need Town Meeting Approval)

Seconded by Mr. Seery.

Motion Passed 6-0.

- d. Budget
  - 1. Transfer List

Motion (9) Mr. Nickerson moved to ratify departmental transfers in the amount of \$196,974.36 processed for fiscal year end June 30, 2014 and to forward to the Board of Finance for approval.

Seconded by Mr. Seery.

Mr. Wilson stated there seems to be a large amount for telephone and electricity.

Anna Johnson stated there are more and more employees using cell phones, they are trying to get savings, and there was not enough budgeted for electricity.

#### Motion Passed 6-0.

## 2. Public Works to Building Maintenance

Motion (10) Mr. Nickerson moved to approve a transfer in the amount of \$15,000 from account 4-01-30-317-100-311 (Regular Payroll - Highway) to the following accounts in the Building Maintenance Department: \$1,900 to 01-01-113-100-311 (Custodians), \$1,300 to 01-01-113-100-314 (Overtime), \$200 to 01-01-113-100-316 (Longevity), \$4,500 to 01-01-113-300-201 (Telephone), \$7,100 to 01-01-113-400-210 (Electricity) and forward to the Board of Finance for approval.

Seconded by Mr. Seery.

Mr. Wilson stated we did a new carrier for the cell phones, he thought we were at a minimum.

Mr. Formica stated cell phones have been expanded in use. We are monitoring images and texts. He has been assured that we will be ok for next year.

Motion Passed 5-0-1 (Mr. Seery left the room)

## 3. Emergency Management to Niantic and Flanders Fire Departments

Motion (11) Mr. Nickerson moved to approve a transfer in the amount of \$14,969 as noted below for fiscal year ended June 30, 2014 to Flanders and Niantic Fire Department salary accounts from Emergency Management and Unemployment Compensation accounts and forward to the Board of Finance for approval.

Seconded by Ms. Hardy.

Motion Passed 5-0-1 (Mr. Seery left the room)

## 4. LOCIP Carry Over

Motion (12) Ms. Cheeseman moved to approve the carry over of the remaining balance of \$18,708.79 in account 01-30-317-500-100 (LOCIP) and corresponding revenue account 01-03-300-320 from the 2013/2014 budget to the 2014/2015 fiscal year and forward to the Board of Finance for their approval.

Seconded by Mr. Nickerson.

Motion Passed 5-0-1 (Mr. Seery left the room)

## 5. Re-Allocation of Funds for Stream Gauging on Latimer Brook

Mr. Formica stated he received an email from Barbara Johnston regarding this item, and she asked them to table this item.

Steve Dinsmore of 57 Chesterfield Road stated they discussed this at their last Harbor Management meeting, Barbara Johnston is not happy with the arrangement.

Motion (13) Mr. Nickerson moved to authorize the re-allocation of \$4,535 in the 2013/14 budget account 01-70-724-700-403 (CIP) for the Stream Gauging Project on Latimer Brook in coordination with the U.S. Department of Interior and forward to the Board of Finance for approval.

Seconded by Ms. Cheeseman.

Mr. Dinsmore stated this is a valuable tool, cost sharing will be addressed at a future time. They want to get this back online.

Ms. Hardy stated Mr. Murin felt other towns should be contributing.

Mr. Dinsmore stated yes, but he supported getting it online.

Motion Passed 5-0-1 (Mr. Seery left the room)

## 6. Police DUI Carry Over Funds

Motion (14) Mr. Nickerson moved to approve carry-over of grant funds of \$12,400 in the 2014 Comprehensive DUI Enforcement Program (Revenue account 01-04-100-409 and budget account 01-25-216-100-519) to meet payrolls in the 2014/15 fiscal year for this purpose and forward to the Board of Finance for their approval.

Seconded by Mr. Wilson.

Motion Passed 5-0-1 (Mr. Seery left the room)

## e. Approval - IAFF Agreement

Mr. Formica stated this is a one year agreement, the members have accepted it.

Motion (15) Mr. Nickerson moved to approve the IAFF Agreement as negotiated.

Seconded by Ms. Cheeseman.

Motion Passed 6-0.

## f. Non Union COLA

Mr. Nickerson and Ms. Hardy worked with the department heads.

Mr. Formica recused himself from this Item.

Mr. Nickerson stated they met as a sub-committee, these department heads have returned approximately 3 Million dollars in the last 4 or 5 years. They are not represented by a Union.

Motion (16) Mr. Nickerson moved to approve a non-union cost of living increase of 1.5% on July 1, 2014 and 1.5% on January, 2015 for non-union personnel.

Seconded by Mr. Seery.

Motion Passed 5-0-1 (Mr. Formica abstained)

g. Action from Public Hearing – Enact Water Conservation Measures

Motion (17) Mr. Nickerson moved to approve the following:

Effective July 4, 2014

Water restrictions will be in effect from 9:00 a.m. on Friday, July 4<sup>th</sup> through noon on Monday of each week until further notice.

The following restrictions will apply to all customers of the East Lyme Water System:

- 1) Prohibiting the sprinkling, watering or irrigation of lawns.
- 2) Prohibiting washing of motor vehicles and the outdoor surfaces of all buildings and structures, sidewalks and driveways.
- 3) Prohibiting the filling or cleaning of swimming pools.
- 4) Prohibiting the service of water to customers of public restaurants except at the specific request of customers.

Persons found violating any provision of the restrictions imposed by the Board of Selectmen shall be fined not more than ninety-nine dollars (\$99.00). In the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense. These restrictions are effective July 4, 2014 and will remain in effect until further notice.

Seconded by Mr. Seery.

Motion Passed 6-0.

h. Request for approval of Parahus Account Expenditure of \$200.00 for Sign Craft for Photo Collage

Motion (18) Mr. Nickerson moved to approve the request of the Commission on Aging for a \$200, expenditure from the Parahus Account payable to Sign Craft for a Photo Collage.

Seconded by Mr. Seery.

Motion Passed 5-0-1 (Mr. Wilson abstained)

i. Sign Call - Special Town Meeting 8/6/14

Motion (19) Mr. Nickerson moved to sign the following Call of the Special Town Meeting of August 6, 2014.

# 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, August 6, 2014 at. 7:00 P.M. at the East Lyme Town Hall Upper Meeting Room to act upon the following:

- 1. To consider and act upon a Special Appropriation in the amount of \$205,045 for the purpose of acquiring by way of lease or purchase 4.5 Scott Air Packs, Bottles and Masks, as evidenced by one or more agreements for the acquisition of said self-contained breathing apparatus by lease or purchase or a combination thereof, for a total price of \$197,180 plus interest at a rate of 1.55% per annum, payable in annual installments of \$41,009 (\$3,417.41/month) over a period of five (5) years.
- 2. Special Appropriation \$25,000 Purchase of Bayreuther Property

  To consider and act upon a special appropriation in the amount of \$25,000 from Open Space Fund 59 to purchase the property located on Assessor's Map 22, Lot 1 and abutting Quarry Dock Road. The First Selectman is authorized to execute, in the name and on behalf of the town, a contract to purchase said property at the above price, subject to usual and customary adjustments and contingencies, and also subject to approval of the proposed purchase by the appropriate boards, commissions and agencies of the Town. The First Selectman is also authorized to execute a Declaration of Conservation Easement and Restrictions regarding the use of such property in favor of the Friends of the Oswegatchie Hills Nature Preserve, Inc.
  - 3. To transact any other business proper to come before the meeting.

Dated at East Lyme, Connecticut, this 2nd day of July, 2014.

## EAST LYME BOARD OF SELECTMEN

Seconded by Mr. Seery.

Motion Passed 6-0.

j. Special Appropriation of up to \$20,000 for Police Speed Enforcement Grant – Reimbursable

Motion (20) Mr. Seery moved to approve a special appropriation in the amount of up to \$17,300 as follows: \$13,000 to account 5-01-25-216-100-519 (Grant Overtime) and \$4,300 to account 5-01-70-725-720-465 (PS-Police Traffic Enforcement Grant) and to corresponding revenue account 5-01-03-300-006 (Police Overtime Grants). And forward to the Board of Finance for Approval.

Seconded by Ms. Cheeseman.

Motion Passed 6-0.

- 3. Unfinished Business
  - a. Business Entity Listing

There was nothing to report on this item.

- 4. Communications
- 5. Information and Reports
  - a. Ex-Officio

Ms. Hardy stated she attended a Planning Commission meeting where they discussed salt marshes and global trends affecting certain areas in town.

Mr. Wilson stated he attended a wonderful graduation at East Lyme High School.

Ms. Cheeseman stated she attended the Zoning Commission meeting where they had more outdoor dining area approvals, and approvals of repairs of damage from Storm Sandy. She commented that there was a bequest recently specifically targeted for land preservation and animal welfare. That may be a chance for the Waterford East Lyme Animal Shelter to obtain available money.

## b. First Selectman's Report

Mr. Formica stated he attended the groundbreaking for Gateway apartments. The agreements were executed for the Boardwalk with Amtrak, the contractor is gearing up. The pavilion will not be available during construction. The tent is up there, which is larger than the pavilion, there will be an access road behind the pavilion. They will try to keep the beach open as much as possible during the construction, but it may be on a day by day basis. The Solar Farm had issues with runoff, and Gary Goeschel is working on that. The Siting Council moved to direct the contractor to mitigate the flow of water off of that site. He attended the 50<sup>th</sup> Anniversary of Tobin, Carbery, O'Malley. He joined Ed Jutila and the Friends of Oswegatchie Hills on a hike with 100 middle school students. The Heroin Forum was held at the Town Hall a few weeks ago, that needs to be brought into the spotlight. He attended Joel Yuhas's Eagle Scout Ceremony. He attended the opening of the Charter Oak Headquarters in Waterford. He attended the Central Rail Corridor Press Conference by Joe Courtney. He participated in a conference call today with Moody's. He hosted an employee appreciation luncheon to show the employees in town how much they are appreciated. He attended the High School and Middle School graduations. He attended the Lake Konomac groundbreaking a few weeks ago. He attended two beach association meetings. There was a hurricane drill at the Emergency Center. He participated in the Fan Favorite

Video. He encouraged everyone to vote for Niantic as the Fan Favorite Town, you can vote once a day and the link is on the Town Website.

Ms. Cheeseman stated she was looking at the Town Website today and it was looking good.

Mr. Formica stated the whole website was rebuilt. It is much improved.

#### 6. Public Comment

There was no public comment.

## 7. Selectmen's Response

Mr. Formica noted that Mr. Bialowans has come to the Board 5 times, he has sent Mr. Smith up there but there was nothing to inspect without taking the walls apart. He does not want to get in the middle of his builder issue. Mr. Bragaw is working on the damaged curbs on Walnut Hill.

Ms. Hardy asked if we will be reimbursed for that work, and if there would be something in their packets at the next meeting on Care Here.

Mr. Formica stated he doesn't know how the Town would prove who damaged them. He was not able to meet with the Care Here representatives because of their attorney's illness, that is why that was pulled of the Agenda.

Motion (21) Mr. Nickerson moved to adjourn the meeting at 9:10 p.m.

Seconded by Mr. Seery.

**Motion Passed 6-0** 

Respectfully Submitted,

Karen Miller Galbo

**Recording Secretary Pro-Tem** 

Exhibit A

WEDNESDAY, JULY 2, 2014

GOOD EVENING MR. FORMICA AND THE OTHER BOARD MEMBERS,

MY NAME IS JOHN BIALOWANS, JR. OF 61 WALNUT HILL ROAD. I HAVE SOME QUESTIONS. MY FIRST QUESTION IS ABOUT THE DAMAGED CURBS ON WALNUT HILL ROAD. I HAVE SPOKEN WITH THE TOWN ENGINEER JOE, AND HE SAID HE WAS GOING TO COME UP AND LOK AT THEM. THERE WAS NO DAMAGE TO THE CURBS UNTIL CLP CREWS ARRIVED. WHO IS GOING TO FIX AND PAY FOR REPAIRS – CLP OR THE SOLAR FARM?

MY NEXT QUESTION IS ABOUT THE BUILDING INSPECTOR, JOE SMITH. I CALLED THE FIRST SELECTMANS' OFFICE ON MAY 29, 2014. I CALLED AGAIN ON JUNE 24<sup>TH</sup> AND JUNE 25<sup>TH</sup>, 2014, AND DARLENE CALLED ME BACK ON JUNE 26, 2014 AT 2:05 PM. SHE SAID PAUL AND JOE TALKED AND THEY SAID:

- 1. NOTHING TO LOOK AT
- 2. NOTHING TO DO
- 3. BOTH OF THEM WILL COME UP TO LOOK AT THE GARAGE

SINCE I WAS TOLD BY DARLENE, THE EXC. SECRETARY, NOT THE FIRST SELECTMAN OR THE BUILDING INSPECTOR WHAT THEY SAID OR DECIDED. JUST LIKE MY GRANDMOTHER ALWAYS TOLD ME, "IF YOU GET AN ANSWER FROM A THIRD PARTY ABOUT ANYTHING THE OTHER 2 ARE USUALLY GUILTY OR THINK IT WILL BE FORGOTTEN AND GO AWAY."

I DREW UP A PLAN FOR MY GARAGE AND SUBMITTED IT TO JOE SMITH. HE LISTED 3 ITEMS TO MY PLAN TO BRING IT UP TO CODE. THEY WERE

- 1. 3" WASHERS ON THE SILL PLATE OR STRAPPING THE SILL PLATE TO THE WALL STUDS
- 2. H-2.5A CLIPS TO THE JOISTS
- 3. STRAPPING AT THE PEAK OF THE ROOF BEFORE THE SHINGLES ARE DONE

THE ITEM THAT WAS DONE WAS THE STRAPPING ON THE ROOF BECAUSE I TOLD THE BUILDERS' CREW TO DO IT. THE OTHER 2 ITEMS WERE NOT DONE AFTER I MENTIONED ABOUT THEM, AND I EVEN GOT BLAMED FOR "STEALING" THE 3" WASHERS FROM THE BUILDER. THE FUNNY THING IS — WHEN THE BUILDER LEFT ONE OF HIS WORKERS SAID HE SAW HIM PUT THEM IN HIS TRUCK. I COULD GO ON WITH MORE STUFF BUT, MY MAIN CONCERN IS THE 2 ITEMS NOT DONE.

I HAVE TALKED WITH MY INSURANCE AGENT AND THE INSURANCE COMPANY. THEY BOTH SAID EVEN IF I GET A C.O. I AM STILL LIABLE FOR NOT HAVING THE GARAGE DONE TO CODE. BECAUSE I ACTED AS THE G.C. ON THE JOB, AND SHOULD HAVE BROUGHT IT TO THE BUILDERS' AND INSPECTORS' ATTENTION. I HAVE, AND NOW I AM IN A LAWSUIT AND THE BUILDING INSPECTOR SAYS "THERE'S NOTHING TO DO".

## I'M IN THE LAWSUIT NOW BECAUSE:

- THE BUILDER WANTED TO CHANGE OUR AGREEMENT THAT WE HAD FROM THE BEGINNING-TO SWITCH A MACHINE FOR HIS WORK, AND HE PAYS THE DIFFERENCE.
- 2. HE WALKED OFF THE JOB SO I HAD SOMEONE ELSE FINISH THE JOB

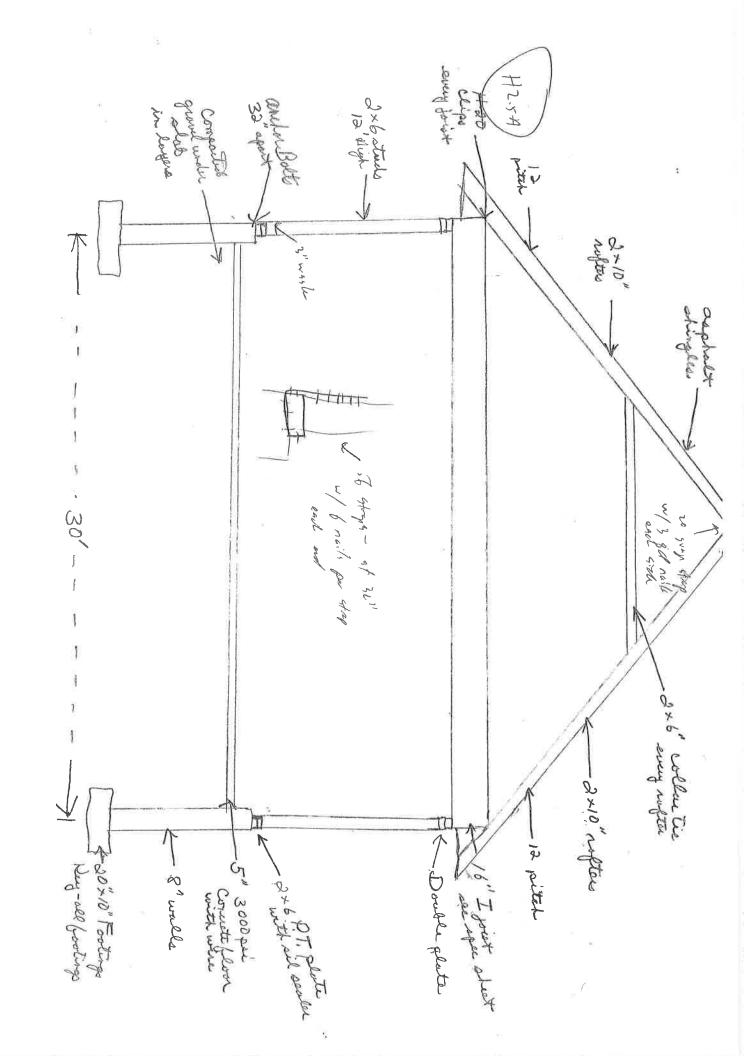
## I'M IN A DISAGREEMENT WITH THE BUILDING INSPECTOR NOW:

- I HAVE WORKED WITH JOE BEFORE AND NEVER HAD A PROBLEM WITH HIM (HE WANTED SOMETHING DONE, I DID IT, NO QUESTIONS ASKED).
- 2. MY PROBLEM NOW IS THAT HE MADE ADDITIONS TO MY PLAN TO BRING IT UP TO CODE, AND NOW SAYS IT'S NOT NECESSARY (WHEN DID THE CODES CHANGE AND JOE SWITCHED GEARS?)
- 3. I FEEL NOW THAT HE (JOE SMITH) AND THE TOWN ARE QUITE BIAS AGAINST ME, AND HE IS JUST LOOKING OUT FOR THE BUILDERS INTEREST NOT THE TAXPAYERS. I HAVE TALKED WITH OTHER BUILDERS, AND THEY NOTICED IT ALSO FROM JOE HOW HE PLAYS FAVORITES.
- 4. I HAVE TALKED WITH THE STATE OF CONNECTICUT BUILDING INSPECTORS BEFORE, †2ddes and they suggested to try & work it out with the town. I have again talked with the state, on monday, June 30<sup>TH</sup>, 2014, and they told me they will look into this matter for me.

SO SINCE EVERYONE IN THE TOWN SAYS IT'S OKAY, BUILD TO CODE AFTER THEY SAY IT'S NOT NEEDED NOW (THE 3" WASHERS AND THE H-2.5A CLIPS) — IT SEEMS NOW IT'S THEIR RESPONSIBILITY TO PROVE IT TO ME, ALSO THE STATE BUILDING INSPECTOR AND/OR TAKE FULL RESPONSIBILITY OF MY GARAGE — NOT WITH A C.O. BUT WITH SOMETHING WRITTEN DOWN, SIGNED AND DATED, AND FILED AT THE TOWN CLERKS OFFICE.

THANK YOU FOR YOUR TIME & TAKING ACTION ON THIS MATTER.

JOHN BIALOWANS, JR.



## FW: Pazz v. Bialowens

jason [jdwestcott@hotmail.com] Sent: Wednesday, April 09, 2014 9:54 AM

To: Murcko, Carol

Attachments: approved framing inspection.pdf (296 KB)

Thanks Carol.

John: attached is just the framing inspection; I'd fax it but its fairly light and tough to read.

You do need to talk to Joe Smith and see if he believes there is issue with the work performed; you will also need a CO at some point. You could hire someone else to do it (talk to Joe/obtain CO), but it will need to be done.

If you believe there is some insurance requirement, or state or life safety (fire) code which they did not comply with, you will need a contractor to set that forth in writing, in order for any claim we make to have much weight.

## Jason D. Westcott, Esq.

One Post Hill Place, Suite 3 New London, CT 06320 (860) 440-3262 (860) 442-3262 FAX

From: dave@pazzaglialaw.com To: jdwestcott@hotmail.com Subject: Pazz v. Bialowens

Date: Wed, 2 Apr 2014 15:07:48 -0400

Jason,

Attached is copy of the inspection approval. As I indicated, I spoke with Joe Smith the town building inspector and he indicated there were no issues with that garage pertaining to my clients work and he wouldn't have issued an approval if there was a problem with whatever "washers" bialowans was referring to or it wasn't to code. If you need anything else in the meantime just let me know. Thanks.

Dave

David J. Pazzaglia, Esq. 22 Pennsylvania Avenue #6 Niantic, CT. 06357 (860) 334-1535 (p) 860-856-5755 (f) dave@pazzaglialaw.com

\*\*\*This message is intended only for the person or entity to which it is addressed and may contain information that is legally privileged, confidential or otherwise protected from disclosure. If you are not the intended addressee, or the person responsible for delivering it to the intended addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited. If you have received this e-mail by mistake, please notify us immediately and destroy the original message and all copies immediately thereafter.\*\*\*

- garage disense

## TOWN OF EAST LYME

## FIELD INSPECTION NOTICE

East Lyme, CT

Permit No.

| Location (o) 10 must He  | Notice Delivered to 66   |
|--|--|
| Issued to  | Six  |
| Approved Not Approved  | For Early magazing to Backey   |
| The following orders are hereby i  | ssued for their correction   |
| and she had  | ton the state of t |
|  | top I be the plato: na las   |
| The street, 8 ctypes   | - ac seed, to stock between  |
| - 17-15 - 10-  | extens come stall togota   |
| w+ 2 18  | 1  |
| Please call for inspection when correct  | ions have been completed at 691-4114   |
|  |  |
| Ins  | spector  |
| Date By Ins  | r 1 27 82  |
|  |  |
| FAM FIELD IN   | OF FACT WAY  |
| TOWN   | OF EAST LYME   |
| FIELD IN   | SPECTION NOTICE  Permit No   |
| ,  | ast Lyme, CT   |
| Location Olling + 1-64   | y.   |
| Location   | Notice Delivered to  |
| Issued to  |  |
| Approved Not Approved  |  |
| )  |  |
| The following orders are hereby is   | sued for their correction:   |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
| Please call for inspection when correcti   | ons have been completed at 691-4114  |
| 1 3 0 -  | 2  |
| the first the second se | pector   |
| Inst   |  |