

REGULAR MEETING Wednesday, JANUARY 21st, 2009
EAST LYME BOARD OF SELECTMEN
MINUTES

PRESENT: Paul Formica, First Selectman, Robert Kleinhans, Deputy First Selectman,
Rose Ann Hardy, Jack Hogan, Pamela Rowe

ALSO PRESENT: Anna Johnson, Finance Director

EXCUSED: Rob Wilson

Chairman Formica called this Regular Meeting of the East Lyme Board of Selectmen to order at 7:30 PM. He noted that Mr. Wilson was excused this evening.

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.

Bob Gadbois, 358 Boston Post Road said that Joe Kwasniewski had recently passed away and that he will be sorely missed as he was a gentleman and a scholar. Also, at the most recent Board of Finance meeting the previous week, Mr. Taylor brought up a good comment regarding a Town where he has his business and how they had a problem with their water but did not have to chlorinate it as East Lyme does. He passed out a copy of an article from the AKC Gazette regarding chlorine in water and how it does not affect dogs as it dissipates from the water before they drink it. However; it does affect humans and could increase the risk of bladder cancer in humans as humans tend to gulp an entire glass of water in one sitting and are exposed to the higher concentrations. It was also noted that the steam from hot water while taking a shower also increased human exposure.

1.d. Approval of Minutes, Special and Regular Meetings of January 7, 2009

Mr. Formica called for any discussion on the Special Meeting Minutes of January 7, 2009.

****MOTION (1)**

Mr. Hogan moved to approve the minutes of the Special Meeting of the East Lyme Board of Selectmen on January 7, 2009 as submitted.

Mr. Kleinhans seconded the motion.

Vote: 4 – 0 – 1. Motion passed.

Abstained: Ms. Rowe

Mr. Formica called for any discussion on the Regular Meeting Minutes of January 7, 2009.

****MOTION (2)**

Mr. Hogan moved to approve the minutes of the Regular Meeting of the East Lyme Board of Selectmen on January 7, 2009 as submitted.

Mr. Kleinhans seconded the motion.

Vote: 4 – 0 – 1. Motion passed.

Abstained: Ms. Rowe

1.e. Consent Calendar

****MOTION (3)**

Mr. Hogan moved to approve the Consent Calendar for the meeting of January 21, 2009 in the amount of \$3,418.72.

Ms. Rowe seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

2. NEW BUSINESS**2.a. Resolution entitled "Resolution Amending A Resolution Appropriating \$4,180,000 For Various Water System Improvements and Authorizing the Issuance of \$4,180,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance thereof the making of Temporary Borrowings for such Purpose."**

Mr. Formica noted that they have a copy of the projects that this entails.

****MOTION (4)**

Mr. Kleinhans moved the following resolution:

RESOLVED: That the Resolution entitled "Resolution Amending A Resolution Appropriating \$4,180,000 For Various Water System Improvements and Authorizing the Issuance of \$4,180,000 Bonds of the Town to Meet Said Appropriation 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.

Ms. Rowe seconded the motion.

Mr. Formica said that these are solutions that they are bringing forward in order to solve the July water shortage issue and that the expense would be covered by the ratepayers. He noted the projects and asked if they wished to read the narrative into the record.

Ms. Hardy said that in the past that they have done it either way - by reading the narrative or by waiving the reading and just attaching the copy.

****MOTION (5)**

Mr. Hogan moved to waive the reading of the narrative and to just use the attachments as stated in the primary motion.

Mr. Kleinhans seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Mr. Formica gave a synopsis of the various projects and the amounts.

Ms. Hardy said that as she did not vote in favor of this previously that she would not vote for it now.

Mr. Formica called for a vote on **MOTION (4)**.

Vote: 4 – 1 – 0. Motion passed.

For: Mr. Formica, Mr. Hogan, Mr. Kleinhans, Ms. Rowe

Against: Ms. Hardy

Mr. Formica thanked the Board for their support.

2.b. Appointment – Steve Kelley to replace William Powers on the TVCCA Board of Trustees – through 1/4/2010

Mr. Formica noted that Mr. Kelley was present this evening if they should have any questions.

****MOTION (6)**

Ms. Rowe moved to appoint Steve Kelley of 8 Joval Street, East Lyme, CT to represent the Town of East Lyme on the TVCCA Board of Trustees through January 4, 2010; replacing William Powers, Member Emeritus.

Mr. Kleinhans seconded the motion.

Mr. Formica thanked Mr. Kelley for all that he does and for stepping up and helping the Town and William Powers for his dedication to the Town.

Vote: 5 – 0 – 0. Motion passed.

2.c. Discussion – Black Hawk Freestanding Sign

Mr. Formica noted that they had a map in their packets outlining the area and explained that there is a provision in the zoning code which allows for a freestanding sign to be placed on Town Property if approved by the Zoning Commission, however; it first requires authorization by this Board. He said that he is asking them for the authorization to write a memo stating that they authorize placement of a freestanding sign on Town Property for the Black Hawk Fishing subject to approval by the Zoning Commission. The sign would be placed so as to not obstruct site lines.

Ms. Hardy asked for an approximation of where it would be placed with respect to the map that they were looking at.

Mr. Formica said that it would be near the #26 on the map, not in the way of the sidewalk or the traffic.

Ms. Hardy said that when someone tries to turn left towards the bridge that the site line is a lot harder and that she would not want it to obstruct any of that area.

Mr. Kleinhans said that it appears to be on the opposite side, behind the sidewalk and far back from the street.

****MOTION (7)**

Mr. Kleinhans moved to authorize the First Selectman to send a memo to the Zoning Commission indicating the Board's support in allowing Black Hawk fishing to place a freestanding sign on Town Property subject to approval by the Zoning Commission.

Mr. Hogan seconded the motion.

Mr. Hogan said that he thinks that it is important to support the businesses in Town.

Vote: 5 – 0 – 0. Motion passed.

3. UNFINISHED BUSINESS

3.a. Board of Selectmen Future Goals

Ms. Hardy asked about the results of any research on holding a retreat without violating FOI guidelines.

Mr. Formica said that he could not find anything that would allow them to avoid having an agenda.

Ms. Hardy said that she would like to have a non-meeting if they could and asked that they get a ruling from FOI on it.

Mr. Kleinhans said that he thinks that if it is a meeting with a quorum that it makes it difficult to call it a non-meeting.

Ms. Hardy said that she was concerned with the taking of notes and motions.

Mr. Hogan said that they do not have to make any motions – they could just utilize it as a means to put out a list of ideas or free expression of thoughts and ideas and of course, open it to the public.

Mr. Formica said that he would get information for their next meeting from FOI on what they need to do.

4. COMMUNICATIONS

4.a. Memorandum of Agreement on Regional Asset

Mr. Formica explained that this is with regard to a trailer that is being provided to the region and that Ms. Rathbun from Emergency Management is taking care of it.

5. INFORMATION AND REPORTS

5. a. Ex-Officio

Ms. Rowe reported that the Board of Ed met the previous evening and that a lot of good ideas and issues came from the meeting. There were also a lot of pros and cons on the pay for play issue. The discussion on the sale of banners will be brought back up for implementation during the fall time frame.

Mr. Hogan reported that the Charter Revision Commission met on January 12, 2009 and that the Commission recommended that the budget go to referendum; that they would discuss the bifurcation of the budget for the next meeting and they dropped the issues of alternates to the Board of Finance, the Police Commission and have decided to leave the Facilities Manager item for further consideration by the First Selectman as that is his area.

Mr. Hogan also reported that the East Lyme/Waterford Shellfish Commission met and their major concerns are still the issue of law enforcement in the Niantic River/Bay area for the upcoming season. In addition, the Harbor Management Commission met and had the same concerns. He said that he passed on to both Commissions that the First Selectman was moving forward in addressing their concerns in that area and creating efficiencies for the upcoming season.

Ms. Hardy asked Mr. Hogan what is left for discussion by the Charter Revision Commission.

Mr. Hogan said that there is housekeeping on the Section 8 wording and discussion on the possibility of the removal of some old items.

Ms. Hardy said that she had attended the last Zoning meeting which was a brief one and that she was not able to attend the last Commission on Aging meeting but understood that also was a brief meeting.

Ms. Hardy also requested that they receive a monthly update report from the Police Department on the arrests and

police activity within the Town. She noted that they were getting one previously and have not seen one for some time.

Mr. Kleinhans reported that the Town Building Committee meeting had been postponed until tomorrow evening.

5. b. First Selectman's Report

Mr. Formica reported the following:

- ◆ He congratulated and thanked Ms. Hardy for hosting the educators from China. The event was wonderful and he enjoyed taking them around the Town to see all the departments and to explain the methods that we use. He said that they greatly enjoyed their tour of the EOC and that they stopped at the Book Barn as they heard that they have over 400,000 book and they wished to purchase some to take home to their children.
- Ms. Hardy said that we are a sister Town for this program through the State of Connecticut and that they enjoyed their visit and the many gifts that were exchanged.
- ◆ He attended an information meeting on farming communities that was hosted by the Natural Resources Commission and noted that there were a number of horse farmers in Town.
- ◆ He has met with COG and Mr. Courtney to go over the stimulus package and they expect that the new President will move forward on it by the end of February.
- ◆ A Regional Water Supply Forum was held recently at Nett Hall and 75 people from throughout the region attended it. They are hoping that this is the first of many of these meetings on the regionalization of the water supply.
- ◆ He recently attended a Board of Finance meeting where they are getting ready for the budget season.
- ◆ The Capital Improvement Committee has met and they are continuing to work on these needs.
- ◆ He has been working on the department budget reviews and there are a few more to go. He asked that for the first meeting in February that they bring their schedules so that they can set up some budget meetings.
- ◆ He attended a recent meeting on the State where he heard that they might get this years' revenue minus a percent or two plus reductions in educational aid – however; they will have to wait and see. Another wildcard is when the State will finish their budget – as it could very well be June or July which is after the Town's budget is due and this will make it difficult to even work on the budget as they could potentially end up with less.
- ◆ In looking at the forecast for the Towns' revenues from where they are now – at the 6 month mark – they will be experiencing a deficit of some \$350,000 by the end of the year.
- ◆ He noted that he would be out of Town for a few days attending a seminar on issues facing cities and Towns, green building and action plans and that Mr. Kleinhans will be available to cover for him from January 28, 2009 and that he would be back in the office on February 2, 2009. He said that he would like to have the budget books for them for their February 4, 2009 meeting and that they could set up their budget review meeting schedule at that meeting and asked that they be prepared to do so.

6. PUBLIC COMMENT

Mr. Formica called for Public Comment.
There was none.

7. SELECTMEN'S RESPONSE

Mr. Hogan said that he would like to extend a 'thank you' to the Fire and Police personnel regarding their quick and professional response and handling of the recent fire at Constantine's.

Mr. Formica said that two very notable people from their community had recently passed away – Ruth Cole Chu and Joseph Kwasniewski and that they would be greatly missed.

ADJOURNMENT

****MOTION (8)**

Mr. Kleinhans moved to adjourn the January 21, 2009 Regular Meeting of the East Lyme Board of Selectmen at 8:19 PM.

Mr. Hogan seconded the motion.

Vote was 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary, Pro-tem