

**REGULAR MEETING Wednesday, JANUARY 7th, 2009  
EAST LYME BOARD OF SELECTMEN  
MINUTES**

PRESENT: Paul Formica, First Selectman, Robert Kleinhans, Deputy First Selectman,  
Rose Ann Hardy, Jack Hogan, Rob Wilson

ALSO PRESENT: Kathryn Burton, East Lyme & Niantic Land Conservation Trust  
William Deakyne, Library Director  
Anna Johnson, Finance Director  
Brad Kargl, Municipal Utility Engineer  
Mike Giannattasio, Director of Public Works

EXCUSED: Pam Rowe

Chairman Formica called this Regular Meeting of the East Lyme Board of Selectmen to order at 7:42 PM after a previously scheduled Special Meeting. He noted that Ms. Rowe was out due to illness 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.

Kevin Seery, 25 Quailcrest Rd. and Chairman of the Board of Education said that they had hired Eliza Holcomb Services to search for the replacement superintendent due to Dr. Smotas upcoming retirement effective July 1, 2009. The search that Ms. Holcomb will undertake involves various search criteria such as focus groups from various Town officials and Boards who will be interviewed for their input. They will also conduct public forums to gather community input and are planning on holding some in the afternoon so that they can get the most diversified input. There will also be a questionnaire that people can fill out and submit anonymously. They are hoping to be conducting interviews of the finalists around the 20th of March so as to enable any potential replacement to have the 90-day notice period.

Mr. Hogan said that it seems to be an ambitious schedule –  
Mr. Seery said that Ms. Holcomb's service will provide the things that they need to do this and that they are expecting a cost of \$9200 to the service and another \$2500 for the advertising which will cover a broad area and once it is out – the advertising word travels fast. He added that Ms. Holcomb also keeps them on their toes regarding target dates and information.

Mr. Wilson asked where that leaves the search for the High School Principal.

Mr. Seery said that is a topic for the Board of Ed Executive Session scheduled for next week and that he wants the Board to weigh in on it before there is anything said about it.

Mr. Formica thanked Mr. Seery for the update.

**1.d. Approval of Minutes, Regular Meeting of December 17, 2008**

Mr. Formica called for any discussion on the minutes.

**\*\*MOTION (1)**

Mr. Kleinhans moved to approve the minutes of the Regular Meeting of the East Lyme Board of Selectmen on December 17, 2008 as submitted.

Mr. Hogan seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

**1.e. Consent Calendar**

**\*\*MOTION (2)**

Mr. Kleinhans moved to approve the Consent Calendar for the meeting of January 7, 2009 in the amount of \$767.31.

Mr. Hogan seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

**Presentation: Kathryn Burton – East Lyme & Niantic Land Conservation Trust**

Mr. Formica said that he had invited Ms. Burton to present them with some background on the East Lyme & Niantic Land Conservation Trust and that she would provide them with a more in-depth presentation with pictures and brochures in the future.

Ms. Burton explained that this started as the East Lyme Land Conservation Trust in 1972 and that three years later it received 501(c) 3 designation. As they started obtaining Niantic land, they changed the name to involve Niantic. Some 130 acres of land in the Oswegatchie Hills was donated to them without any exchange of land or monies. They also have are in possession of some Huntley Court waterfront property which boasts some of the cleanest water to be found. They have about 760 acres of land free and clear and conservation easements on other properties. If they include the Town easements; the property totals some 1200 acres. They are working now to have people be stewards of this property and they have people from Pfizer among others who do watch over some of these properties to protect them from vandalism, etc. As an example of how they acquire property – recently 26 acres was given as a gift from a woman from Maryland. It is named Raven's Wood in honor of her late husband. With it's location near Spinnaker, it receives a lot of use from the Spinnaker residents although it has also suffered from abuse by teenagers. With the property that they have, they do projects with the CT Forests and Parks – such as Blue Tail Walks of which they did two this past year. They have hosted four (4) walks on their own this past year and they have knowledgeable people who volunteer to narrate these walks. Due to their designation as a 501(c) 3, there is no way for them to make money except through memberships as they cannot charge for anything such as walks, etc. or they would lose their designation as a 501(c) 3. They have also worked together with the Oswegatchie Hills group on various events. They have an endowment of \$39,000 which pays for most of their yearly printing costs such as the maps of the properties marking out trails, etc.

Ms. Hardy asked Ms. Burton if they operate with an Executive Board and if so, how are those people appointed. Ms. Burton said that they do have an Executive Board and that people indicate their interest and are appointed to terms of office much like the Board of Selectmen. She noted that they are looking for people with experience in water conservation and other areas related to land conservation.

Ms. Hardy asked how someone would obtain the brochures/maps.

Ms. Burton said that Ms. Carpenter who is in real estate was kind enough to donate some 30 real estate brochure boxes to them and that these are located at the site areas with the maps and brochures in them.

Ms. Hardy asked if it would be possible to put some of the brochures at Town Hall as she has heard comments from people who have said that they do not know where this open space is located. Having the brochures in the Town Hall would help people to know where it is.

Ms. Burton said that they have had brochures in the past and that they would put them in Town Hall again. She noted that she also mails them to people and that she receives many calls during the summer for such information.

Mr. Wilson suggested that the Town has a website and that the brochure and a write-up on what they do and who they are could certainly be placed on the Town website and then more people would be able to obtain this information.

Mr. Hogan suggested that Parks & Recreation puts out a publication quarterly and that there is a lot of other information in that brochure and that they might also put something on this in there so that it also reaches a greater number of people as that is mailed to each household in the Town.

Ms. Burton said that she would welcome placing something on the Town website and that she will be speaking with Ms. Rossiter from Parks & Recreation about putting something in the brochure.

Mr. Formica and the Board members thanked Ms. Burton for the presentation and all the work that she does.

**2. NEW BUSINESS**

**2.a. Any Action Necessary resulting from previous Executive Session**

There was none.

**2.b. Authorize First Selectman to Sign Grant Award – Love Our Libraries – Grant fund to be used for special projects – not operation**

**\*\*MOTION (3)**

Mr. Kleinhans moved to authorize the First Selectman to Sign the Grant Award – Love Our Libraries; Grant fund to be used for special projects – not operation.

Mr. Wilson seconded the motion.

Mr. Formica said that Mr. Deakyne was present to explain this to them.

William Deakyne, Library Director said that he has been with the Library for 30 years now. In celebration of their 25th anniversary; they started with a seed gift of \$40,000 which has grown over the 25 years to some \$40M now. This is private money and the corpus is used to service 11 Towns with some 13 libraries in the foundation. \$200,000 will be kept to be used by the foundation. In the case of this Town, the library voted to sequester \$100,000 and receive some \$4500 per year. He said that he has to apply for this money in the first year and possibly in subsequent years and that he has the application ready to go to get this \$4500. Since it cannot be spent on operations, they have designated it (this year) for the purchase of books on English as a second language. He noted that the \$100,000 could double itself with monetary gifts.

Mr. Kleinhans asked Mr. Deakyne if he had noticed an increase in Library usage due to the economy.

Mr. Deakyne said yes, absolutely.

The Board commended Mr. Deakyne for all that he does and has done.

Vote: 5 – 0 – 0. Motion passed.

**2.c. Discuss Water Projects and Recommend Funding and Approve Retaining the services of Bond Counsel to draft authorization documents contingent upon Board of Finance Approval****\*\*MOTION (4)**

Mr. Kleinhans moved to authorize retaining the services of Bond Counsel to prepare the documents necessary to reallocate \$830,000 of the May 2007 Bond Authorization and to authorize \$2,370,000 in Drinking Water State Revolving Funds (DWSRF) for water system improvement projects and to forward the necessary documentation to the Board of Finance.

Mr. Hogan seconded the motion.

Mr. Formica explained that this action is the culmination of a lot of hard work by staff and the Water & Sewer Commission resultant of the water issues from last July. They have proposed a series of solutions to solve that problem. He noted that the interest on the DWSRF bonds is 2% and that some of the proposed solutions are long term fixes that need to be started now as they will take some time to complete. The idea this evening is to approve the process going forward so this can be worked up by Bond Counsel and then it will come back to them at a subsequent meeting where they will vote and move it to the Board of Finance for their approval and a subsequent Town Meeting. As an aside; he noted that there is a Water Supply Meeting that will be held at Nett Hall on Wednesday, January 14, 2009 from 10 AM to 12 Noon. He invited the Board members to attend and asked that if four (4) of them will be attending that they please let him know so that an agenda can be filed. This meeting will explain some of the implementation tenets of the regional water supply system. He passed out an updated copy of the list of 'Shovel-Ready Projects' that he has compiled for the Town and noted that one of the projects is the regional water connection. (Attached at end of Minutes)

He also passed out an updated Water Project Funding sheet (Attached at end of Minutes) and asked Mr. Giannattasio, Director of Public Works and Mr. Kargl, Municipal Utility Engineer to provide them with an overview. He noted that while the Water & Sewer Minutes approved a higher authorization amount that they are moving forward on the critical items at this time.

Mr. Giannattasio said that he thinks that what they are seeing on the sheet are projects that they want their water company to be doing. He said that the debt service will be taken up by the ratepayers and not through Town debt payments. He explained the projects and where they were looking to reallocate monies and also where the new money funding would be used.

Mr. Wilson asked what 'security' was at a cost of \$100,000.

Mr. Kargl said that security is anything to prevent potential tampering, such as fencing, locks, video cameras, etc. to secure the sites.

Mr. Wilson asked if some of this money would be for infrastructure work as some of that also needs to be done.

Mr. Kargl said that would be included as part of the re-vamping project with the chlorination project and storage.

Mr. Kleinhans asked what impact the \$2.3M would have on the rates for the average water user.

Mr. Giannattasio said that what will complicate this is the added water and the added customers from the added water – however; a ball park figure is 5%.

Ms. Hardy said that the debt incurred is being shown on the Town side even though the ratepayers are paying for it

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Ms. Johnson said that it is excluded from the General Fund operating budget however; yes, the Town is backing the debt.

Ms. Hardy asked if the Water Department defaults, if the Town would be liable for the debt.

Ms. Johnson said that under the Full Faith Act that yes, the Town would be liable.

Ms. Hardy asked about the bedrock wells.

Mr. Giannattasio explained that they know that there is water there and that the Water & Sewer Commission is the applicant as ultimately they want to be the stewards of the water and have it as a part of the overall water system.

Mr. Formica added that knowing that this water is there (some 150,000 – 200,000 extra gallons) that this water could help solve the shortfall during the heavy usage period in July.

Ms. Hardy said that if the wells are already there – what is the \$800,000 needed for.

Mr. Giannattasio said that some \$370,000 is for the permitting and the lines.

Ms. Hardy asked if afterwards a project goes in at Darrow's Pond and some 200 homes are put there – would the Town have to supply the water to them and would these people become customers of our water supply system.

Mr. Giannattasio said yes, we would have to supply water to them and they would be customers of the system.

Ms. Hardy said that the regional connection \$5.2M is our share of the cost – are there others who would also have to pay into this.

Mr. Giannattasio said that the \$5.2M would be to connect to Waterford at this time – via the shortest route – which is the Niantic River area. Other possible routes would escalate in cost.

Mr. Formica noted that Waterford was the closest connection and added that the water flows both ways – so that when we have more than we need during the off season, we could also sell some to others.

Ms. Hardy said that it states 'Emergency Regional Interconnection' and asked what that means.

Mr. Kargl said that in the interim that they are looking at it in that way – that they need it during the summer and because we are on the well system we are highly vulnerable to these types of events where we cannot pump all that we need do to permitting and other factors. Over the long haul, this would be expected to become more long term.

Ms. Hardy said that they are looking at \$2,370,000 in funding from the State and that they also just heard Governor Rell's forecast which was not good. She asked if this was only to look at this for now and should this money/funding not happen with the State – this would not go forward at this time.

Mr. Giannattasio said that was correct.

Ms. Hardy said that unfortunately this package has the chlorination program in it and that she cannot, in good conscience support/vote for the package as she does not agree with the chlorination of our water supply system. She said that she has traveled extensively and that she can honestly say that we have some of the best and cleanest water that there is and that she cannot support chlorinating it, especially not with the chance of carcinogens.

Mr. Formica asked Mr. Kargl to explain the official reason why they have the chlorination package.

Mr. Kargl explained that surface water supplies when chlorinated might be prone to carcinogens however, our water supply comes from ground water and in ground water supply studies they have found that there are no abnormal levels of carcinogens from chlorination. Other methods were looked at in relation to treating seven (7) wells in various areas and they were not feasible. Also, we are the largest ground water supplier in the State that does not chlorinate its' water supply and the acute effect of not chlorinating and having an outbreak of coliform or fecal outbreak would be devastating. Chlorination is the method that has been found to be acceptable to prevent these potential outbreaks.

Vote: 4 – 1 – 0. Motion passed.

For: Mr. Formica, Mr. Hogan, Mr. Kleinhans, Mr. Wilson

Against: Ms. Hardy

Mr. Formica thanked everyone for the information and presentation.

**2.d. Board of Selectmen – Future Goals**

Mr. Formica asked if they wanted to schedule an Executive Session for discussion on this.

Ms. Hardy suggested that they schedule a 'retreat' and that they allow time to think about this first.

Mr. Formica said that he would look into that and also carry this item on the agenda until they set something in place.

**3. UNFINISHED BUSINESS**

There was none.

**4. COMMUNICATIONS****4.a. Holiday Donation from Suisman Shapiro to Celebrate East Lyme**

Mr. Formica noted that they have this letter in their packets and that this donation would benefit the Town.

**4.b. Thank You from New London Homeless Hospitality Center Inc.**

Mr. Formica noted that this letter is also in their packets.

**5. INFORMATION AND REPORTS****5. a. Ex-Officio**

Mr. Hogan reported that at the December 2008 meeting of the EL/Waterford Shellfish Commission that comments were made about the lack of police support for the boat on the Niantic River. They also said that the new dock permits will be reviewed by the Towns and the Shellfish Commission prior to going to the Army Corps of Engineers and the DEP rather than the other way around which has been the procedure prior to this time.

Mr. Hogan also reported that at the most recent Planning Commission meeting this past week that the Scenic Roads Ordinance had been approved and voted to send to the Board of Selectmen; they had approved the POCD Steering Committee members by removing the UCONN people and adding Mr. Kenny and they had also approved their 2009-2010 budget request.

**5. b. First Selectman's Report**

Mr. Formica reported the following:

- ◆ He attended the POCD Steering Committee Meeting this past week and the new Planner is doing a great job. The process for the POCD update is moving forward.
- ◆ The 'Shovel-Ready Projects' List has been updated and they have received a copy of it.
- ◆ He said that he is speaking with the Police on Niantic River patrol efficiencies between the two Towns.

Mr. Hogan said that he would pass that information on to the EL/Waterford Shellfish Commission at their next meeting.

- ◆ He has begun meeting with the Department Heads on budgets and capital improvement items. He noted that they have to run the Town like a business and also invest in the infrastructure.
- ◆ He is further looking to regionalize animal control services.
- ◆ The Dispatch area is just about completely renovated and ready to go on-line with the new radio system. He suggested that they take a look at it as it looks totally different.

Ms. Hardy asked if they could meet at 6:30 PM prior to the next Board of Selectmen meeting at the EOC for a tour of the new area and equipment. She asked if that would be something that Mr. Formica could set up so that they could see it together.

Mr. Formica said that he would look into it.

- ◆ The Energy Task Force is looking at alternative and green power.

**6. PUBLIC COMMENT**

Mr. Formica called for Public Comment.

Mike Schulz, Lovers Lane asked if others from the general public could take a tour of the renovated EOC facility.

Mr. Formica said yes.

Mr. Wilson said that he had heard that they were thinking of holding an open house for the public to see the facility and equipment.

Mr. Schulz said that the First Selectman has asked the Town Departments and Board, etc. for 1.5% savings from this year's budget and that the Board of Finance has asked for them to look for a 2.5% decrease for the next year's

budget; however in December, after paying \$250,000 to NE National, they gave a general wage increase of 3.5%. This sets a bad taste with the public. This is also along with a 2.5% increase which happens every other year and the department head increase of 3.5%. Another part of his concern is that they have a 4% increase for the Education Administration; 4% - 4.5% for teachers teaching less than 10 years and 11% for year 11 for all teachers. When you look at this, it is not just salary increase but also 6.25% for Social Security and Medicare on top of that so the aggregate is much greater than what is shown. He said that while he likes people to make a decent living that the coffers are getting empty and that more is going out than what is coming in and they have binding arbitration and the unions which are killing us.

He said that he heard the Board of Ed presentation this past Monday evening and that he thinks that they have a huge challenge ahead of them without a major overhaul in the way that they do business. He cited the payment of \$1000 to those who do not take the medical benefits that the Town offers and said that he does not agree with this as even though it is only \$1000; the person is getting insurance elsewhere – and we are paying for 95% of their healthcare from retirement until age 65. Approximately 50% of the teachers in East Lyme actually live in East Lyme and it is like a trade deficit – maybe they could look at that and also at the Town employees.

## **7. SELECTMEN'S RESPONSE**

Mr. Formica said that the grant that the Board approved for identifying workforce housing zones/areas within the Town would work towards housing for some of the people that Mr. Schulz has mentioned.

## **ADJOURNMENT**

### **\*\*MOTION (5)**

Mr. Kleinhans moved to adjourn the January 7, 2009 Regular Meeting of the East Lyme Board of Selectmen at 9:24 PM.

Mr. Hogan seconded the motion.

Vote was 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary, Pro-tem