

MEETING OF MAY 20, 2009
EAST LYME BOARD OF SELECTMEN
MINUTES

PRESENT: Paul Formica, Robert Kleinhans, Pam Rowe, Rose Ann Hardy, Rob Wilson.

EXCUSED: Jack Hogan.

Mr. Formica called the meeting to order at 7:57 p.m.

1b. Additional Agenda & Consent Calendar Items
There were none.

1c. Delegations

Tom Kalal stated he was a member of the newly formed Conservation of Natural Resources Commission and requested an Ex-Officio be appointed to the Commission.

Mike Schulz thanked the First Selectman for his budget efforts and thanked the Town Managers for their concessions. He said he still hoped that the Unions would offer concessions. He suggested charging a fee for use of the new fishing pier.

1d. Approval of Minutes, Meeting of May 6, 2009

Mr. Formica noted on page 9, middle of the page, Chair of Economic Development Commission is **Steven** Santino, not Chris.

MOTION (1)

Mr. Kleinhans moved to approve the minutes of the meeting of May 6, 2009 as amended.

Seconded by Mr. Wilson.

Aye: Mr. Formica, Mr. Kleinhans, Ms. Hardy, Mr. Wilson.

Nay: None.

Abstain: Ms. Rowe. Motion passed 4-0-1.

1e. Consent Calendar

MOTION (2)

Mr. Kleinhans moved the Consent Calendar for the meeting of May 20, 2009 in the amount of \$10,402.70.

Seconded by Ms. Rowe. Motion passed 5-0.

2a. Discuss / Action from Public Hearing re: Scenic Road Ordinance

MOTION (3)

Ms. Hardy moved to approve the Ordinance Concerning Designation of Scenic Roads as presented.

Seconded by Mr. Wilson.

Ms. Hardy suggested that Section 11 should be amended with the following language inserted: "In an emergency, such work may be performed on behalf of or for the Town and the Planning Commission will be notified of such work at a subsequent meeting".

Mr. Wilson said that the State does work and CL&P does tree trimming, and inquired how would they be notified that certain sections of roads are "scenic" and are not to be changed without permission?

Attorney O'Connell said that a State Statute regulates tree trimming by the utilities.

Mr. Wilson asked about the property owner who wants to cut trees on his own property and whether or not he would need notification that he is in a scenic road designation area.

Mr. Kleinhans said that the purpose of the amendment would restrict the ability of the Town to act except in emergency, since utility companies are exempted under State law.

Mr. Formica stated that the addition of the amendment would handcuff the Public Works Department and he disagreed with the amendment.

Mr. Kleinhans agreed with Mr. Formica stating he would support the ordinance but not the amendment.

Mr. Wilson said that he did not want the emergency language added.

Ms. Hardy stated that she suggested the amendment for discussion only and had not made it part of her motion.

Motion passed 5-0.

2b. Stop Sign Request – Wayne Drive and Webster Road

Mr. Wilson said that he traveled this area and agreed with the need for a stop sign

MOTION (4)

Mr. Wilson moved to approve the request for a stop sign at the corners of Wayne Drive and Webster Road as recommended by the Town Engineer and the Resident Trooper Sgt.

Seconded by Ms. Rowe. Motion passed 5-0.

2c. Resolution and Authorization to Sign Contract – Town of East Lyme and CT Department of Public Safety – Resident Trooper Services 7/1/09 – 6/30/11

Mr. Formica said that there has been significant discussion at the state legislative level on this and that he had read the contract and has some serious concerns about signing it. He said that the return date is by June 10th and he was hoping to have an appointment with the Chief Fiscal Administrative Officer very soon to review some of his concerns. He added that at this point he was not prepared to sign the contract on behalf of the Town.

Mr. Kleinhans suggested holding an Executive Session next meeting.

Ms. Hardy said that she had reviewed the contract and she saw several changes from the past although she did not have a copy of the previous contracts. She added that she was in favor of tabling this item until June 3rd for an executive session and then action and requested a copy of the previous contract.

Mr. Wilson and Ms. Rowe agreed.

Mr. Formica suggested a special Board of Selectmen Meeting at 6:00 p.m. on June 3rd for the purpose of having an Executive Session on the future State Police Contract.

2d. Appointments – Ledge Light Health District – Board of Governors (2)

Mr. Formica noted that both of these were re-appointments.

MOTION (5)

Mr. Kleinhans moved to appoint the following:

Phyllis Wienski of Bittersweet Lane, Niantic, CT to serve as a member of the Ledge Light Board of Directors through June 1, 2011; and

F. Kent Sistare of 22 Westchester Road, East Lyme, CT to serve as a member of the Ledge Light Board of Directors through June 1, 2012.

Seconded by Ms. Rowe. Motion passed 5-0.

2e. Waiver Request – Text Amendment Filing Fee – AHEPA 250-V Roxbury Road (\$300.00)
Mr. Formica said that this had come before us at a previous meeting and been approved however; the Zoning Commission had denied the application. They were now coming back with a re-application for a text amendment and if the Board wished, another fee waiver was required.

MOTION (6)

Mr. Wilson moved to approve the request of AHEPA 250-V Roxbury Road for a Zoning Text Amendment Fee waiver in the amount of \$300.00.

Seconded by Ms. Rowe. Motion passed 5-0.

2f. Resolution – Authorizing First Selectman to Execute an Extension or Re-authorization of \$500,000 STEAP Grant for Niantic Overlook and Hole in the Wall Improvements

Town Engineer Bill Scheer noted that this was a motion to reauthorize the same contract that has been in effect for quite a while (2003).

MOTION (7)

Mr. Kleinhans moved the following resolution:

RESOLVED, that **Paul M. Formica, First Selectman** of the Town of East Lyme be and hereby is authorized to execute on behalf of the Town of East Lyme a grant or personal service agreement with the State of Connecticut for financial assistance to complete improvements to the Hole in the Wall / Boardwalk Project, STEAP 2003-06.

IN ADDITION, that **Paul M. Formica** is hereby authorized to enter into such agreements, contracts and execute all documents necessary to said grant with the State of Connecticut.

Seconded by Ms. Rowe. Motion passed 5-0.

5a. Ex-Officio

Ms. Rowe had no report.

Mr. Wilson noted that Parks and Recreation was very busy selling beach passes and their season officially starts this weekend.

Ms. Hardy noted that the subcommittee reviewing the Right to Farm Ordinance would not be presenting anything right away. They have instead decided to request to form an Agricultural Committee. Ms Hardy added that she is willing to serve as Ex-Officio to the Conservation of Natural Resources Commission.

Mr. Kleinhans had no report.

5b. First Selectman's Report

Mr. Formica explained the line item in the budget for contract negotiations and any subsequent increases that might be needed. The dollar amount has nothing to do with any concessions

received.

He attended the National Day of Prayer Observance on May 7th at McCook's Park Pavilion;
He attended two Board of Finance meetings; one for audit review where they explained deficiencies with the Board of Education and the Town and the other was a regular meeting of the Board. He noted that at the Annual Town Meeting of May 11th, the 5-Year Capital Plan was approved.

He reminded everyone of the upcoming Referendum Vote on the operating budget on May 22, 2009 from 6:00 a.m. until 8:00 p.m. at the ELLCC.

He attended a breakfast meeting of the East Lyme Business Organizations (ELBO).

He met with the State Prison Wardens at a quarterly meeting and reviewed water conservation measures and the renovations that they are making and the population levels.

He commented that contract negotiations continue with the Police and the Fire Fighters.

He attended a drill regarding Millstone.

He went to a presentation about Robert E. Lee at the Middle School, which was sponsored by the Smith Harris Commission.

He attended a Tea for seniors in town who are 90+ years old and added that Cathy Wilson does a great job.

He appeared on the Lee Elci Radio Program where he spoke about the budget process.

He attended a CCM meeting and received legislative updates, which included information about a new deficit mitigation program. He added that there was not much else to cut and he feared for municipal aid.

He participated on a Mayor's Forum regarding affordable housing with the First Selectman of Essex and the Mayor of Stanford Dan Malloy.

He noted the passing of Ron Taylor, father of Allan who had served on numerous boards and commissions during his lifetime adding that his sympathies went out to the Taylor family.

He had been requested to check on the dates of last year's water moratorium and noted it had been from July 17 – September 26.

6. Public Discussion

Mike Shulz thanked Mr. Wilson for getting the town-wide tag sale on Channel 22 and asked if a beneficial suggestion program for employees would be started.

Bob Gadbois of 358 Boston Post Road thanked Cathy Wilson for the great job that she does.

7. Selectmen's Response

Mr. Formica said that voting for the referendum was Friday, May 22nd from 6:00 a.m. –8:00 p.m. at the ELLCC and urged everyone to vote. He thanked Carmen Ames and her interns Alex and Brent for filming the meeting live.

MOTION (8)

Mr. Wilson moved to adjourn the May 20, 2009 meeting of the East Lyme Board of Selectmen at 8:47 p.m.

Seconded by Mr. Kleinhans. Motion passed 5-0.

Respectfully submitted,

Darlene C. Stevens, Recording Secretary