

EAST LYME BOARD OF SELECTMEN
MEETING OF OCTOBER 7, 2009
MINUTES

PRESENT: Paul Formica, Robert Kleinhans, Jack Hogan, Pam Rowe, Rose Ann Hardy.

ALSO PRESENT: Finance Director Anna Johnson.

Mr. Formica called the meeting to order at 7:30 p.m. and led the Pledge.

1b. Additional Agenda & Consent Calendar Items

There were none.

1c. Delegations

Tax Collector John McColloch stated that in spite of the economic conditions, the Tax Office has experienced a slight increase from last year in collections; 96.58% compared to 96.48% last year.

Bob Schulz of Lovers Lane inquired why the newly formed Vision Committee was assembled. He said that we already have Board and commissions performing these functions and suggested that the committee members attend these meetings. He said that this is not in the best interest of the Town.

Joe Raia of 97 W. Main Street said that he had just returned from South Daytona, Florida where they had passed the ability to use golf carts on the road however, their rules were more stringent than the ones that this Board was reviewing. He entered a news article into the record which will be copied for the Board members for next meeting's discussion.

Mr. Formica stated that the Flu Clinic at the Senior Center scheduled for October 9th is cancelled. There is another clinic scheduled for Friday, October 23rd from 3:30 p.m. to 5:30 p.m. He urged anyone with questions to contact Cathy Wilson at 739-5950.

He said that there were 474 homes in the Giants Neck area out of power due to the high winds and he had been notified by CL&P that they were treating this as a high priority.

1d. Approval of Minutes, Meeting of September 16, 2009

MOTION (1)

Mr. Kleinhans moved to approve the minutes of the meeting of September 16, 2009 as submitted.

Seconded by Ms. Rowe.

Aye: Mr. Formica, Mr. Kleinhans, Ms. Rowe.

Nay: None.

Abstain: Ms. Hardy, Mr. Hogan. Motion passed 3-0-2.

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1e. Consent Calendar

MOTION (2)

Mr. Kleinhans moved to approve the Consent Calendar for the meeting of October 7, 2009 in the amount of \$8,798.20.

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

2a. Discussion / Action – Appropriation of JAG Grant - \$9100 – Police

Mr. Formica reviewed the request and the items that were to be purchased by this grant.

MOTION (3)

Mr. Kleinhans moved to approve the special appropriation in the amount of \$9100.00 for the JAG Grant for the Police Department to purchase equipment as noted above to an account to be established titled “Police JAG Equipment” and to forward to the Board of Finance for their approval.

Ms. Hardy inquired if this was a purchase / reimburse grant.

Finance Director Johnson affirmed that it was, and would be completed within this budget year.

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

2b. High School Boiler Proposal

Mr. Formica noted that the boiler replacement at the high school was on the capital plan and the money was in hand from the sale of 30 Industrial Park Road.

Board of Education Chair Kevin Seery said that the boiler needs replacement since they experience such high maintenance costs and it blows noxious fumes into the building. He urged the Board to approve this request.

Mr. Formica noted that he had asked Eugene Levy to review the boiler, dual fuel boilers and this proposal offered by Emcor.

Business Manager Don Meltabarger noted that Yankee Gas has agreed to install the gas line to the High School and that there is a rebate from CL&P for \$90,000 with the proposal that is in front of the Board.

Emcor reviewed the three options. It was noted that the running of the gas line was approximately \$200,000 and if dual fuel burners were used, this might negate the offer of Yankee Gas to cover the cost of the lines. If option 3 costing approximately \$350,000 was used, there would be a savings of \$60,000 in fuel a year and the job would be paid off in 5 years.

Mr. Wilson entered the meeting at 8:01 p.m.

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Mr. Formica inquired if there had been any cost comparison done between propane and gas.

He was informed that there had not although it was reported that a huge tank would be needed if propane were to be used.

Ms. Hardy confirmed that Emcor was the current maintenance contractor for the High School boilers. She questioned them about odor and how long the new units would last.

Emcor responded that odor could be caused by the burners not running properly and that with the new boilers, they would not be utilizing the existing stacks and that vents toward the side parking lot would be installed and the stacks dismantled.

Mr. Kleinhans inquired if this project would be competitively bid?

Mr. Meltabarger responded that if the Board of Selectmen passes it this evening, the project will go to the Town Building Committee for an RFP and then sent out to bid.

Mr. Kleinhans inquired how you could have the vendor design the specifications and then bid on it.

Mr. Meltabarger responded that they will work with the Town Building Committee and that they had requested Emcor to offer a proposal just to make sure that they were in the ball park of what estimated costs would be.

Mr. Kleinhans noted that he had a problem when you arrive at a number and the Selectmen approve that number and then bids are sent out. He added that he would rather approve a dollar amount for the project after bidding was complete.

Mr. Meltabarger said that they were trying to offer a concept and that CL&P had to see the boiler specifications in order to let them know what incentive figure could be used.

Mr. Formica inquired if the Board of Education's Attorney had reviewed the contract with the gas company?

Mr. Seery replied in the affirmative.

Mr. Formica inquired if there was any price lock on the gas for the 15 year contract?

Mr. Meltabarger replied there was not, but it would be charged at the market price.

Dave Ackles from Emcor said that the boilers carry a 21 year guarantee on sections and that the life expectancy is 20-30 years. He added that the present boilers are 15 years old.

Mr. Wilson commented that he thought that Emcor might have been the final bid and he found out this evening that this was not so. He inquired about the oil tank demo cost and added that since they were underground tanks, remediation might also be necessary.

Ray O'Connor of the Town Building Committee said that they normally know how much they can spend on a project, they then draw up specifications and put the project out to bid and then award the project. He said that this is the way the Middle School was done. He added that this proposal and the work that Emcor has done will not carry any weight in the competitive bid award process.

Mr. Hogan said that he would like to see the RFP, get the bids back and then appropriate the money.

Ms. Hardy said that the public did not have the chance to decide and then we made the building fit the money that we had. She said there is a problem with the process and that if the public had had a chance to find out what could be built with the bids, then perhaps the people might want to spend more to get what they wanted.

Mr. Kleinhans said that he had no problem with the project, he had a problem with the public knowing that we have \$450,000 available for the project.

Ms. Hardy said that when 30 Industrial Park Road property was sold funding was earmarked for a public safety or public works building. She said that she was concerned about changing the original intent of the Selectmen at that time.

Mr. Formica commented that he was not sure how we could fund this project if we did not utilize the Industrial Park funding. He added that the Town had bonded the Public Works building and therefore, the Board needs to decide if this project is needed.

Finance Director Johnson said that \$383,000 was realized from the sale of the property and this amount has accrued some interest.

Mr. Wilson said that his recollection was that when the building was sold, the money was put aside for a building maintenance facility for Parks and Recreation and the Board of Education.

Ms. Hardy said that the Board of Education had returned \$100,000 from their budget last year and inquired if this could be used?

Ms. Johnson responded that any sums not expended from a fiscal year budget, goes into the General Fund and that she would not recommend funding the boilers from the General Fund.

Eugene Levy stated that he has been installing industrial and commercial boilers and burners for 50 years and added that he believed they were all going about this backward. He said you cannot have a design build and then ask for bids. He said you need someone

to draft specifications. He said he did not agree with taking the old boilers out – they were cast iron and could go for 60-70 years. He said the boilers were not in trouble and suggested calling the manufacturer and replace sections. He said we only need burners and you can dictate what you want to the gas company, not be dictated to since they want the business. He suggested getting dual fuel burners with remote oil pumps with an interruptible gas rate. He said the stacks were too short and that should be taken care of immediately. He said get a professional engineering company to draft specifications.

Mr. Formica commented that the Board of Education believed that the best option was to replace the boiler system.

Mr. Levy said he disagreed with that option. He said you need to make roof repairs on the building, boilers regauged, stainless steel t&s drains redone, new dual fuel burners and raise the stacks.

Mr. Seery noted that now they are unsure of how to proceed.

Mr. Kleinhans suggested appropriating \$10,000 to study an energy analysis and to review alternatives.

MOTION (4)

Mr. Kleinhans moved to appropriate and transfer \$10,000 from account number 0-01-01-120-200-500 (Contingency) to an account to be established titled, “ELHS Boiler Engineering” and forward to the Board of Finance for their approval.

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

Ms. Hardy left the meeting at 9:45 p.m.

2c. Discussion / Action – Rescind Mandatory Water Restrictions

MOTION (5)

Mr. Kleinhans moved to rescind the mandatory conservation measures that went into effect on July 3, 2009 due to the decline in weekend demand.

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

2d. Checking of the Indices

MOTION (6)

Mr. Kleinhans moved to appoint Attorney William Willetts Jr. of 216 Broad Street, New London, CT to examine the indices of the land records for the calendar year 2009 in accordance with CGS 7-14 at a cost of \$2000.

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

Mr. Formica noted that the next item would be an Executive Session. He added that the Board would table the items from Unfinished Business 3a. Discussion – Golf Cart

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Usage, 3b. Discussion / Action – Resident Trooper Contract; 3c. Discussion / Action – Inter-municipal Agreement with Waterford re: Animal Control Officer until the next meeting and the Selectmen would not offer any reports this evening.

6. Public Comment

Bob Gadbois said that Mr. Levy made a lot of sense and we should only fix what needed to be fixed.

2e. Executive Session

MOTION (7)

Mr. Kleinhans moved to enter into Executive Session at 9:47 p.m. for the purpose of discussing Strategy and Negotiations Concerning Collective Bargaining with the Police Bargaining unit.

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

MOTION (8)

Mr. Kleinhans moved to return to Regular Session at 10:17 p.m. with no action taken during Executive Session.

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

MOTION (9)

Mr. Kleinhans moved to adjourn the October 7, 2009 meeting of the East Lyme Board of Selectmen at 10:17 p.m.

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

Respectfully submitted,

Darlene C. Stevens, Recording Secretary