

**EAST LYME BOARD OF SELECTMEN  
SPECIAL MEETING  
Wednesday, SEPTEMBER 9th, 2009  
AMENDED MINUTES**

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

ALSO PRESENT: Attorney Edward O'Connell, Town Counsel  
Mike Giannattasio, Director of Public Works  
Jeff Alberti, Weston & Sampson Engineers  
Dave Putnam, Parks & Recreation Director  
Anna Johnson, Finance Director  
Attorney Duggan, Town Counsel

EXCUSED: John Hogan

**1. Call To Order  
Pledge of Allegiance**

Chairman Formica called this Special Meeting of the Board of Selectmen to order at 5:10 PM and led the assembly in the Pledge. He noted that Mr. Hogan was on vacation and excused this evening. He asked that those people, who wished to speak, please speak into the microphones so that the people watching would be able to hear them.

**2. Public Delegations**

Mr. Formica called for anyone who wished to speak under Public Delegations.

Bob Bulmer, Lovers Lane commended the Board for the austere budget and for keeping the taxes down. He said that he also wanted to speak about the warehouse on Colton Road and cost effectiveness. He noted that the property is very close to the edge of Town and that they have 49.3 acres that belongs to the Town and that it is located at the transfer station on Roxbury Road (previously known as the Town dump). He proposed that they consider that piece of property for the public works facility as it is large enough to hold many buildings and it would be wonderful to keep them together. For a picture of the type of area that he is suggesting – 49 acres is one-half of a golf course. He said that he would encourage them to do a cost analysis of this as it could be developed by the Town over the next 20 to 30 years for buildings that they need and for recreation purposes.

Joe Mingo, 397 Boston Post Road said that he has a good concept of the Colton Road building and noted that one half of Four Mile River Road is in East Lyme and the other half is in Old Lyme and that there is probably a one-quarter mile difference in traveling from here or from the landfill area on Roxbury Rd. The cost of building a new building is probably in the \$8M to \$10M range plus there is the potential of getting water from the quarry up at the landfill area. The property on Colton Road is a good example of the Town taking advantage of a bad economic climate and this building is a great deal. He said that his reservations on it are with the air exchange with respect to starting the trucks up in a closed building. He said that what most excited him about this building is getting the school buses out of where they are now – as such, he is all in favor of it as long as they can solve the exhaust gas issue in the building.

Barbara Johnson, 35 Sea Crest Ave. said that she went up to Colton Road today to look at the building and that with only 3% of the property in the Town being income producing property that it seems

ludicrous to her to take this off of the tax rolls and to use it for ourselves. She said that if they want to buy it and lease it that she sees it as a good investment to be able to rent out to some larger companies. She noted that she does not think that the EDC has done enough to sell our Town as a viable place for industry to do business. She asked that they also, please give the Vision committee a chance to address these issues, as to do this two weeks before they meet seems wrong to her.

### **3. Discussion / Action re: Carry-Over Grant Funds from 2008/09 to 2009/2010**

Mr. Formica explained that there is a small balance left from a grant for the storm-water monitoring component of the Hole-in-the-Wall outdoor storm-water classroom that they need to move to this fiscal year in order to purchase some of the remaining miscellaneous components for the system.

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

Mr. Kleinhans moved to approve the carry-over of funds in the amount of \$1,527 in account 9-01-70-725-105-001 (HIW Storm Water Monitoring Equipment) from the 2008/09 fiscal year to the 2009/2010 fiscal year and forward to the Board of Finance for their approval.

Ms. Rowe Seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

### **4. Discussion / Action re: Appropriation for Acquisition of Properties and to Issue bonds in Aid Thereof**

Mr. Formica explained that this involves the Colton Road and Capitol Drive property and that it was felt by the Board that more information needed to be brought forward so An Engineer from Weston & Sampson is present this evening to make a presentation. He thanked Mr. Giannattasio, Mr. Putnam and Ms. Johnson for all of their help in putting this together. He said that this opportunity exists because they are in a market that allows for this and because of the Town's debt service standing which decreases next year. Even with the addition of this, there would still be a debt reduction. He added that they have been given an additional \$100,000 in the State budget and that this is important to them as well as the fact that the Town ended this past fiscal year in good standing. The request for \$2.9M would allow them to purchase the building and land and retrofit the building. He asked Mr. Giannattasio to give them some further information.

Mr. Giannattasio explained that they had contacted Weston & Sampson Engineers to look into this building and that they had sent Jeff Alberti who has been doing this type of work for the past 17 years and who has done some 50 Department of Public Works buildings across the Northeast. They gave him roughly 48 hours to put together the presentation that they will see this evening. He introduced Mr. Alberti to give his PowerPoint presentation.

Jeff Alberti, Weston & Sampson Engineering said that what they are looking to do with this building is something that he has looked at and designed for many other Towns as land and buildings have become more available in this economic climate. He went through his PowerPoint presentation outlining what typical DPW facilities and responsibilities are and what the needs would be for this Town and came up with the need for approximately 43,000 to 49,000 sq. ft. of space. He noted that with some modifications that the Capital Drive building would come in at 40,000+ sq. ft. with a projected cost for fit-out of the building at approximately \$1.5M. He noted that to build the same facility new that it would cost roughly \$6.6M and that this building seems to be in great shape and would protect the Town's multi-million dollar fleet and equipment investment.

Mr. Wilson asked Mr. Giannattasio to speak to the plans that they have for upgrades to the old facility. Mr. Giannattasio said that the existing building on Roxbury Road is 8,000 sq. ft. and that they have plans to double it to 16,000 sq. ft. by adding another 8,000 sq. ft. of mezzanine and storage area. This would cost them about \$4M.

Mr. Wilson said that it would seem then, that the new building, at around \$1.5M by itself is a great deal.

Mr. Giannattasio said that Mr. Alberti's comment when he looked at the Capitol Drive building was that it was better than what he was thinking when he heard about it on the phone and that the building is in good shape. He added that it is also a more central location.

Mr. Alberti said that he was impressed with the adjacent parcels as it provides for many opportunities and that the building itself has a lot going for it and a lot of good potential. The upgrades are minimal in the scheme of things when considering the cost of a new building.

Mr. Kleinhans asked Mr. Alberti if in using the technical vernacular, he would call this a 'no-brainer'. Mr. Alberti said yes, it is a great building.

Mr. Kleinhans asked about the comments that they had heard earlier about ventilation and air exchange and if those things can be accomplished.

Mr. Alberti said yes, modern standards would put exchange fans in for exhaust and they would kick on by sensor. He added that the building only needs to be at 45° for the trucks to start so they can block off areas that need to be heated from those that don't.

Mr. Kleinhans asked if we currently have an air exchange system in our buildings.

Mr. Formica said no.

Mr. Kleinhans asked about this type of building versus a brick building or some other type.

Mr. Alberti said that this one has a panel that goes up 8' and that if it did get wet that they could easily replace the panel that needed to be replaced. He said that in looking over its construction that he would not envision a shortened lifespan.

Mr. Kleinhans noted that the cement floor, if stressed – would only be stressed in certain areas of heavier use and asked if those areas could be repaired.

Mr. Alberti said yes and explained how they could be repaired without damage to surrounding areas and added that he would suggest some borings be taken to see how deep the cement goes so that they will know what they have. He said that the areas that would have to be fixed would be minimal and only where the heavy trucks are.

Ms. Hardy asked Mr. Alberti the estimated life of this building with regular routine maintenance.

Mr. Alberti said that 'regular routine maintenance' is the key issue and that he has seen some buildings go for 30-40 years from when it was constructed. The roof is typically 20 years.

Ms. Hardy asked if there is any weight rating for slab floors and if it would be possible to beef up the 6" slab and bring it to the 8" that is required today and if he would recommend that it be done.

Mr. Alberti said that if money were no object he would say to do it as it would be expensive to do the entire floor area. The additional 2" would allow for the drains to be pitched.

Ms. Hardy said that they would have offices in the building and asked if it would be partitioned so that the area for the workers would be heated.

Mr. Alberti said yes, the office space would be partitioned off and also positive pressurized to keep the fumes out and the heat in.

Ms. Hardy commented that he has indicated that he does not seem to see the columns in the floor area as a problem and asked if that was so.

Mr. Alberti said that was correct, he does not see them as a problem. He also noted that the insulation seems to be in good shape as well as the weather tightness of the building.

Ms. Rowe noted that the questions that she was going to ask were already asked and thanked Mr. Alberti for his presentation as it was extremely informative and interesting, especially on such short notice.

Mr. Wilson asked how many bathrooms there would be and if they would be added.

Mr. Alberti said that it appears that they have all systems needed to have the bathrooms added where they would need them.

Mr. Formica went over the costs involved to pay for the amortization schedule; the \$2.9M bonding that would be required to fund this project and how it relates to the bonding package over time. He noted that there are also some additional funding opportunities that could come into play. He said that an independent analysis of the building would also need to be done regarding the floor prior to any action on the purchase. With regard to the current taxes that are collected, he said that the building is \$19,000 per year and that the two lots are between \$4,000 and \$5,000 per year as all of them sit now.

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

Mr. Kleinhans moved to adopt the following resolution: Resolved: That the resolution entitled "Resolution Appropriating \$2,900,000 For the Acquisition of Land in the Town of East Lyme and Authorizing the Issuance of \$2,900,000 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.

Vote: 5 – 0 – 0. Motion passed.

**5. Sign Call – Special Town Meeting – Appropriation for Acquisition of Properties and to Issue Bonds in Aid Thereof**

Ms. Hardy noted that Mr. Bulmer had commented on the transfer station property on Roxbury Road that the Town owns and recalled that they have looked at that property many times before over the years and that they have been stopped from using it by the DEP as they regulate landfill areas that have been capped off and also quarry areas and they have never been successful in getting to do anything up there. She said that it has been this way for years when they have looked to use the property.

Mr. Formica thanked Ms. Hardy for the history on the property.

Mr. Wilson commented that this is really a 'no-brainer'.

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

Mr. Kleinhans moved the following Special Town Meeting Call:

Notice is hereby given of a Special Town Meeting of the Town of East Lyme to be held on Wednesday, September 16, 2009 at 6:30 PM at the East Lyme Town Hall to act upon the following:

1. To receive communications from the Board of Selectmen and the Board of Finance with respect to a resolution entitled "Resolution Appropriating \$2,900,000 For The Acquisition Of Land In The Town Of East Lyme And Authorizing The Issuance Of \$2,900,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose."
2. To consider and act upon a resolution entitled "Resolution Appropriating \$2,900,000 For The Acquisition Of Land In The Town Of East Lyme And Authorizing The Issuance Of \$2,900,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose."
3. To transact any other business proper to come before the meeting.

Copies of the proposed bond resolution are on file and open to public inspection at the office of the Town Clerk.

Dated at East Lyme, Connecticut, this 9th day of September, 2009.

Ms. Rowe seconded the motion.

Ms. Hardy asked Attorney O'Connell about the term 'land' and if it involves the building. Attorney O'Connell said that the body of the resolution makes that clear and speaks to any buildings and improvements thereon.

Ms. Hardy asked Attorney O'Connell if they could also spend less than the \$2.9M but not more than that amount. Attorney O'Connell said yes.

Mr. Formica said that they have \$2.9M plus the \$383,000 in the resolution, to spend and that is the maximum available.

Mr. Kleinhans asked if Mr. Alberti would be available to give his presentation to the Board of Finance this evening and at Town Meeting.

Mr. Giannattasio said that Mr. Alberti would remain this evening and give the same presentation to the Board of Finance and that they would have to check on his availability for the Town Meeting.

Mr. Formica called for a vote on the motion.

Vote: 5 – 0 – 0. Motion passed. (*Please Note – This did not go forward in the Board of Finance Meeting and therefore no Town Meeting was scheduled for September 16, 2009*)

Attorney O'Connell noted that they would have to make a motion to send this to the Planning Commission for their review as stated in Section 8-24 of the General Statutes.

**\*\*MOTION (4)**

Mr. Wilson moved to send the Resolution with respect to the Acquisition of Land in the Town of East Lyme to the Planning Commission for Section 8-24 review as stated in the General Statutes.

Mr. Kleinhans seconded the motion.

Vote: 5 – 0 - 0. Motion passed.

**6. Executive Session -**

**Discuss Pending Litigation and Negotiations Concerning Collective Bargaining with the Police Bargaining Unit**

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

Mr. Kleinhans moved that the members of the Board of Selectmen, with Attorney O'Connell and Attorney Duggan enter into Executive Session for the purpose of discussing Pending Litigation and Negotiations Concerning Collective Bargaining with the Police Bargaining Unit at 6:45 PM.

Ms. Rowe seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

(Note: At 6:54 PM the Board of Selectmen; Mr. Formica, Mr. Kleinhans, Ms. Rowe and Mr. Wilson, with Attorney O'Connell and Attorney Duggan moved the Executive Session discussion into the First Selectman's Office to free the meeting room for the Board of Finance meeting. Ms. Hardy did not attend and left the Executive Session discussion and the meeting.)

**Return to Regular Session**

**\*\*MOTION (6)**

Mr. Kleinhans moved to return to Regular Session with No Action Taken during Executive Session at 7:23 PM.

Ms. Rowe seconded the motion.

Vote: 4 – 0 – 0. Motion passed.

## **7. Adjournment**

### **\*\*MOTION (7)**

Mr. Kleinhans moved to adjourn this September 9, 2009 Special Meeting of the Board of Selectmen at 7:24 PM.

Ms. Rowe seconded the motion.

Vote: 4 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary (Pro-tem)