

**BOARD OF SELECTMEN  
REGULAR MEETING  
TUESDAY, SEPTEMBER 1, 2020, 7:00 P.M.  
MEETING ROOM 1, SALEM TOWN HALL**

**PRESENT**

Kevin Lyden

Edward Chmielewski, Jr.

Ron LaBonte

Hugh McKenney

**ABSENT**

Terri Salas

**CALL TO ORDER**

First Selectman Lyden called the meeting to order at 7:00 p.m.

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

**A. Thursday, August 6, 2020 Board of Selectmen Special Meeting**

**M/S/C: McKenney/LaBonte to approve the Special Meeting Minutes of Thursday, August 6, 2020. Discussion: None. Voice vote, 4-0, all in favor.**

**3. CORRESPONDENCE/PUBLIC COMMENTS**

*E-mail public comment to [SelectmenPublicComment@salemct.gov](mailto>SelectmenPublicComment@salemct.gov) prior to 7:10 p.m.*

No comments were received via e-mail or the white dropbox located in front of Town Hall.

**ADJUSTMENTS TO THE AGENDA:**

**M/S/C: Lyden/McKenney, to move agenda Items 4(E) and 4(F) to follow Item 5, Reports.**

**Discussion: None. Voice vote, 4-0, all in favor.**

**4. AGENDA:**

**A. Extension of the State of Emergency for the Town of Salem, CT until October 15, 2020 at 5:00 p.m. (Discussion & Action)**

**M/S/C: Lyden/Chmielewski, to further extend the Declaration of the State of Emergency for the Town of Salem, Connecticut that was originally signed and issued on March 16, 2020 at 5:49 p.m. and was previously extended to April 30, 2020, May 15, 2020, June 15, 2020, July 15, 2020, August 15, 2020, and again to September 15, 2020 at 5:00 p.m. to October 15, 2020 at 5:00 p.m. Discussion: In hopes of remaining on the optimistic side and because they meet monthly, First Selectman Lyden felt extending the Declaration on a monthly basis would suffice. The town continues to itemize its expenses for the FEMA (Federal Emergency Management Agency) and CARES (Coronavirus Aid, Relief, and Economic Security Act) reimbursements. Voice vote, 4-0, all in favor.**

**B. Municipal Solid Waste Initiative (Discussion)**

First Selectman Lyden explained that the Initiative, which derives from COST (Connecticut Council of Small Towns), has announced a joint initiative between DEEP (Department of Energy and Environmental Protection) and municipalities to improve the state's waste management system by instituting waste reduction strategies. The town currently pays approximately \$80.00/ton for the disposal of solid waste and \$40.00/ton for mixed recyclables. A small payment is received for the recycling of computer-related electronics, cardboard, and metal items. By joining the Initiative, it is hoped that the town would receive better pricing, longer-term contracts, and the like. Selectman McKenney voiced his interest in attending the September 8 kick-off meeting.

**C. Tax Collector Refunds (Action Item)**

**M/S/C: McKenney/LaBonte, to direct the Town Treasurer to issue refunds, recommended and certified by the Tax Collector, as presented, to the Board of Selectmen in the amount of \$952.38 (nine hundred fifty-two dollars and thirty-eight cents) on the 1st day of September 2020. Discussion: None. Voice vote, 4-0, all in favor.**

**D. Schedule October Amnesty Dates (Action Item)**

**M/S/C: Chmielewski/LaBonte, to set the Transfer Station Fall Amnesty Dates for Saturday, October 17; Sunday, October 18, and; Wednesday, October 21, 2019. Discussion: The same rules and safety protocols that were instituted for the June Amnesty Days will be practiced. Voice vote, 4-0, all in favor.**

**E. Executive Session regarding legal strategies for the current lawsuit "The Gardner Lake Volunteer Fire Company, Inc. vs. Town of Salem" pursuant C.G.S. Section 1 200 (6)(B) – see below, following Item 5, Reports**

**F. Proposed modifications and/or cancellation of the 2003 and 2006 Agreements between the Town of Salem and the Gardner Lake Volunteer Fire Company (Discussion & Action) – see below, following Item 5, Reports**

**5. REPORTS:**

**A. FIRST SELECTMAN**

The First Selectman reported that a project number has been provided by the State for the Music Vale Road/Route 85 safety improvements. The Deputy Commissioner has been very helpful in ensuring that the project, which might be included as part of one of the two upcoming projects, takes place. The town currently mows the grass, but additional work is necessary to improve the sightlines.

Controlled Air, Inc., was the highest of the three bids received for the purchase and installation of the Library HVAC (Heating, Ventilation, and Air Conditioning) system. The Engineer, who drafted the report that was previously shared with the Boards of Selectmen and Finance, also reviewed the bids and stated that all of the bids are substantially equal to

his recommendations. The system will utilize heat pumps and propane, rather than oil, providing higher efficiency, needing less maintenance, and burning cleaner. They will also have a 5-year maintenance agreement. The same company also repaired the school's boiler, which failed last week, for less than half of the cost of their previous vendor.

The town has completed and submitted its application for a \$120,000.00 STEAP (Small Towns Economic Assistance Program) Grant for the replacement of the Town Hall underground oil tanks to above-ground tanks. \$105,000.00 has been already been allocated for the project in the town's Capital Fund. The current tanks are approximately 22 years old; at 25 years old, the town's liability will increase from \$10,000.00 to \$100,000.00. Insurance will not be required for above-ground tanks.

Similarly, he proposed the possibility of speaking with the Board of Education (BOE) regarding their interest in switching over their oil-burning boilers to propane when their oil tanks are replaced. While there are savings in the maintenance costs, the price fluctuation for propane is more volatile though a fixed term would help maintain the costs.

#### **B. BOARD OF EDUCATION (BOE)**

Selectman McKenney reported that the BOE met prior to the re-opening of the school to discuss educational issues and their final preparations and estimated costs for the school year. The BOE will be receiving \$25,000.00 from the CARES Act, \$176,000.00 from the Coronavirus Relief Fund, and an estimated \$68,000.00 is expected from FEMA. The school is diligently working to ensure that all possible safety and protection protocols are followed.

Approximately \$56,000.00 in unexpended funds from FY2019/20 was returned to the town's General Fund.

First Selectman Lyden stated his concerns regarding the BOE's recent approval to fund the additional salary increases for three administrators two months into the 2020/21 fiscal year. The increase also comes in a year in which the budget passed without a Public Hearing or Town Meeting. Also, many of the town's residents continue to struggle due to the pandemic, while others have contributed money to the town's Benevolent (Needy) Fund. It is a difficult period for everyone and the BOE and the town must be careful when spending the town's funds, especially during such trying times. He suggested other, more cost-effective ways to compensate them, including minor stipends. He plans to speak with the Superintendent and BOE Chairman regarding the matter.

#### **C. BOARD OF FINANCE**

First Selectman Lyden reported that the Auditors were at Town Hall last Thursday, conducting their preliminary reports. The Audit should be finalized by November/December and a presentation will, hopefully, be provided prior to the start of the budget season.

#### **D. PLANNING AND ZONING COMMISSION**

First Selectman Lyden recited Selectwoman Salas' detailed report. The Commission held the following discussions at their recent meeting(s):

- A Public Hearing was held and the proposed amendments to the Special Agriculture Overlay Zone were approved. The amendments will be effective on September 15, 2020. One of the amendments was made in anticipation of a possible application by the owners of a goat farm.
- The Commission is continuing to work on the amendments to the RCOZ (Riparian Corridor Overlay Zone) regulation.
- A discussion was held regarding the Affordable Housing Survey – the first step in developing the Affordable Housing Plan. The inclusion of a question regarding diversity was suggested; it was recommended that the survey focus its questions on economic diversity rather than other types of diversity which would be more appropriate for the 2022 POCD (Plan of Conservation and Development). A question was also raised regarding a possible proposal to ban new single-family residences and/or affordable housing.
- The Town Planner recommended the Commission review and amend the town's sign regulations to coincide with a recent Supreme Court decision.
- An application was received for a motor truck terminal. The plans have been submitted to the Town Engineers and the relevant town departments for review and comment. A Public Hearing is scheduled to be held on Tuesday, September 22.

**E. ECONOMIC DEVELOPMENT COMMISSION (EDC)**

Selectman Chmielewski reported that both Senator Paul Formica and Representative Holly Cheeseman provided some inciteful information regarding their ongoing support of the local businesses and the bi-partisan efforts to deal with the Eversource rate hike and their response to the power outages during the recent storm. Rep. Cheeseman reported that she has been speaking with the Greater Norwich Area Chamber of Commerce, who is very interested in bringing some of the Chamber's expertise to Salem. The Commissioners also discussed the progress at the Salem Plaza as the owners have begun to address the violations and make visual improvements. He commended and expressed his appreciation to the First Selectman for his ongoing hard work and decision to place a lien on the property. First Selectman Lyden added that he is aware that some of the owners are displeased with the town's disapproval of their zoning applications and has informed them that their displeasure should be directed to the property owner, who had yet to address a Cease and Desist Order and the violations. The Uncas Health District and Fire Marshal, Building, and Zoning Departments are continuing to inspect the property and report their violations to the Town Attorney.

**F. LIBRARY – no meeting; no report**

**G. MILITARY LIAISON**

Selectman Chmielewski reported that they are continuing to work with the veterans in the town, including reinstating the lifetime benefits for a widow of a veteran. Both Selectman

LaBonte and himself have been mentoring and providing guidance to young enlistees and veterans, alike.

First Selectman Lyden expressed his appreciation to the Selectmen for all of their hard work and efforts supporting the boards and commissions on which they serve as liaisons and the town, as a whole. Selectman Chmielewski added that they have a great team.

*A five-minute break was held at 7:42 p.m.*

#### **4. AGENDA**

##### **E. Executive Session regarding legal strategies for the current lawsuit “The Gardner Lake Volunteer Fire Company, Inc. vs. Town of Salem” pursuant C.G.S. Section 1 200 (6)(B)**

**M/S/C: McKenney/LaBonte, to enter into Executive Session at 7:47 p.m. to discuss legal strategies for the current lawsuit “The Gardner Lake Volunteer Fire Company, Inc. vs. Town of Salem” pursuant C.G.S. Section 1 200 (6)(B). Discussions to include the Board of Selectmen and Town Attorney Brian Estep. Discussion: None. Voice vote, 4-0, all in favor.**

**M/S/C: McKenney/Chmielewski, to exit from Executive Session at 8:44 p.m. Discussion: None. Voice vote, 4-0, all in favor. No votes were taken during Executive Session.**

##### **F. Proposed modifications and/or cancellation of the 2003 and 2006 Agreements between the Town of Salem and the Gardner Lake Volunteer Fire Company (Discussion & Action)**

**M/S/C: LaBonte/McKenney, to terminate the February 6, 2006 Emergency Services Agreement with the Gardner Lake Volunteer Fire Company, pursuant to Paragraph 5 of said agreement and authorize the First Selectman to give notice. Discussion: None. Voice vote, 4-0, all in favor. No votes were taken during Executive Session.**

#### **6. ADJOURNMENT**

**M/S/C: LaBonte/Chmielewski, to adjourn the meeting at 8:48 p.m. Discussion: None. Voice vote, 4-0, all in favor. Meeting adjourned.**

Respectfully Submitted by:

Agnes T. Miyuki, Recording Secretary for the Town of Salem