

**BOARD OF SELECTMEN  
REGULAR MEETING  
TUESDAY, OCTOBER 6, 2020, 7:00 P.M.  
MEETING ROOM 1, SALEM TOWN HALL**

**PRESENT**

Kevin Lyden  
Edward Chmielewski, Jr.  
Ron LaBonte  
Hugh McKenney  
Terri Salas

**ABSENT**

*none*

**CALL TO ORDER**

First Selectman Lyden called the meeting to order at 7:02 p.m.

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

**A. Thursday, September 1, 2020 Board of Selectmen Regular Meeting**

**M/S/C: Chmielewski/McKenney, to approve the Regular Meeting Minutes of  
Thursday, September 1, 2020, with the following clarification:**

**Page 3, Item 5(B), 3<sup>rd</sup> Paragraph, 1<sup>st</sup> Sentence:**

First Selectman Lyden stated his concerns regarding the BOE's recent approval to ~~fund the additional salary increases for pay~~ three administrators *for extra work* two months into the 2020/21 fiscal year.

**Discussion: None. Voice vote, 5-0, all in favor.**

**ADJUSTMENTS TO THE AGENDA:**

Agenda Item 4(F), Executive Session, was moved to follow Item 5, Reports.

**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.

Correspondence was received from the Gardner Lake Volunteer Fire Company (GLVFCO), dated October 5, 2020, and recited by the First Selectman. The letter, addressed to the First Selectman, Boards of Selectmen and Finance, and Salem Volunteer Fire Company (SVFCO) Chief and President, acknowledges the receipt of the September 8, 2020 termination notice of the 2006 Emergency Service Agreement between the Town of Salem and GLVFCO and confirms the effective date of termination as June 2021. The letter also states their commitment to providing the most efficient use of their emergency management services and personnel in

the interest of public safety; they look forward to engaging in future discussions regarding the drafting of a new agreement.

First Selectman Lyden stated that it has been a difficult year due to the COVID-19 pandemic as well as the lawsuit that was served to the town by the GLVFCO. A number of efforts have been made to mitigate the issues included in the lawsuit, including the recent retirement of the GLFVCO Chief, who was also a paid employee, and the payment of approximately \$32,000.00 to \$33,000.00 following the receipt of the requested records detailing the shifts, per their agreement. Any future contracts may be negotiated. He hopes that they will be able to work together and the issues will be resolved in the near future. He reiterated and clarified that the town was sued by the GLVFCO, not vice versa. Both Selectman and Liaison to Emergency Services Chmielewski and Deputy Fire Marshal and Salem Emergency Services Administrator Michael Bednarz have been working together with GLVFCO Fire Chief Pete Silva and Deputy Chief Joe Danao and the Town Hall staff to ensure a smooth transition. Selectman and Liaison to Emergency Services Chmielewski concurred and reported that they have been working very well together. Both the Chief and Deputy Chief were informed of the plans to terminate the agreement, effective the following year, prior to the formal announcement. The time will provide an opportunity for further discussions and negotiations to take place. First Selectman Lyden expressed his appreciation to Selectman and Liaison to Emergency Services Chmielewski for his hard work and is looking forward to the future.

The Selectmen welcomed newly appointed SVFCO Fire Chief Chip Weston, who has replaced longtime Chief Gene Maiorano, who will remain as an active member of the Fire Company.

#### 4. AGENDA:

##### A. Extension of the State of Emergency for the Town of Salem, CT until February 9, 2021 at 5:00 p.m. (Discussion & Action)

**M/S/C: LaBonte/McKenney, to extend the Declaration of the State of Emergency for the Town of Salem, Connecticut to February 9, 2021 at 5:00 p.m. Discussion: While the extensions were being made on a monthly basis, it was decided to follow the Governor's lead and extend the Declaration for a longer period of time as we enter the unpredictable winter season. The extension may be rescinded should the climate change. Voice vote, 5-0, all in favor.**

##### B. COVID-19 Update (Discussion)

First Selectman Lyden encouraged everyone to continue to follow the recommended safety protocols to help keep everyone safe and healthy. Town Hall remains open, by appointment only. All of the departments have continued to work since the onset of the pandemic. Most offices are staffed with one individual and those that have two employees are separated by a Plexiglas shield. Selectman McKenney added the importance of maintaining a healthy and safe Town Hall as the offices are minimally staffed and an illness could result in a crippled department. Selectman Chmielewski, who has visited the Town Hall often, further added

that the staff has been working harder and their services have been maintained, if not enhanced, during these trying times. The First Selectman concurred, adding that their responsibility is to keep the town running. The residents remain supportive and have been utilizing the white dropbox. The Town Clerk's office has been busy handling the absentee ballots, which has grown from 20% to 80% of the town's registered voters due to the pandemic. In addition, she has been busy responding to extensive FOIA (Freedom of Information Act) requests. The Public Works employees continue to report to different locations and the Library continues to serve the public via curbside pick-up. The Library HVAC system is in the process of being installed and he hopes to allow a limited number of individuals for a limited amount of time to enter the Library following the completion of the project. In lieu of the Library, many groups have been meeting at the Pavilion. He also hopes to reinstall the basketball hoops at the Round Hill Road courts. The baseball fields, tennis courts, and playground will remain open.

Selectman McKenney reminded those who opt to vote in-person bring and wear their mask. First Selectman Lyden added that masks would be available for those who do forget.

First Selectman Lyden reported that seven (7) additional Salem residents have tested positive for the coronavirus since their last report. He emphasized the need to be safe and protect others by following the recommended safety protocols. No positive cases have been reported, to date, at Salem School.

#### **C. Emergency Services Update (Discussion)**

Selectman and Liaison to Emergency Services Chmielewski commended the town's firefighters and expressed his appreciation to the firefighters, First Selectman, and Board of Selectmen for their support. Working off of the foundation built by Selectman LaBonte and Fire Marshal Donald Bourdeau, Jr., and Deputy Fire Marshal John Cunningham last year, they are working on continuing their efforts to improve their working relationship and make improvements. A preliminary meeting was held with the GLVFCO and SVFCO Fire Chiefs and Deputy Chiefs, Selectman LaBonte, Deputy Fire Marshal and Salem Emergency Services Administrator Michael Bednarz, and himself, followed by the introduction of newly-appointed GLVFCO Chief Silva to the Town Hall Staff and an orientation meeting with relevant members of the Town Hall staff to discuss the fire company's relationship with the different departments and administrative process. Discussions have been held with the GLVFCO Chief, Deputy Chief and President regarding their plans to hire new firefighters and emergency personnel. In an effort to alleviate some of the concerns that have been expressed by the public, Selectman McKenney noted that the fire companies have two (2) individuals who are either on-call or on-duty at any given time. Selectman Chmielewski added that the First Selectman has also enhanced the town's emergency services by ensuring that weekend coverage is also provided. Currently, there is one vacancy for a full-time multi-talented individual with firefighting, equipment, EMT (Emergency Medical Technician), and maintenance skills. Their goal is to create an

enhanced hiring procedure that would be modeled for other departments throughout the town and to streamline the process by which the directives are provided by engaging in best practices. He reiterated the town's support for their emergency personnel, goal to streamline the process, and, most especially, to keep the town as safe as possible. Though they have received some positive feedback from the Chiefs, they have also had to contend with the information being disseminated via social media.

First Selectman Lyden commended both Selectman and Liaison to Emergency Services Chmielewski and Deputy Fire Marshal and Salem Emergency Services Administrator Michael Bednarz for their hard work, retired long-time GLVFCO Chief Jim Savalle on a fine job, the volunteers, and Selectman LaBonte and the Fire Marshals. The town is committed to filling the full-time Union position.

**D. Appointments to the Economic Development Commission**

**M/S/C: Lyden/Salas, to appoint Carl Fontneau and Steven Shelley as Full Members of the Economic Development Commission with a term to expire in September 2025. Discussion: Selectman Chmielewski provided a brief background of the appointees and looks forward to working with them. The appointees were thanked for their willingness to serve the town and a letter regarding their appointment will be sent by the First Selectman's office. Voice vote, 5-0, All in favor.**

**E. 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 \$7,219.67 (seven thousand two hundred nineteen dollars and sixty-seven cents) on the 6th day of October 2020. Discussion: None. Voice vote, 5-0, all in favor.**

**F. 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**

**5. REPORTS:**

**A. FIRST SELECTMAN**

The First Selectman expressed his congratulations and appreciation to newly-elected SVFCO Chief Weston, who has decades of experience as an officer and leader. Former long-time SVFCO Chief Maiorano will remain as an active member of the fire company. The town is very fortunate to have them serve our town.

Private land is currently being considered for a 48-unit age-restricted development (ARD) – a much needed project that is part of both the town's POCD (Plan of Conservation and Development) and Vision Statement. He is aware of numerous individuals who have moved

out of town and their community due to the lack of appropriate housing. The town is also in need of workplace housing. He stated the difficulty of attracting a developer who is willing to construct such developments in the town due to its lack of town water and sewer.

The Food Pantry continues to serve those in need with the help of Administrative Assistant Meredith Eisenberg, who orders the food items; the Public Works Department who picks up the items; the SVFCO who sorts the items, and; the volunteers who deliver the food to the approximately 38 residents who are receiving deliveries. He extended his appreciation to the individuals and organizations who have donated funds to the town's benevolent fund.

The 1 New London Road shopping plaza has reached zoning compliance, allowing the pawn shop to sell new firearms. A Cease and Desist Order was issued in May 2018 and, while the previous manager began improving the site, those efforts ceased resulting in the town's increased involvement. The town's Public Works Department began emptying the trash and mowing the grass in June 2020 and a lien was placed on the property to cover those expenses. It is hoped the owner will continue to make the necessary improvements and maintain the property.

The installation of the HVAC system by Controlled Air, Inc., the lowest bidder for the project, is progressing well. The company has also agreed to absorb any additional costs that might be incurred during the project. The estimates received ranged from approximately \$190,646.00 to \$287,000.00. The company was also recommended by the Engineer and confirmed that the estimate included the requirements for the project.

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

Selectman McKenney reported on the estimated COVID-19-related costs/funding as of October 5, which will be covered by funds received from the CARES (Coronavirus Aid, Relief, and Economic Security) Act, Coronavirus Relief Funds, and FEMA (Federal Emergency Management Agency), and the BOE budget.

In addition to the announced retirement of Superintendent Joseph Onofrio, II, the Director of Student Services Donna Gittleman has also announced her retirement, effective August 2020. BOE Member Samuel Rindell, who will be moving to East Lyme, also announced that he would be stepping down. Residents interested in serving on the BOE are encouraged to contact the BOE.

The cost savings for the three (3) teachers who took advantage of the teacher retirement incentive this year is approximately \$13,000.00. The cost savings will increase to \$83,000.00 next year and will continue to increase in the subsequent years.

The school, which opened as a full-time in-person school, has experienced several challenges since the onset of the school year. Selectman McKenney commended Salem School Nurse Maggie Clouet for her hard work in keeping the school safe. To date, no COVID-19 positive cases have been reported. The BOE held discussions in preparation for

the possibility of a school closure, which would require State-approval. In response to Selectwoman Salas regarding the handling of snow days, he reported that the general consensus was to not only allow the children to enjoy their snow day(s), but to also ensure the safety of their teachers who might need to go to the school to either conduct virtual classes or gather any necessary materials to do so.

**C. BOARD OF FINANCE**

First Selectman Lyden reported that the members are in the process of reviewing their RFP (Request for Proposals) for auditing services.

**D. PLANNING AND ZONING COMMISSION**

Selectwoman Salas reported that the Commission held a public hearing regarding a proposed truck terminal to be located at 142 East Haddam Road. As one of the designated contractors for Eversource, the location will house vehicles that are necessary to conduct such repairs/maintenance. The Commissioners raised their concerns regarding the physical appearance of the terminal from the road as the company would like to maintain visibility to the property for safety purposes and the handling of any potential spills. Similarly, Selectman McKenney expressed his concerns regarding the mitigation of any hazardous spills and the proposed compacted bituminous millings that could result in a future brownfield. She stated that she would voice his concerns to the Commission and, based upon the thoroughness of their discussions, expressed her confidence in the Commission.

The Commissioners are also continuing to discuss and refine the amendments to the RCOZ (Riparian Corridor Overlay Zone) regulation and have begun working on the survey for the town's 2022 POCD (Plan of Conservation and Development), which will be primarily distributed online.

The public hearing for the proposed age-restricted housing development is scheduled for November 24.

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

Selectman Chmielewski reported that the Commission continues to support the development of an age-restricted development in the Town of Salem. As the business ambassadors for the town, they continue to touch base with the local businesses, especially during these trying times. They look forward to welcoming their two (2) newly-appointed members as they continue to work the updated business directory.

**F. LIBRARY**

Selectman LaBonte reported that the newly-appointed treasurer presented a comprehensive financial report. Their discussions were dominated by their excitement regarding the current installation of the new HVAC system. The Friends of the Library have been busy recruiting additional members and are very anxious to begin raising funds for the Library and have



begun planning for next year. Similarly, the Library Director and Board of Directors Chairperson are also anxious to begin discussing the opening of the Library to the public.

**G. MILITARY LIAISON**

Selectman Chmielewski reported that they are continuing to reach out to the town's military community, including sharing information regarding the services that are available to a young military family who recently moved to Salem. They are also continuing to network and liaise with local VFW (Veterans of Foreign Wars) Commander Steve Buck and former Commander Bob Green as well as with the Executive Director of the state's Office of Military Affairs and Salem resident Bob Ross.

Selectman LaBonte added that the army reserve and army and air guards will continue to remain on active duty until the end of the year to provide support for the COVID-19 pandemic.

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

**8. 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 8:26 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, Deputy Fire Marshal and Salem Emergency Services Administrator Michael Bednarz, and Town Attorney Brian Estep. Discussion: None. Voice vote, 5-0, all in favor.**

**M/S/C: McKenney/Chmielewski, to exit from Executive Session at 9:54 p.m. Discussion: None. Voice vote, 5-0, all in favor. No votes were taken during Executive Session.**

**6. ADJOURNMENT**

**M/S/C: Salas/McKenney, to adjourn the meeting at 9:55 p.m. Discussion: None. Voice vote, 5-0, all in favor. Meeting adjourned.**

Respectfully Submitted by:

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