

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 6, 2022, 7:00 PM
SALEM TOWN HALL – CONFERENCE ROOM 1**

**The minutes submitted below have been filed in accordance with
Section 1-225 of the CT General Statutes. They are subject to
final approval with or without amendments by a vote of the Board of Selectmen.
Approval and any such amendments will be detailed in subsequent minutes.**

PRESENT

Edward Chmielewski, Jr.
Ron LaBonte
Kevin Lyden
Pam Munro

ABSENT

Thomas (TJ) Butcher

CALL TO ORDER

First Selectman Chmielewski called the meeting to order at 7:07 p.m.

1. PLEDGE OF ALLEGIANCE

2. CORRESPONDENCE / PUBLIC COMMENTS

First Selectman Chmielewski thanked the public for attending this evening's meeting and stated that the establishment of a Noise Ordinance is on this evening's agenda for discussion and consideration as a result of input the Town has received from the community.

Carl Nawrocki, Music Vale Road, requested that the Town install a drip edge over the garage to protect the books that are stored in the building for the Friends of Salem Library. He also wished to confirm the receipt of his requests for funding for the second round of ARPA (American Rescue Plan Act) Funding by the First Selectman, Acting Selectman, and Board of Finance Chairman.

First Selectman Chmielewski stated that an ARPA Committee meeting is planned for the very near future to discuss the allocation of the second round of funds.

Ed Artale, 359 Round Hill Road, commented on the noise emitted from the motocross motorcycles. While the hours of the venue are posted, they are not necessarily followed. Videos of the activity taken from his deck, which is located approximately 0.5 miles from the activity, are available for viewing. The noise is a constant and very loud drone-type sound that can be heard through a highly wood area.

Sue Coffee, who owns numerous properties in the Town, including the adjoining property, spoke in favor of a Noise Ordinance. She expressed her concerns about the devastating

transformation of the property and the damage to its wetlands. She also stated that the noise, which extends to the Lake, is negatively affecting the peace and serenity of those residing and visiting the nearby campgrounds and neighborhood.

John Hummel, a taxpayer, informed the Board that the State of Connecticut has a Noise Ordinance. Should the Town vote to establish an Ordinance, it must apply to and submit an Ordinance that is equal to or more restrictive to CTDEEP (Connecticut Department of Energy and Environmental Protection). While there are exclusions for motor vehicles, the local governing body could enact an Ordinance that sets time limits that the public must adhere to.

CT State Representative Holly Cheeseman informed the Board that the Town of East Lyme recently established a Noise Ordinance and recommended the Selectmen speak with East Lyme First Selectman Kevin Seery for guidance. She proceeded to provide a brief Capital Update, including information regarding the LIHEAP (Low Income Home Energy Assistance Program). She recommended that any interested parties contact TVCCA (Thames Valley Council for Community Action) for assistance with the application process. Due to the decrease in funding and rising costs, households will, most likely, receive less funding and fewer households will receive assistance. As such, it is recommended that individuals apply for assistance as soon as possible. She hopes that a Special Session will be held to address the issue. In addition, Safe Futures, which provides support to those impacted by domestic violence, sexual assault, stalking, and trafficking, is in the planning stages for the construction of a \$7 million Family Justice Center in Waterford. It is her understanding that the organization has requested the allocation of \$5,000.00 from the Town of Salem as a statement of commitment and to help fund the project. The funds provide individuals with access to housing, health care, social services, the justice system, etc. To the best of her knowledge, the organization served approximately 24 Salem residents in 2021. She also reported that the State will be receiving funds from the Overdose Settlement which the Attorney General is hoping to direct to the towns to deal with the increased numbers of overdose victims. She thanked the Board and the public for their attention and expressed her openness to being contacted with any questions, comments, or assistance.

Selectman Lyden stated that the Town has already provided \$5,000.00 in funding for the project.

First Selectman Chmielewski expressed his appreciation for her and Senator Formica's support regarding the need for additional patrols at Gardner Lake State Park from CTDEEP. Understanding of the staff shortages, he has authorized additional town funding to pay for the overtime costs of the Town's Resident State Troopers on the weekends to enhance the patrols, be proactive, and enforce the rules. He will be contacting her and Senator Formica for assistance with the Noise Ordinance in the near future.

Selectman Lyden also thanked her for her support and stated the responsibility of CTDEEP. The issues are not fair to the residents and it is only due to their persistence and actions that the State issued an alcohol ban and placed a dumpster. He criticized the State for reacting rather than being proactive. He suggested the possibility of the Board of Selectmen consider voting to close off the entrance to the Park next year should the issues continue.

Representative Cheeseman added that there are also issues of public safety and the activities should be tolerable for the neighboring residents and pleasant for the attendees. She expressed her full support.

First Selectman Chmielewski reported his plans to work with the Board of Selectmen, former Resident State Trooper, Inland Wetlands & Conservation Commissioner Jim Miller, Gardner Lake Authority, and the officials in Bozrah and Montville. If need be, they shall unify the towns against the State to enforce the rules and protect the residents and guests of the Lake. He expressed his appreciation to Representative Cheeseman for her support.

Sue Coffee stated that, since being a member of the Friends of Gardner Lake in 2010, she has persistently contacted CTDEEP. She now feels that the State should close the beach should they not have adequate funding to man and maintain the property. She does not wish for her taxpayers to fund their “nightmare”. She added that the boats are also not being checked for invasive plants.

Kate Johnson, Gardner Lake Authority Member, representing the Town of Montville, shared their experiences with CTDEEP regarding the noise issues on the Lake. After speaking with an EnCon Officer, she was informed that it was not possible to enforce the sound on the Lake and they did not have the proper equipment to gauge the sound.

Sue Coffee added that the establishment of a Noise Ordinance might also aid in dealing with part of the issues at Forest Drive.

John Hummel stated that, in lieu of a Noise Ordinance, a government entity, e.g., Zoning, might be able to handle the matter. He also understood the difference between private personal use and commercial use.

First Selectman Chmielewski concurred, adding that his goal is to resolve issues in the least restrictive manner before proceeding to more extreme measures.

3. ALTERATIONS TO THE AGENDA – none

4. AGENDA:

a. Appointments to Boards and Commissions

1) Inland Wetlands & Conservation Commission

M/S/C: LaBonte/Munro, to appoint Jim Miller as a Full Member of the Inland Wetlands & Conservation Commission, effective September 7, 2022.

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

M/S/C: Lyden/LaBonte, to appoint Lisa MarcAurele as an Alternate Member of the Inland Wetlands and Conservation Commission, effective September 7, 2022. Discussion: None. Voice vote, 4-0, all in favor.

2) Recreation Commission

M/S/C: LaBonte/Lyden, to appoint Dave Knopf, Agnes Valentini, and Lisa MarcAurele as members of the Recreation Commission. Discussion: None. Voice vote, 4-0, all in favor.

3) Emergency Preparedness Agency

M/S/C: Lyden/LaBonte, to appoint Cory Bourgeois as a member of the Emergency Preparedness Agency. Discussion: None. Voice vote, 4-0, all in favor.

4) Board of Assessment Appeals

M/S/C: Lyden/LaBonte, to appoint Kay Zak as a member of the Board of Assessment Appeals. Discussion: None. Voice vote, 4-0, all in favor.

5) ARPA (American Rescue Plan Act) Committee

M/S/C: Lyden/LaBonte, to remove Alan Maziarz as a member of the American Rescue Plan Act (ARPA) Committee. Discussion: Mr. Maziarz was on the Committee as a representative of the Recreation Commission from which he has since resigned. Voice vote, 4-0, all in favor.

M/S/C: Lyden/LaBonte, to appoint Steven Wlodarczyk, Diane Robillard, and Sean Reith to the American Rescue Plan Act (ARPA) Committee. Discussion: Mr. Wlodarczyk will represent the Recreation Commission, Ms. Robillard will represent the Library Board of Directors, and Mr. Reith will represent the Board of Education. Voice vote, 4-0, all in favor.

b. Bulky Waste Amnesty Days: October 15, 16, and 19

M/S/C: Lyden/LaBonte, to set the Transfer Station Fall Amnesty Dates for Saturday, October 15; Sunday, October 16, and; Wednesday, October 19, 2021. Discussion: Amnesty Days are held twice annually, in May and October. Voice vote, 4-0, all in favor.

c. Noise Ordinance Process

First Selectman Chmielewski stated that he has received input from several residents regarding a Noise Ordinance. He explained the process of establishing an Ordinance, including reaching out to all of the relevant parties for their input and researching the noise ordinances of other towns. Once the Ordinance is drafted, a Town Meeting would be held to vote upon and establish the Ordinance. Selectwoman Munro reported that more than two-thirds of the towns in the State have not established a Noise Ordinance

due to enforcement issues. It was noted that a Cease-and-Desist Order has been issued on the Old Colchester Road property in question and other unrelated complaints have been received.

d. Tax Collector's Refunds – *none*

5. APPROVAL OF MINUTES:

a. Tuesday, August 2, 2022 Board of Selectmen Regular Meeting

M/S/C: LaBonte/Munro, to approve the Tuesday, August 2, 2022 Board of Selectmen Regular Meeting Minutes. Discussion: None. Voice vote, 3-0-1. Voting in Favor: Selectmen LaBonte, Munro, and Chmielewski. Voting in Opposition: None. Voting in Abstention: Selectman Lyden.

6. REPORTS:

a. FIRST SELECTMAN

A copy of the First Selectman's report containing updates on the Town departments was provided to the Board (*attached*). One item of note is that 12 of the 48 units in the new Age-Restricted Housing Development located on Route 82 have been rented. The units are being rented out at market value, excluding utilities.

b. EMERGENCY SERVICES - POLICE / FIRE – *see attached report*

c. EMERGENCY MANAGEMENT – *see attached report*

d. BOARD OF FINANCE

The Board of Finance will be meeting this Thursday, September 8. Member Bourgeois is planning a presentation to all Department, Board, and Commission Heads regarding the budget process.

e. BOARD OF EDUCATION

The Board of Education will be meeting next Monday, September 12.

f. PLANNING AND ZONING COMMISSION

The Planning & Zoning Commission is continuing to finalize the town's Plan of Conservation & Development.

g. ECONOMIC DEVELOPMENT COMMISSION

The Economic Development Commission is investigating ways to advertise the town's businesses.

h. LIBRARY

First Selectman Chmielewski reported that Interim Library Director Shannon Henson was officially appointed as the Library Director. Selectman Lyden felt that Ms. Henson represents the town positively and stated that, in speaking with many of the members of the Library Board of Directors, they are very pleased with her performance. Friends of

the Library President Carl Nawrocki added that the Library held a very successful Summer Reading Program. Selectwoman Munro noted that an announcement reporting the numbers of the Summer Reading Program was made and the Library has been very active as they come out of the pandemic.

i. TVCCA (Thames Valley Council for Community Action)

The TVCCA held its annual meeting and retreat last month. The organization will be establishing a slow, gradual process of changing over to a new director. The current director will be retiring after 50 years of service. The organization provides a multitude of services including resources for childcare, heating, food, and work assistance.

j. UNSUNG HEROES

Selectman LaBonte reported that the Class of 2022 has been selected. A celebration will be held on Saturday, November 13. Details are to follow. He commended the Committee and what they do to celebrate volunteerism in Salem.

7. EXECUTIVE SESSION

a. To provide an update and to discuss legal strategies for the current lawsuit “The Gardner Lake Volunteer Fire Company, Inc. vs. Town of Salem” pursuant to C.G.S. Section 1-200 (6)(B)

M/S/C: Lyden/LaBonte, to enter into Executive Session for the purpose of providing an update and discussing the legal strategies for the current lawsuit “The Gardner Lake Volunteer Fire Company, Inc. vs. Town of Salem” pursuant to C.G.S. Section 1-200 (6)(B) at 8:03 p.m. Discussions to include the Board of Selectmen, Emergency Management Director/Emergency Services Coordinator Mike Bednarz , and Town Attorney Brian Estep. Discussion: None. Voice vote, 4-0, all in favor. First Selectman Chmielewski resumed the meeting at 8:59 p.m. No votes were taken during Executive Session.

b. To discuss investigative reports regarding complaints by Salem Town Employees against The Gardner Lake Volunteer Fire Company, Inc. members pursuant to 1-200(6)(E) and 1-210 (b)(2).

M/S/C: Lyden/LaBonte, to enter into Executive Session for the purpose of discussing investigative reports regarding complaints by Salem Town Employees against The Gardner Lake Volunteer Fire Company, Inc. members pursuant to 1-200(6)(E) and 1-210 (b)(2) at 8:59 p.m. Discussions to include the Board of Selectmen, Emergency Management Director/Emergency Services Coordinator Mike Bednarz, and Town Attorney Brian Estep. Discussion: None. Voice vote, 4-0, all in favor. First

Selectman Chmielewski resumed the meeting at 9:16 p.m. No votes were taken during Executive Session.

ADJOURNMENT

M/S/C: LaBonte/Lyden, to adjourn the meeting at 9:17 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

Board of Selectman
Tuesday, September 6, 2022 Regular Meeting
First Selectman's Report – Department Updates for August

Finance Department– Lisa Jablonski

- Continued schedule and reconciliation preparation for Final Audit late September, finalize FY 2022
- Processing Loan securing for Capital items including contacting Equipment dealers for applicable Quotes
- Assist Depts in Inventory listings requested by BOF
- Monitor and assist Depts with Budget expenses and balances with new FY
- Processed 147 Invoices for \$136,239 for month of August
- Research previous insurance Claim to submit reimbursement request

Human Resources Department – Lisa Jablonski

- Continue working with Uncas Health regarding ongoing employee Covid cases and acceptable protocol for employees
- Reviewing and maintaining Training Class rosters for Cyber policy requirements
- Assist however needed to maintain Tax Coll office operation during family emergency
- Assist Depts formulating Job descriptions
- Update CDL Driver requirements roster
- Ongoing collaboration with Prime pay to issue valid PTO Accruals for new FY

Emergency Services/ Management – Mike Bednarz

Emergency Services Fire:

- Career Firefighter Ryan Teixeira instructed 2 separate CPR/First Aid classes for approximately 8 Town Employees.

Emergency Management:

- Our regular meeting was held the 2nd Tuesday of the Month of August. We have been progressing towards the completion of review/update of the Town's Local Emergency Operation Plan (LEOP), that addresses the State Mandate requiring the plans update and submittal every 5 years.
- The State continues to be in a drought as we enter into Hurricane Season. The rain at the end of last month was a temporary relief of an Extremely High Fire Danger status for New London County that lasted for an approximate week. The majority of last month was consider High fire danger or above. Burning permit approval was temporarily suspended due to the extremely high fire danger levels, that has been reversed due to the recent rain. Weather will continue to be monitored for very much needed precipitation to assist with the drought situation and fire danger concerns.
- Our public service announcement (PSA) for the month of August continued to address drought concerns and voluntary conservation of water usage. September is the start of Hurricane season that will most likely begin our preparedness educational outreach. Power outage remains a top vulnerability in town and will be communicating further with Eversource. Our new regional Eversource emergency coordinator has reached out to schedule a meeting in preparation.
- I attended a presentation from the FBI in regard to program offerings they have addressing safety and security of schools with the Salem School Superintendent, Principal, and their new part-time Director of Facilities.

Resident State Trooper:

Board of Selectman
Tuesday, September 6, 2022 Regular Meeting
First Selectman's Report – Department Updates for August

- The state construction project on rt. 82 has been completed. Extra area traffic enforcement patrols were conducted.
- Trooper Crosby graduated from D.A.R.E. (Drug Abuse Resistance and Education Officer) School
- Resident State Troopers were in the area of Salem School for the start of the new school year.

Public Works – Tony Gallicchio

- Rail mowed roads
- Set up Conf room for Primary
- Repair/replace photo eyes and timers at Pavilion
- Repaired dry hydrant Way Road
- Installed 15" pipe across way road
- Prepared and paved 3 areas of Way Rd
- Repaired water issue at town hall and replaced filters
- Rebuilt outside message board and replaced plexiglass
- Took care of tree issue on Alexander rd.
- Weekly garbage pick-up from town fields and buildings
- Filled potholes various roads
- Crack sealed and chip sealed roads
- Removed gas line and old generator from outside public works
- Mowed fields and properties
- Rebuilt large sweeper in house
- Rebuilt Dump truck frame
- Continued Chip Seal sweeping
- Rebuilt entire compressor house
- Responded to 36 Maintenance Request Forms
- Contacted vendors to give quotes for split system for TH
- Worked with electrician to update some of the old electrical
- Replace hot water heater PW
- Saw cut and prepared 21 Catch Basin areas
- Swapped out 21 Catch basin tops on Skyline
- Paved in Catch Basin Tops w/ Contractor
- Ran 300+ feet of 18" sub drain pipe at Skyline
- Installed 2 complete catch basins from sump to grate Skyline
- Took care of 14 downed tree calls
- Hauled old concrete tops to Seymour Plant
- Ran 3 dump trucks and drivers for Skyline project
- Took care of Multiple Road issue calls

Salem Library – Interim Head Librarian Shannon Henson

Library Staff:

- I have appointed Shannon Henson as the Director of the Salem Free Public Library
- Training new employees on usage of Bibliomation and library procedures

Board of Selectman
Tuesday, September 6, 2022 Regular Meeting
First Selectman's Report – Department Updates for August

Building Maintenance:

- Researching options and getting quotes for cleaning and fixing VCT flooring in the library's entryway, Children's Room, and Community Room.

Events:

- August 3-Kids' Guide to Tree ID presented by Denison Pequotsepos Nature Center (DPNC). Participants learned tree identification skills and met several DPNC animals that rely on trees in the wild. Participants were also able to create a leaf rubbing craft. 17 participants.

Salem Library (continued)

- August 9 – Butterfly Craft Kits. 12 kits distributed.
- August 15- STEM kit-Deep Sea Cupcakes. This kit was from our collaboration with the UCONN/4-H Extension office of New London. This kit used dyes to represent the different levels in the ocean. 8 kits distributed.
- August 17-Birds of Prey Family Event-The audience was able to meet two daytime hunters and two nighttime hunters. Learn each bird's story of survival and ways to lessen conflict with the wildlife in your own backyard. 25 participants.
- August 23 – Anglerfish Story Time-Local Author Elaine Alexander presented her book, sang songs, and had participants make a craft. 14 participants.
- August 24 – Floral Arranging with Pam Gray. Participants were able to arrange and take home locally grown flowers. 10 participants.

Tax Collector - Vivian Waters

The tax office encountered another short staffing issue this month. Athena our assistant collector was in the office with minimal help for a little over two weeks due to an unforeseen family emergency for Vivian. All residents were properly cared for and the office continues to run smoothly.

- Late notices and warrants went out within the first week of the month
- No liens have been placed this month
- Our collection rate is currently at 55.88%

Recreation – Agnes Miyuki

- Find Your Footprint 2022 Medallions are out on the trails ready to be found
- Adult Tennis with Anne Santoro – morning & evening classes beg. Sept. 8 (4-weeks)
- Meditation...Chi Kung...Tai Chi Chuan – Tuesday evenings, beg. Sept. 13 (8-weeks)
- In the works: Safe@Home class – planned as afterschool class in October
SafeSitter class – Saturday class, planned for October
Slime workshop – planned as afterschool workshop on early dismissal day

Seniors – Agnes Miyuki

- Next meeting September 13, 10:30 am, Salem Firehouse
- Salem Seniors members continue to enjoy \$5 lunches at Two Brothers Restaurant every other Tuesday
- Salem Seniors is working on organizing trips and activities. Including a demo art class, river cruise, dance, self-defense classes, and BINGO.

Board of Selectman
Tuesday, September 6, 2022 Regular Meeting
First Selectman's Report – Department Updates for August

Building Department – Agnes Miyuki

- FY2022/23, to date:

Total Permits Issued:	72
Total Fees Collected:	\$14,066.65
Total Construction Value:	\$1,138,417.70
Total Certificate of Occupancies Issued:	17

Assessor's Office – Mike Kapinos

- Website updates
- Sales entry
- Camp manager request mailings
- Personal property mailing prep
- Permit review
- Filing
- Motor vehicle corrections

Town Planner - Justin LaFountain

- Following the decision to deny the Special Agriculture Zone application for 45 Forest Drive, the applicant filed an appeal with the Connecticut Superior Court regarding the decision. Attorney Steven Byrne is handling any and all court proceedings.
- The Planning and Zoning Commission approved outdoor merchandise sales at Statewide Pawn (1 New London Road). The merchandise is not allowed to extend into the parking spaces, and cannot obstruct sight lines of neighboring businesses.
- Plan of Conservation and Development progress continues, with nearly every section complete. I imagine that at the first September meeting, the Plan will be nearly or fully finalized. It can then start the official approval process.
- The site plan for the Salem Space Station Storage facility, which was approved in 2017 at 89 New London Road, is due to expire in November (site plans have a five-year approval, as dictated by State Statutes). The applicant has indicated that they will be requesting a five-year extension from the Planning and Zoning Commission, which the Commission is permitted to approve.

Town Clerk – Linda Flugrad

- Vault combination lock has been replaced for less than \$1,500
- Working on verifying documents for backfilling the land records currently to the early 1900's
- We have received a grant from the State for roughly \$1,100+ for the issuance of absentee ballots, which would include purchasing absentee ballots, postage, and any additional supplies/workers we need for issuing them. We may have an upsurge due to change in legislation and aggressiveness in campaigns to get people to vote absentee. This grant does not need to be returned if funds not completely spent this year.