

**TOWN OF SALEM  
BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
TUESDAY, JANUARY 7, 2020 – 7:00 P.M.  
SALEM TOWN OFFICE BUILDING**

**PRESENT**

Kevin Lyden  
Edward Chmielewski, Jr.  
Hugh McKenney  
Terri Salas

**ABSENT**

Ron LaBonte

**CALL TO ORDER**

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

**1. PLEDGE OF ALLEGIANCE**

A moment of silence was held in honor of Planning & Zoning Commissioner David Miller, who recently passed away. A Memorial Scholarship Fund is in the process of being established. Everyone was asked to keep the Miller Family in their thoughts and prayers.

**2. APPROVAL OF MINUTES – Tuesday, December 3, 2019 Regular Meeting**

**M/S/C: McKenney/Chmielewski, to approve the Regular Meeting Minutes of Tuesday, December 3, 2019, Discussion: The Boards of Education, Finance, and Selectmen Joint Meeting Minutes will be approved at the next Regular Meeting. Voice vote, 4-0, all in favor.**

**3. CORRESPONDENCE/PUBLIC COMMENTS**

Correspondence:

- a. A copy of a letter from the New London Homeless Hospitality Center, requesting funding. First Selectman Lyden reported that he plans to include the appropriation of \$1,000.00, as requested by the Center, which serves the needs of numerous Salem residents, for the FY2019/20 budget. Selectman McKenney, who has toured the facility, commended and spoke in favor of supporting the Center.

Public Comment:

James Savalle, stated that, as the elected Chief of the Gardner Lake Volunteer Fire Company (GLVFCO), his extensive duties include providing leadership and coordination of emergency operations, providing and managing budgets, and acting as the liaison between the Town and Fire Company. The Fire Company provides the On-Call System and the availability list of all of the Town's Medical Response and Emergency Medical Technicians. The ambulance has never

failed to respond to any calls for service, with the exception of competing calls or when the vehicle is not available due to maintenance/repairs. In such case, neighboring towns are called upon to respond to those calls, per the mutual aid agreement. He reported that a meeting with the First Selectman was held in December 2016 during which the modification of hours and compensation of EMS personnel were agreed upon. In January 2018 another meeting was held with the First Selectman regarding the ceasing of the compensation for EMS personnel. First Selectman Lyden interjected, stating that compensation was provided to the personnel until legal issues surrounding the matter arose.

Mr. Savalle continued that, in February 2019, he verbally verified the receipt of the compensation for all ambulance On-Call personnel with the Finance Office to ensure coverage during his vacation. Upon his return, he received an e-mail that two of the members would need to submit the proper paperwork in order to receive the stipend. The First Selectman, again, interrupted, stating that such personnel and legal issues are not appropriate for discussion during a public forum.

Mr. Savalle continued to state that, at the May 2019 Board of Selectmen meeting, GLVFCO Board President Cheryl Philophena addressed the Board and requested that a joint meeting between the Board and GLVFCO Board Members be held to discuss the Fair Labor Standard Act (FLSA). To date, no such meeting has taken place. In response, First Selectman Lyden stated that several meetings have taken place between the Town and GLVFCO Attorneys and are continuing to take place. He stated the importance of following the law and correcting their past errors, adding that a procedure has been laid out and the Fire Marshal staff and Selectman LaBonte have been delegated to handle the issues at hand.

Mr. Savalle confirmed that they did meet with the Fire Marshal staff and ideas were presented and discussed, but have not been instituted to date. First Selectman Lyden stated that a request to provide a written statement outlining the meeting was sent to the Fire Company, which, Mr. Savalle claimed, was never received; the request will be re-sent. Mr. Savalle stated that, meanwhile, the Town is withholding funds hindering their ability to pay the volunteers for their services.

He requested that the First Selectman cease and desist from making personal attacks against the members of the GLVFCO; reinstate and reimburse the funding to the On-Call Ambulance System (Account No. 105); cease and desist from interfering with the emergency operations, funding and training, and; meet with the GLVFCO Board of Directors to conclude this ten-month issue. He spoke against the type of treatment, he felt, the personnel have been receiving. The First Selectman was agreeable to hold another meeting with them and their respective attorneys to further discuss the issues and requested that he cease his comments at this time, adding that the Town is entering into mediation regarding the personnel issues and the attorneys of both sides are in discussions regarding the legal issues.

Cheryl Philophena, President of the GLVFCO Board of Directors, spoke with regards to a misunderstanding regarding the stipend amount for the weekend On-Call personnel. She stated that during the last meeting between the Fire Marshal, Mr. Savalle, and GLVFCO Board of Directors Treasurer Christine Lindo, it was agreed to pay the weekend On Call personnel \$35.00/shift. First Selectman Lyden concurred and stated that a letter was drafted and, to his knowledge, was sent to either Mr. Savalle and/or herself, requesting that a written record of the discussion be submitted prior to the release of funds. The letter, she stated, was not received; the letter will be re-sent to Mr. Savalle. The procedure would be discussed upon receipt of the letter from the Fire Company. She also agreed with Mr. Savalle regarding the situation, adding that, prior to the attorneys' involvement, the Town had refused to meet with the Fire Company to discuss the issues. She was confident that the issues surrounding the FLSA would be resolved by the attorneys.

Horace Lindo, a former member of the GLVFCO, felt that the varying personalities have interfered with the solving of a simple problem between the paid personnel and the stipend system. He relayed a personal story, concluding that all of the respective parties should be able to meet, discuss, and resolve the issue(s) regarding the stipend system without generating a huge cost to the Town and Fire Company and becoming further detrimental to the parties involved. He felt that their personal feelings should be set aside and both sides should be working together for the benefit of the Town.

First Selectman Lyden thanked the individuals for attending the meeting.

#### **4. AGENDA:**

##### **A. Board of Selectman Resolution for Roof Replacement Project at Salem School (Discussion & Action)**

First Selectman Lyden stated that Capital funding for the project has been set aside for two (2) years for the replacement of the roof on the 1994 addition of Salem School.

**M/S/C: McKenney/Salas, to**

- 1. authorize the Board of Education to apply to the Commissioner of Administrative Services and to accept or reject a grant for the replacement of the roof over the Salem School 1994 addition and replacement of seven (7) roof top units at Salem School.**
- 2. establish a Building Committee for the roof replacement of the Salem School 1994 addition and replacement of seven (7) roof top units at Salem School.**
- 3. authorize at least the preparation of schematic drawings and outline specifications for the roof replacement of the Salem School 1994 addition and the replacement of seven (7) roof top units at the Salem School.**

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

**B. Appointment of Building Committee for the Salem School Roof Replacement Project (Discussion & Action)**

**M/S/C: Lyden/McKenney, to appoint Donald Bourdeau, Jr., LaVan Norwood, Joseph Onofrio II, Kim Gadaree, and Kevin Lyden, Ex Officio, to the Building Committee for the Salem School Roof Replacement Project. Discussion: First Selectman Lyden stated that the reimbursement for approximately half of the cost of the project by the State is expected. It is unknown as to whether the cost of the air handlers will be included. Selectman McKenney requested that, as the liaison for the Board of Education, he be considered for appointment to such Committees in the future. First Selectman Lyden agreed and added that he may act as Ex Officio to the Committee in his absence. Voice vote, 4-0, all in favor.**

**C. Supplemental Appropriation request per Section 10.09 of the Salem Town Charter in the amount of \$20,000.00 (\$8,000.00 for 5-126-202 Labor Relations, \$12,000.00 for 5-126-209 Town Issues (Discussion & Action)**

**M/S/C: McKenney/Chmielewski, to approve the Supplemental Appropriation request, per Section 10.09 of the Salem Town Charter, in the amount of \$20,000.00 (\$8,000.00 for 5-126-202, Labor Relations, and \$12,000.00 for 5-126-209, Town Issues). Discussion: None. Voice vote, 4-0, all in favor.**

**D. Appoint Board of Finance Alternate Member per Section 3.09A of the Salem Town Charter (Discussion & Action)**

**M/S/C: Lyden/Salas, to appoint John Bernier as an Alternate Member of the Board of Finance, per Section 3.09A of the Salem Town Charter Discussion: First Selectman Lyden reported that he was cc'd on an e-mail addressed to the Board of Finance that David Bingham was interested in serving as an Alternate Member on the Board of Finance. The appointment, having passed the 30-day period for appointment by the Board of Finance, is now under the jurisdiction of the Board of Selectmen. Because the letter was received by the Board of Finance following the 30-day period and not the Board of Selectmen, Mr. Bingham was not contacted. Mr. Bernier, who has been a resident of Salem for the past 28 years and has been an active member of the community, has expressed an interest in serving on the Board as an Alternate Member. Mr. Bernier attended the Board of Finance's last Regular Meeting and met with both the Chairman and the Clerk at that time. Voice vote, 3-1. Voting in Favor: Selectmen Chmielewski, Lyden, and Salas. Voting in Opposition: Selectman McKenney.**

**E. Appoint Inland Wetlands & Conservation Commission Alternate Member  
(Discussion & Action)**

**M/S/C: Lyden/McKenney, to appoint Harry Horn III as an Alternate Member of the Inland Wetlands and Conservation Commission. Discussion: The Salem Democratic Town Committee conducted an e-vote and unanimously voted to recommend Harry (Hank) Horn III as an Alternate Member of the Commission. Mr. Horn is a long-time Salem resident, active member of the community, and part owner of Mitchell Farm Equine Retirement, Inc. Voice vote, 4-0, all in favor.**

**F. Supplemental Appropriation per Section 10.09 of the Salem Town Charter in the amount of \$5,000.00 for payment of weekend custodian fees regarding the use of Salem School Gymnasium (Discussion & Action)**

**M/S/C: McKenney/Salas, to approve the Supplemental Appropriation, per Section 10.09 of the Salem Town Charter, in the amount of \$5,000.00 for payment of weekend custodian fees regarding the use of Salem School Gymnasium. Discussion: First Selectman Lyden stated that the item was not included in the Town's FY2019/20 budget and was cut from the Board of Education's budget, who had previously funded the item in exchange for in-kind services provided by the town. Because the expense is not an educational, but recreational expense, he agreed to include the item in the Town's budget. Selectman McKenney suggested adding a new account under the Recreation Department. Voice vote, 4-0, all in favor.**

**G. FFY 2019 State Homeland Security Grant and Resolution (Discussion & Action)**

**M/S/C: Chmielewski/Salas, to approve the FFY 2019 State Homeland Security Grant Program Region 4 Memorandum of Agreement and to enter into with and deliver to the State of Connecticut Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection any and all documents which it deems to be necessary or appropriate and to approve and authorize First Selectman Kevin T. Lyden to execute and deliver any and all documents on behalf of the Town of Salem, Connecticut and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents. Discussion: The item is voted upon annually for the Town to receive its portion of the funding. Voice vote, 4-0, all in favor.**

**H. Tax Collector Refunds**

**M/S/C: McKenney/Chmielewski 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 \$204.92 on the 7th day of January 2020.**

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

**REPORTS:**

**A. FIRST SELECTMAN – *no report***

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

Selectman McKenney reported that the BOE is expecting to receive the Superintendent's Budget recommendations on January 13.

**C. BOARD OF FINANCE**

First Selectman Lyden reported that the Auditor is awaiting receipt of the reconciliation from East Lyme to complete their audit. The Board of Finance will begin hearing the Capital Requests at their next Regular Meeting.

**D. PLANNING AND ZONING COMMISSION – *no report***

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

Selectman Chmielewski reported that much excitement has been generated as the Commissioners continue to meet with local businesses and residents in an effort to bring additional businesses into Town. The Commission plans to meet with State Representative Holly Cheeseman in the near future to discuss the Small Business Advisory Panel.

**F. LIBRARY – *no report***

**G. MILITARY LIASION**

Selectman Chmielewski reported that they plan to hold regular monthly office hours to help better serve those who served in the military. It recently came to light that several residents who were given a general discharge from the military are unable to receive certain benefits from the Veterans Administration and elsewhere. Their goal is to review each of the cases individually and work with the veterans and investigate whether their discharge status might be changed so that they could receive the necessary benefits.

In response to Selectman McKenney regarding the status of the previously formed Salem School Building Committee, First Selectman Lyden stated that he would investigate the Committee's status with Salem School District Business Manager Kim Gadaree.

**ADJOURMENT**

**M/S/C: Chmielewski/McKenney, to adjourn the meeting at 7:48 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