

**REGULAR MEETING FEBRUARY 2, 2009**  
EAST LYME INLAND WETLANDS AGENCY  
EAST LYME TOWN HALL  
108 PENNSYLVANIA AVENUE

Members Present:  
Ed Hafner, Chairman  
Walt Prochorena  
Cheryl Lozanov  
Norman Bender  
Rich Gallagher  
Chuck Reluga  
Candace Bodenhofer

Also Present:  
Keith Hall, Alternate  
Laurie Corona, Alternate  
Gary Goeschel, Wetlands Enforcement Officer  
Robert Kleinhans, Ex-Officio

Chairman Hafner called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance.

Chairman Hafner led the pledge of allegiance.

2. Election of Officers.

Motion (1) Cheryl Lozanov moved to appoint Norman Bender as Secretary of the Inland Wetlands Agency.

Seconded by Candace Bodenhofer.

Motion Passed 7-0.

Motion (2) Candace Bodenhofer moved to appoint Cheryl Lozanov as Vice Chairperson of the Inland Wetland Agency.

Seconded by Chuck Reluga

Motion Passed 7-0.

Motion (3) Rich Gallagher moved to appoint Ed Hafner as Chairman of the Inland Wetlands Agency.

Seconded by Candace Bodenhofer.

Motion Passed 7-0.

3. Additional Agenda Items.

Cheryl Lozanov asked that they add the appointment of an officer to levy fines to the agenda. Chairman Hafner stated they can discuss that under the ex-officio report or the Chairman's Report.

Chairman Hafner asked that they add the letter from the town attorney regarding the acceptance of minutes under 4B for Discussion.

#### 4. Public Delegations.

There were no Public Delegations.

#### 4b. Letter from Town Attorney

Chairman Hafner stated they received a response from Mr. Formica's request to the town attorney regarding the method this agency approved their minutes (letter attached as Exhibit A). The town attorney's position is such that he feels they should have a motion and vote on the acceptance of the minutes. Chairman Hafner has spoken to FOI, and has attended training with the Connecticut Conference of Municipalities, researched the internet, researched Robert's Rules of Order, and he also provided the members with a copy of the California State Association of Parliamentarianism (attached as Exhibit B) which support the method that this agency has been following to approve the minutes.

Chairman Hafner did request that the minutes be recorded to reflect that the minutes were approved by "Unanimous Consent" if that is the case. He hopes that Mr. Formica will be satisfied with this.

Motion (4) Rich Gallagher moved to use "unanimous consent" as their approval of minutes.

Seconded by Cheryl Lozanov

Chairman Hafner stated this would only be the case if there are no objections to the minutes. If there are objections to the minutes and someone wants to vote on them then they would follow normal procedure.

Motion Passed 7-0.

#### 5. Acceptance of Minutes.

##### a. December 1, 2008 – Regular Meeting Minutes

Laurie Corona stated she was not at that meeting and 2/3 down on Page 1 it should say Mrs. Berger abstained.

Chairman Hafner stated on the last page in the first paragraph he would like more detail about the author, and there was also discussion that the town was going to purchase the author's books. He really liked the ideas presented at the workshop.

The Minutes of the December 1, 2008 meeting of the Inland/Wetlands Agency were accepted by unanimous consent.

#### 6. Ex-Officio Report.

There was no ex-officio report

#### 7. Public Act 87-533 Matters (Pending Applications).

There are no pending applications.

#### 8. Old Business.

a. Cease and Desist Order – New England National - Upper Kensington Drive - Issued November 1,

2007.

Restoration Plan Approved November 3, 2008. Work Pending.

Mr. Goeschel stated work is pending on this because of the weather.

b. Cease and Desist Order – Calkins – 163 Chesterfield Road. Issued June 4, 2008. Corrective Action Pending.

Mr. Goeschel stated work is pending on this because of the weather.

9. New Business.

a. Appoint Gary Goeschel Municipal Agent for the Commission.

Motion (5) Cheryl Lozanov moved to appoint Gary Goeschel as Municipal Agent for the Inland/Wetlands Agency

Seconded by Norman Bender.

Mr. Goeschel stated he is a certified municipal agent, and certified zoning enforcement officer. He has worked for the Town of Wilton, and indirectly for the Town of Colchester. He is familiar with Inland/Wetlands, Zoning, and Planning. If they have any questions they can just call him.

Motion Passed 7-0.

10. Chairman's Report.

Chairman Hafner stated they are waiting for Mr. Formica to appoint an agent to levy fines. It was discussed whether they should have Mr. Goeschel write to Mr. Formica to get the status of this appointment.

Motion (6) Cheryl Lozanov made a motion to have Gary Goeschel write a letter to Mr. Formica to determine the status of the appointment.

There was no second.

Motion Failed.

It was decided that Mr. Goeschel should informally inquire of Mr. Formica as to the status of this appointment, and Mr. Goeschel will report back to this agency at the next meeting.

Chairman Hafner stated that Keith Hayden has done a wonderful job for them, and they appreciate all of the work that he has done for them.

11. Wetland Enforcement Officer Report.

Mr. Goeschel stated he is looking forward to working with all of them. If they have any questions or comments they should let him know.

Mr. Reluga stated he was not happy with the recent decision by the Board of Selectmen to give the developer \$250,000.00. That applicant has been before this Agency before, and he hopes we are not influenced by that settlement, and that the settlement has no implication for us in the future.

Chairman Hafner stated this agency abides by the Inland Wetlands Regulations and we apply them. We wont be told what to do or held to any secret agendas, and if anyone feels they cannot apply the regulations they should recuse themselves.

Mr. Bender stated that Joe Kwasniewski passed away. All members expressed their condolences.

12. Adjournment.

Motion (7) Walter Prochorena moved to adjourn the February 2, 2009 meeting at 7:40 p.m.

Seconded by Cheryl Lozanov

Motion Passed 7-0.

Respectfully Submitted,

Karen Miller Galbo  
Recording Secretary Pro-Tem