

Board of Selectmen  
**SPECIAL MEETING**  
Town Hall  
November 3, 2008 – 3:00 P.M.

**MINUTES**

**1.0** First Selectmen Joyce Okonuk called the Special meeting to order at 3:04 p.m. Selectman John Bendoraitis and Selectman Russ Blakeslee were present. Also present was Administrative Assistant Mary Ellen Wieczorek and audience of 2.

**2.0 Public Forum**

Resident Ron Cowles inquired about minutes of meetings and emails. For the record, Mr. Cowles submitted a document entitled "Email Communication Policy for All Members of All Committees for the Town of Sudbury, Massachusetts" for the Selectmen to read. Mr. Cowles told the Board that posting minutes on the website not only can save the town money, but the information should be available and residents should be provided the opportunity to obtain them online. Bendoraitis stated that the Town Clerk is responsible for posting agendas and minutes. Furthermore, the Town Clerk must communicate the process to all Boards/Commissions. Okonuk said that because of the election, the Town Clerk has not had the opportunity to provide the instructions to Boards/Commissions for posting agendas and minutes. Mr. Cowles asked if Boards/Commissions could have email addresses so that residents can send questions/comments to a particular Board. Bendoraitis said that the website has been modified so that email addresses on the webpage can be routed to a chairman/member of a particular Board/Commission. Some already exist, for example, the First Selectman email address on the website. When someone selects this link, it is routed to Joyce Okonuk's email at Town Hall and is received in her inbox. The Board thanked Mr. Cowles for attending and providing his concerns.

**3.0 Minutes**

**3.1** Selectman Bendoraitis requested the following corrections to the October 7, 2008 Regular Meeting.

Item 5.9; 2<sup>nd</sup> sentence: strike the words *for posting to the Website* and change the word *excessive* to *unnecessary*. Sentence amended to read: Bendoraitis stated that with the ability to submit agendas and minutes directly to the Town Clerk via the internet, this additional cost was unnecessary.

Item 8.0; 7<sup>th</sup> sentence: Change the word *webpage* to *website*. Sentence amended to read: Bendoraitis advised that website modifications are near completion.

Motion by Blakeslee, seconded by Bendoraitis to accept the minutes of the October 7, 2008 Regular Meeting as amended. Vote: yes. Unanimous.

**3.2** Selectmen Blakeslee requested the following correction to the October 17, 2008 Special Meeting.

Item 3.0; change seconded by *Blakeslee* to seconded by Okonuk. Sentence corrected to read: Motion by Blakeslee, seconded by Okonuk to appoint Linda Finelli, Sherri-Ann Martin, Ed Tollmann, Robert Rivard and Marty Kendall to the 2010 Governor Trumbull Celebration Committee, terms to expire at project's completion. Vote: yes. Unanimous. Motion by Blakeslee, seconded by Okonuk to approve the minutes of the October 17, 2008 Special Meeting as amended. Vote: 2 Yes (Blakeslee, Okonuk); 1 Abstain (Bendoraitis). Motion carried.

**3.3** Motion by Blakeslee, seconded by Bendoraitis to approve the minutes of the October 21, 2008 Special Meeting. Vote: 2 Yes (Blakeslee, Bendoraitis); 1 Abstain (Okonuk). Motion carried.

**3.4** Motion by Blakeslee, seconded by Bendoraitis to approve the minutes of the October 28, 2008 Special Meeting. Vote: yes. Unanimous.

**4.0 Correspondence**

**4.1** The Board acknowledged a letter for the Small Cities Grant awarding the town \$300,000 from Department of Economic and Community Development.

**4.2** The Board acknowledged a letter and a \$250.00 donation from the Norwich Power Squadron. The Squadron meets at the Community Center during the year, and the donation was for allowing them to use the building. The First Selectman's office has sent a thank you letter to the Squadron for their donation.

## **5.0 Old Business**

**5.1** Selectmen reviewed and made modifications to the draft of the Water Pollution Control Authority (WPCA) Ordinance. Motion by Bendoraitis, seconded by Blakeslee to authorize the First Selectman to contact town counsel for final review of the Ordinance before bringing to Town Meeting. Vote: yes. Unanimous.

**5.2** Selectman Bendoraitis requested an update on Brewster Pond. First Selectman Okonuk stated that no trespassing signs had been posted on the property by the State in the spring. At the request of the DEP, the Attorney General's staff had been requested to review all deeds of abutting property and to render an opinion as to the rights of abutting property owners to access the state land as well as the water from the state property. The opinion letter was issued to the DEP, but could not fully be disclosed to the Town as it was protected due to attorney/client privilege. The DEP said they would compile a condensed version of the opinion and send to the town but as of yet, this letter has not been received. First Selectman to contact Rich Kehoe at the State to follow up on the opinion letter. **No action.**

## **6.0 New Business**

### **6.1 The following resignations from Committees/Commissions were acted upon:**

**(a)** Lori Tollman, Assistant Town Clerk, tendered her resignation as she has accepted full-time employment with the Town of Coventry. The Board expressed their gratitude to Lori for her dedicated and professional service. Lori will be leaving her position on November 28, 2008. This is a unique position because by Statute, the Town Clerk appoints the Assistant Town Clerk. However, this position is included in the Town Hall Bargaining Unit agreement, signed by the First Selectman, and is also subject to a motion by the Board of Selectmen to approve the hiring. The Selectmen were not in agreement on the process to approve the filling of the vacancy. The Town Clerk, Sue Coutu, was asked to join the meeting to provide clarification. Susan stated that the Town Clerk, by Statute, hires the Assistant Town Clerk. This is a unique situation because this position is a union position, and although appointed, the Selectmen hire into the union. If this were not a union position, the Town Clerk would appoint and there would be no formal hiring by the Selectmen. Sue stated the process for hiring is advertising the position, conducting interviews, and recommendation of the appointment to Selectmen by Town Clerk. Motion by Blakeslee, seconded by Okonuk to accept, with regrets, the resignation of Lori Tollman thanking her for her service to the residents of the town, and to authorize the First Selectman to advertise for the position in conjunction with the Town Clerk. Vote: yes. Unanimous.

**(b)** Motion by Blakeslee, seconded by Bendoraitis to accept, with regret, the resignation of Jeff Walsh from the Energy Task Force Committee. Vote: 2 yes (Bendoraitis, Blakeslee). Motion carried. Note: First Selectmen Okonuk did not vote as she had left the meeting to ask the Town Clerk to attend on Item 6.1a.

### **6.2 The following appointments/re-appointments to Committees/Commissions were acted upon:**

**(a)** Motion by Bendoraitis, seconded by Blakeslee to appoint Joan Nichols to the Energy Task Force Advisory Committee, term to expire at the completion of the project. Vote: yes. Unanimous.

**(b)** Motion by Okonuk, seconded by Blakeslee to appoint Mary Ellen Wieczorek to the Vo-Ag Building Committee, term to expire at the completion of the project. Vote: yes. Unanimous.

**6.3** Lebanon Historical Society President Ed Tollmann was present to explain to the Selectmen that the LHS Board and members of the Community Chorus wish to make a proposal to the Selectmen to have a town song. Ed told the Board that the Community Chorus performed a song at the Town's Tercentennial in 2000 with words and music written by Alberta (Bertie) Hawkins. As Lebanon does not have an "official" song, the Board is being asked to consider Bertie Hawkin's song, Heritage Hymn, as Lebanon's town song. The Board thought the proposal was a wonderful idea and fully support "Heritage Hymn" be considered as the town song. Okonuk suggested that this item be added to the Annual Town Meeting agenda for a town-wide vote and suggested members of the Community Chorus sing the Heritage Hymn at the Town Meeting so it may be heard by all prior to voting. Motion by Blakeslee, seconded by Okonuk that the words and music by Alberta Hawkins of the "Heritage Hymn" be brought to the 2009 Annual Town Meeting and considered as Lebanon's town song. Vote: yes. Unanimous.

**6.4** The Selectmen reviewed the amended Town Hall Union contract. The First Selectman will confirm the contract effective date with town counsel and contact the insurance broker to verify final costs. **No action.**

**6.5** CL&P has initiated their New England East-West Solution, Interstate Reliability Project which will upgrade existing transmission lines in Lebanon as well as expand significantly the footprint of their sub-station on Card Street. This project falls under the review and approval of the State Department of Public Utilities (DPUC) who will have the final ruling. Although the project does not require local approval it has been presented to the Inland Wetlands Commission and Planning & Zoning Commission. One home will be impacted by the sub-station expansion and CL&P has been in communication with that property owner. Okonuk has concerns about the expansion itself as it will be moving the sub-station to within 50' of Card Street. She has communicated this concern to CL&P and has asked them to factor in the costs of relocating a portion of the road to provide a wider buffer to the facility and associated fencing. Okonuk wants the Board of be aware that additional (unbudgeted) legal expenses will be occurring as the town secures legal services of Andrew Lord of Murtha Cullina to represent the town and Card Street neighborhood. She feels the town has an obligation to the Card Street neighborhood and the community to provide proper legal representation in dealings with CL&P and the DPUC as the town tries to mitigate the impact of this large-scale project. She is estimating that approximately \$10,000.00 may need to be directed to this effort. Blakeslee was of the opinion that people on the street should have known the property they were buying and its proximity to the sub-station. Bendoraitis, although agreeing with Blakeslee, commented that if the Town does have legitimate concerns he would like legal representation with the intent of minimizing impact on the neighborhood--not to stop the project. Motion by Okonuk, seconded by Blakeslee to make the Board of Finance aware of the project and subsequent legal expense estimated at \$10,000.00 with the hiring of Attorney Andrew Lord of Murtha & Cullina. Vote: yes. Unanimous.

**6.6** The town property and cemetery contract will be expiring shortly. The present mowing contractor, S&J Lawncare, has submitted a renewal proposal for town property mowing, excluding the cemeteries. S&J also submitted a recommended "revised" cemetery mowing/cleanup schedule, that they feel will save the town money while still keeping the cemeteries in good order. Bendoraitis stated the mowing contract, per Ordinance, must go out to bid. Okonuk added that mowing bids two years ago came in very high with quotes the town could not afford. Bendoraitis stated that the town would still need to go out to bid on the Cemetery mowing because there would be two separate contracts. Selectmen agreed that they would review the previous Town Property Mowing & Cemetery bids at a future meeting. **No action.**

**6.7** Motion by Bendoraitis, seconded by Blakeslee to approve the 2009 Board of Selectmen Meeting Schedule as follows. Vote: yes. Unanimous.

BOARD OF SELECTMEN  
2009 REGULAR MEETING SCHEDULE  
TOWN HALL ~~ 6:00 P.M.

January 6, 2009  
February 3, 2009  
March 3, 2009  
April 7, 2009  
May 5, 2009  
June 2, 2009  
July 14, 2009 (2<sup>nd</sup> Tuesday)  
August 4, 2009  
September 1, 2009  
October 6, 2009  
October 27, 2009  
December 1, 2009

**6.8** A Resolution is required to be passed by the Selectmen as part of the Assistance Agreement for the Housing Rehab Program. Motion by Bendoraitis, seconded by Blakeslee to authorize a Resolution for the 2008 Small Cities Community Development Block Grant Program. Vote: Yes. Unanimous. A copy of the Resolution to follow minutes.

**6.9** The Town advertised for proposals from firms/individuals to provide professional, administrative and technical services for the 2008 Small Cities Housing Rehabilitation Grant through DECD. The town received one proposal submitted by Community Consulting. Community Consulting has been administering the Town's Small Cities Grants for several years under the administrative services of Peter Huckins. The town has had a good working relationship with Community Consulting. The Board reviewed the fee compensation for professional services to administer and implement Lebanon's CDBG Housing Rehab Program, which would not exceed 23% of total grant (includes program costs). Motion by Bendoraitis, seconded by Blakeslee to hire community Consulting as the administrator for the 2008 CDBG Small Cities Housing Rehab Grant Program. Vote: yes. Unanimous.

**7.0** Motion by Okonuk, seconded by Bendoraitis, to approve the following tax refunds, without interest. Vote: yes. Unanimous.

Lori Budney	\$2,984.51
Kim Bourgeois	\$70.72
John Wente	\$28.83
Pamela Holley	\$538.83
Kristen Lyon	\$6.48

**8.0     Financial Report Update**

The Finance Office made formatting changes to the monthly reports at the request of the Board. Selectmen reviewed YTD expenditures noting some posting discrepancies: In acct 5320 (Misc. Svces); Tyler Technologies should be posted to Non-Recurring. Selectmen noted high legal expenses. Okonuk stated that the Finance Board has never increased the Legal Budget since 19991 and remains at \$20,000. Okonuk will look at TIP expenditures, identifying any entry that seems to be entered into the wrong account. **No action.**

**9.0**     There was no Executive Session.

**10.0**    Motion by Okonuk, seconded by Blakeslee to adjourn the meeting at 4:45 p.m. Vote: yes. Unanimous.

Respectfully Submitted,

Joyce R. Okonuk, First Selectman