

Board of Selectmen
REGULAR MEETING
Town Hall
January 2, 2007 - 6:00 PM

MINUTES

1.0 The Regular Meeting of the Board of Selectmen was called to order at 6:00 P.M. by First Selectman Joyce Okonuk. In attendance were Selectman John Bendoraitis, Selectman Russ Blakeslee, and Administrative Assistant Mary Ellen Wieczorek. Audience: 11.

2.0 **Minutes**

- 2.1** Moved by Bendoraitis, seconded by Blakeslee to approve the minutes of the December 4, 2006 Board of Selectmen Special meeting. Vote: yes. Unanimous.
- 2.2** Moved by Bendoraitis, seconded by Blakeslee to approve the minutes of the December 5, 2006 Board of Selectmen Special meeting. Vote: yes. Unanimous.
- 2.3** Selectman Blakeslee requested the following changes to the minutes of the December 5, 2006 Board of Selectmen Regular meeting:
Item 4.2, 3rd sentence amended to read: The 2nd bidder did not have a performance bond, **but was seeking to obtain one.** Item 5.4, 7th sentence amended to read: **Blakeslee** (not Bendoraitis) told Cowles that all voters have the right to inspect and check the machines and that offer was made to the public for each machine used that election.
Selectman Bendoraitis requested the following changes:
Item 5.4, 6th sentence amended to read: Okonuk told Cowles that the Registrars feel partially responsible for the reading of the votes and that in the future, **elections will be observed by 2 to 3 poll checkers representing all parties** and will be present at each machine, counting with the Moderator.
Item 4.1, sentence 10 amended to read: Alan said that if the parade is cancelled, **groups that have worked many hours on floats are disappointed.**
Moved by Okonuk, seconded by Blakeslee to approve the minutes of the December 5, 2006 Board of Selectmen Regular meeting, as amended. Vote: Yes. Unanimous.
- 2.4** Moved by Blakeslee, seconded by Okonuk to approve the minutes of the December 27, 2006 Board of Selectmen Special Meeting. Vote: Yes. Unanimous.

3.0 **Correspondence**

- 3.1** A letter addressed to the Town Clerk from the Superintendent of Schools pertaining to the meeting of November 28, 2006, at which time the Lebanon Board of Education elected its officers.
- 3.2** First Selectman Okonuk read the letter from resident Ed Tollman. The letter suggested an agricultural fair be held once a year showcasing all of Lebanon agriculture (Vo-Ag, 4-H, Historical Society, farm equipment etc.) in preference to a weekly farmers market. This letter also appeared in the *Chronicle*.
- 3.3** First Selectman Okonuk told the audience that the Norwich Power Squadron forwarded a letter of appreciation along with a donation of \$250.00 for their regular use of the Community Center as a meeting place.
- 3.4** A letter of resignation from Ron Bender, Chairman of the Board of Finance was received by the Town Clerk and First Selectman, effective January 2, 2007. The letter was read to the audience. Blakeslee stated for the record, his deep regret of the resignation of Ron Bender and Okonuk added that the Board wishes to thank him for his 30 years of dedicated service to the community. A letter expressing the Board's appreciation and regrets will be sent to Ron acknowledging his outstanding contribution.

4.0 **Old Business**

- 4.1** The wages and steps for part-time employees for budget preparation will be addressed at a future meeting. No action.
- 4.2** A letter was sent to the State DEP requesting they properly post the state land at Brewster Pond. No reply to date. John Eskedal came into the Selectman's office on 12/26/06 reporting that another resident had called the DEP conservation officer out on John and his friends who were on the state land. The complaint involved Eskedal passing by an existing sign on Old Meetinghouse Road that

prohibited vehicles beyond the town maintained portion of the road. The Officer told Eskedal he (and the friends) was in violation of the sign. Eskedal showed the officer a newspaper article detailing a prior Selectman's Meeting where it was recommended the public be given access to the lake. Based on the new information, the officer did not proceed against Eskedal. Okonuk asked the Board if the signs could be removed and/or changed if in fact the Selectmen are going to allow vehicles access to the state land area. Bendoraitis said that at a prior meeting the Selectmen discussed whether or not vehicular access had to be provided to property owners with land adjacent to the road and no determination had been made. Moved by Blakeslee, seconded by Bendoraitis to remove the existing signs and replace with "Road Not Maintained Beyond This Point--Pass At Your Own Risk" at end of the town-maintained portion of Old Meetinghouse Road, and at the intersection of Levita Road to place another sign reading, "Not a Thru Road". Vote: yes, unanimous The First Selectman will follow up on the DEP letter.

4.3 Okonuk stated that at the December Board of Finance meeting, the Finance Board suggested the Selectmen contact the Union staff representative. First Selectman Okonuk told the Board she contacted the Local 760 CSEA staff representative, Sam Franzo, regarding the revisions to the Town Accountant job description. In his written response, Franzo responded to two issues. First, who has the authority to hire, fire and discipline the Town Accountant? The staff rep provided a copy of the 1991 settlement agreement at which time it was determined that the First Selectman has the authority, not the Board of Finance. Secondly, can the Town change job descriptions without Union involvement/approval? Franzo stated there are State labor decisions on this issue. As long as the changes are minor and don't affect wages, hours or employment conditions, the employer can modify job descriptions without negotiating with the union. Franzo also reviewed the revised Town Accountant job description (as proposed) and felt revisions do not impact wage, hours or conditions so he feels the Union has no interest in becoming involved in this matter. Bendoraitis suggested sending a copy of Franzo's letter and the revised job description for Finance comment. Inasmuch as the revised description had already been sent to the members of Finance asking them to comment on the revision at their last month's meeting and they chose not to do so at that meeting. Okonuk and Bendoraitis agreed that by taking action on the revised description, the Selectmen would be clarifying where the responsibility and authority for this change lies. The Board concurred they would not bring this back to Finance again. Moved by Bendoraitis, seconded by Okonuk to approve the revised Town Accountant job description as presented. Vote: yes. Unanimous. (*Copy of Union Rep letter and revised job description to follow minutes*). The First Selectman will forward a copy of the letter from the Union Rep to the Board of Finance for informational purposes.

4.4 Selectman Bendoraitis told the Board that he met with the Resident State Trooper and was informed that the additional radar statistics being requested is not captured at this point. Bendoraitis said that the Board can work with what is presently being submitted. Moved by Okonuk, seconded by Blakeslee to request the Resident State Trooper to provide a copy of the Monthly Constable Status Reports for the remaining months of 2006 and every month going forward on a monthly basis. Vote: yes. Unanimous.

5.0 New Business

Moved by Okonuk, seconded by Blakeslee to add new item, 5.1(a), D&A upon the Land Preservation Options Conference.

5.1(a) Phil Chester Town Planner detailed the Land Preservation Options Conference, sponsored by the Town on January 27, 2007. Phil and Brenda Bennett, Consultant for the Ag Viability Grant, have been working to coordinate the conference. 9:00 a.m. to noon, with light refreshments. There is no charge for the conference and it is open to all property owners and other interested parties. Experts will speak on land preservation including Steve Broderick, Forester at UConn Extension Office and the Green Valley Institute, Jay Dippel, CT Department of Agriculture Farmland Preservation Program, Kip Kolesinskas, State Soil Scientist, USDA/Natural Resource Conservation Service, and a representative from Joshua's Trust. This conference is being funded through the Ag Viability Grant. The Board thanked Phil and Brenda for the excellent job they have done coordinating the event.

Moved by Okonuk, seconded by Blakeslee to change Item 5.1 to 5.1(b). Vote: yes. Unanimous.

5.1(b) The Board will address the location of the Rochambeau Monument at a future meeting. No action.

5.2 Okonuk told the Board that the schools and town have been contacted by CCM Energy to participate in an energy purchasing program. CCM Energy will negotiate energy rates for the school and town. To proceed, the Selectmen need to pass a Resolution authorizing the First Selectman to sign an agreement. The Resolution will only give CCM the authority to begin the process of negotiating with providers. They will bring back info to the town and the town will be under no obligation to accept unless they wish to do so. With increasing energy costs, this may be an ideal way for the town to save money. In addition, the Board discussed the SmartPower program and Bendoraitis clarified that the SmartPower program encourages clean energy and does not negotiate rates. The Board will be meeting with a representative from SmartPower in early February. Moved by Russ, seconded by John to authorize the First Selectmen to investigate a Resolution to participate in an electricity consortium through CCM Energy. Vote: yes. Unanimous.

5.3 The Permanent Cemetery Commission submitted a request to consider increasing the number of members from six to seven. Six members were appointed at Town Meeting on 3/3/69. Okonuk said it appears at some point over the years, the Commission added a 7th member, and the Ordinance has never been revised. Moved Okonuk, seconded by Blakeslee to bring to Town Meeting a revised Cemetery Commission Ordinance, increasing membership to seven members. Vote: yes. Unanimous.

5.4 Moved by Okonuk, seconded by Blakeslee to recommend the re-appointments of Joan Nichols as the Tree Warden and Howard Wayland as Deputy Tree Warden, for three-year terms, to expire 02/10/2010. Vote: yes. Unanimous.

5.5 Appointments/Reappointments to Commissions/Committees

5.5(a) Moved by Okonuk, seconded by Blakeslee to re-appoint Maggie McCaw and Glen Coutu to the School Building Committee, terms to expire 03/01/2010. Vote: yes. Unanimous.

5.5(b) Moved by Blakeslee, seconded by Bendoraitis to reappoint Gina Wentworth, Robert Wentworth and Susan Leone to the Summer Dance Fest, terms to expire 01/08/2010. Vote: yes. Unanimous.

5.5(c) Moved by Blakeslee, seconded by Bendoraitis, to reappoint Paul LeDuc to the Economic Development Commission, term to expire 02/01/2010. Vote: yes. Unanimous.

5.5(d) Moved by Blakeslee, seconded by Bendoraitis to reappoint Sylvia Ryan, Rev. Fred Wright and Priscilla Clesowich to the Commission on Aging, terms to expire 02/01/2010 and to change the term expiration on Donna Lafontaine, to a term expiring on 02/01/08. Vote: yes. Unanimous.

5.6 Resignations from Commissions/Committees.

Moved by Okonuk, seconded by Blakeslee to accept, with regret, the resignation of Donna Wallace from the Economic Development Commission, and to thank her for her service to the community. Vote: yes. Unanimous.

Moved by Okonuk, seconded by Blakeslee to add Item 5.7: D&A upon the conservation easement on the property owned by Ken Perry. Vote: yes. Unanimous.

5.7 First Selectman Okonuk stated a letter from resident Ken Perry's attorney, proposing the amendment to the Conservation restriction for Perry's property at 110 Clarke Road. Bendoraitis asked why the Board of Selectmen are involved with this matter and Okonuk responded that per the Town Attorney, Selectmen do act on changes in conservation easements, as the easement was given to the Town and the Selectmen are responsible for the oversight. Mr. Perry intends to subdivide his parcel into two lots. Lot #1 measuring 10.80 acres, however, is short of the Lebanon Zoning regulations buildable lot requirement. By moving the conservation restriction to the proposed location, Mr. Perry will gain 8,109 sq. feet of buildable lot area. This will still leave Mr. Perry short, but will put him closer to what the regulations require. With the Wetlands approval and if the Board approves this request this evening, Perry would be able to go to the ZBA and ask for a variance. The Board reviewed the attorney's proposal and map. Bendoraitis asked what the exact acreage is on the conservation easement so that he could better understand the boundaries. Okonuk will ask the Town Planner, Phil Chester, the exact acreage set on the conservation easement. The Selectmen will discuss again at a future meeting. No action.

Moved by Okonuk, seconded by Blakeslee to add Item 5.8: D&A upon an employee request to buy back sick and vacation time. Vote: yes. Unanimous.

5.8 Vinnie Pudlo, long-time employee of the Highway Department, requested to buy back two (2) weeks sick and vacation time. Okonuk told the Board that similar requests from employees have been approved in the past. Moved by Blakeslee, seconded by Okonuk to allow Vinnie Pudlo to buy back two weeks' sick and vacation time. Vote: yes. Unanimous. Furthermore, the Board at a future meeting will review the language of the union contract re this procedure.

Moved by Okonuk, seconded by Bendoraitis to add item 5.9: D&A upon asbestos abatement and mold evaluation. Vote: yes. Unanimous.

5.9 First Selectman Okonuk told the Board that floor tile samples from the Building Department tested resulting in a positive asbestos report. The carpeted areas downstairs in the Building Department have a strong odor, especially during damp/rainy weather. Glen Coutu, Chair of the School Building Committee recommended a contractor used for asbestos abatement during the school renovations. She has spoken with the project manager, and cost estimates for asbestos abatement was forwarded to the Town for consideration. The Board reviewed the proposals and concluded they need additional time to read the contract and to have their questions answered by the project manager before taking any action.

6.0 Executive Session - NONE

7.0 Tax Refunds

Moved by Bendoraitis, seconded by Blakeslee to approve the tax refund for Ernest J. Grover in the amount \$98.67. Vote: yes. Unanimous.

8.0 Public Forum - NONE

9.0 Moved by Okonuk, seconded by Blakeslee to adjourn the meeting at 7:30 p.m. Vote: yes. Unanimous.

Respectfully Submitted,

Joyce R. Okonuk
First Selectman