

Board of Selectmen
REGULAR MEETING
Town Hall
December 5, 2006 - 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 Selectmen Joyce Okonuk. Selectmen John Bendoraitis and Russ Blakeslee were present. Also in attendance, Mary Ellen Wieczorek, Administrative Assistant. Audience: 15

2.0 Minutes

2.1 The following amendments were made to the minutes of the October 31, 2006 Special Meeting:
Item 2.2: Russ Blakeslee noted that the vote was missing from the text to approve the October 10, 2006 minutes.

Item 4.1, 5th sentence, Bendoraitis requested to change *should* to *may* and the sentence should read: Upon determination that the closed roadway to the state-owned property cannot be opened for general use, access **may** be restricted to general pedestrian.

Item 5.4, last sentence: Bendoraitis stated no motion is necessary when there is no action taken. Bendoraitis requested the following amendment to the last sentence: *No action was taken. The Board will wait for further clarification from the attorney and the donor, and will bring to a future meeting.*

Item 5.10: Bendoraitis requested the wording of the vote be changed from *motion carried* to *Unanimous*.

Moved by Bendoraitis, seconded by Okonuk to approve the minutes of the October 31, 2006 Special Meeting, as amended. Vote: yes. Unanimous.

2.2 Due to lack of quorum at the November 9, 2006 meeting, no action necessary.

2.3 Moved by Bendoraitis, seconded by Okonuk to approve the minutes of the November 14, 2006 Board of Selectmen Special Meeting. Vote: 2 Yes (Okonuk & Bendoraitis); 1 Abstain (Blakeslee). Motion carried.

2.4 Moved by Okonuk, seconded by Blakeslee to approve the minutes of the November 16, 2006 Board of Selectmen Special Meeting. Vote: yes. Unanimous.

2.5 Bendoraitis requested the following change to Item 2.0, 3rd sentence from, An overlay showed all septic systems of concern, to An overlay showed all septic systems **that may be a potential problem**.

Bendoraitis requested the following change to Item 2.0, last sentence from, Moving forward, the Planning and Zoning Commission will need to start addressing zoning changes, to Moving forward, the Planning & Zoning Commission **should consider addressing zoning changes in this area**. Moved by Bendoraitis, seconded by Okonuk to approve the minutes of the November 20, 2006 Board of Selectmen Special Meeting, as amended. Vote: 2 Yes (Okonuk and Bendoraitis); 1 Abstain (Blakeslee). Motion carried.

3.0 Correspondence

3.1 Okonuk explained the report from State of Connecticut OPM regarding re-arrest warrants, required by Statute, and the letter November 2006 letter is for informational purposes. No action.

3.2 Okonuk told the Board that a letter was mailed to the State of CT DEMHS requesting reimbursement for expenditures relating to the Tower Project for FY 04-05. No action.

4.0 Old Business

4.1 Alan Palmer and Dick Patton, members of the American Legion Post 180, spoke with the Board in October about the Memorial Day Program. Alan asked the Board to consider including the Post Commander as part of the ceremony and presentations. There was discussion about the Citizen of the Year. Alan suggested having the Citizen of the Year award announced during another town event, such as the Summer Dance Fest, or make it a ceremony on its own. He said that the newspaper article this past year lost the purpose of the parade and the purpose for the ceremony. Alan spoke about parade etiquette and keeping the groups together, with minimal distance between them. There were larger gaps at this year's parade. Okonuk suggested having more parade marshals along the route keeping the groups moving along. Okonuk asked Alan about the policy of a rain date. Alan said that if the parade is cancelled, groups have worked many hours on floats. Bands would be unable to march on a Monday rain date, but at least other groups could participate. Okonuk explained that a rain date impacts the police, speakers, bands, and the general public. The town could have "rain or shine" policy on the Saturday, and not hold a rain date. The Board will wait for feedback from the Legion and meet with them to discuss further. No action.

4.2 First Selectman Okonuk told the Board that a correction was submitted to the Fire Safety Complex Re-Roofing project by the second bidder. The 2nd bidder submitted a correction to the bid changing the insulation spec from an R19 to R24, with no change in price. The 2nd bidder did not have a performance bond. Okonuk contacted the Town attorney for information on bonds, and she was advised that Statute requires a bond for municipal projects exceeding \$100,000.00. The Town does not have to re-bid this project as the Town reserves the right to modify, alter or reject any bids. No action.

4.3 First Selectman Okonuk told the audience that the Board held a special meeting this afternoon to conduct a site walk on the road and state-owned property at Brewster Pond. At the meeting were the Selectmen, Captain John Smutnik, DEP Enforcement and David Stygar, DEP Land Acquisition. Resident Trooper Mark Maynard and Constable Brice Padewski were also in attendance as well as resident John Okonuk. The Board was informed by DEP that there is no funding available at this time for the purpose to develop improved parking or other site improvements. The Board asked the DEP if they might consider assisting the town with an upgrade to the Levita Road end of the access to which they replied no funding was available. The state land does have an open area, that is relatively flat, that could serve as a parking area for a few cars. The DEP will have the boulders removed from the road edge to allow vehicles to enter this area. State officials recommend the town write Natural Resources Bureau Chief Ed Parker to request the acreage be properly posted in standard DEP language to identify public from private land. Dave Stygar reported he had spoken with DEP Fisheries about the property and they said at their regional meeting they will discuss fishing access and parking issues at Brewster Pond. Resident John Eskedel commented that unstocked lakes (like Brewster) have an open season all year long. There was discussion about posting signs at the ungated end stating "Pass At Your Own Risk" or "Road Not Passable". Bendoraitis would like a call made to the DEP Bureau Chief to see if the DEP is willing to work with town, and provide their response at the next meeting. **No action.**

4.4 Bendoraitis suggested a change in language in the Resolution proposed to accept a Mutual Fund gift from the Manning family. He would like the wording to include fund name, number of share, sale date, etc. Okonuk will ask the town attorney to contact the mutual fund advisor for the Manning family and obtain this information so that the ordinance may be re-drafted. The Board will discuss at a future meeting. **No action.**

4.5 Moved by Bendoraitis, seconded by Okonuk to move Item 4.5 to the end of the agenda. Vote: yes. Unanimous.

5.0 New Business

Discuss and act upon the following:

5.1 **No action** taken on the soil survey on proposed cemetery sites, as First Selectmen Okonuk told the Board that Phil Chester was unable to attend the meeting this evening.

5.2 Rob Cady, Chairman of the Fire Safety Complex Building Committee presented an update including tasks completed to date: painting of interior doors, paved driveway, landscaping, heat registers installed, generator started and operational. Rob said that the Committee expects completion in February/March of 2007. Rob told the Board that it is uncertain if moisture from the leaking roof in the fall caused damage, but did receive certification that the roof insulation will not mold. The project is still within budget. The Board of Selectmen will be attending the December 12th regular meeting of the FSC Building Committee. **No action.**

5.3 Lebanon Fire Marshal, Scott Schuett posed the possibility of implementing an inspection fee schedule for the Fire Marshal. At present, Fire Marshall is paid for inspections but fees are not charged. Implementing a fee schedule would provide revenues to offset expenses. Scott explained that in December 2005, Statute permitted towns to charge fees. Bendoraitis supports the fee concept. Scott provided a sample ordinance from the Town of Killingly for the Selectmen to review, although the fees in that ordinance may not necessarily be what Scott would proposed. Because this fee procedure will require an Ordinance to be accepted at Town Meeting, First Selectmen Okonuk asked Scott to send a letter with his proposed fee schedule and the Board will take up the matter at a future meeting. **No action.**

5.4 Resident Ron Cowles asked to address the election process, asking who was responsible for the counting of ballot error made at the November election. He wished to know what procedures would be implemented to prevent this from happening again. Bendoraitis spoke to Cowles acknowledging that he was the Moderator for the election and took responsibility for the mistake. Discussion ensued regarding the checking and reading of the machines. Cowles felt that this mistake was unacceptable, and Bendoraitis offered his apology for the human error. Okonuk told Cowles that the Registrars feel partially responsible for the reading of the votes and that in future elections, 2 to 3 poll checkers will be present at each machine, counting with the Moderator, confirming the numbers being read aloud. 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 Blakeslee thanked Ron for caring and for expressing his concerns this evening. **No action.**

5.5 Recreation Director Sandy Tremblay reported to the Selectmen about the process for securing cash for the Recreation Commission. Sandy explained the events that lead to the loss of cash from a teen Rec dance. Sandy told the Board she had attempted on 11/13 and 11/14 to give a bag of cash to the Town Accountant, but was unable. Bendoraitis asked what prevented her from handing in the cash and Sandy told the Board that the Accountant was too busy at that time to accept the cash. Sandy said that the Accountant prefers to count the cash when handed to her. Sandy said she had intentions of trying to give the bag later on Tuesday, but had forgotten and the cash was left in her desk. On Thursday (11/15), Sandy said when she reported to work she went to get the cash out of her desk and it was not there. Blakeslee asked if her desk had been locked or could the money have been secured somewhere else in the building. Sandy said her desk does not lock, and that she should have secured the bag in the Clerk's vault, but forgot as she had intentions of trying to give it over to the Accountant for deposit.

The Board asked Sandy the procedure for turning in Rec funds and Sandy said that the Accountant will not take cash if it's not counted in front of her, or if she is too busy she will not accept it. There was discussion about the handling of cash and the Board agreed that cash from any department should be turned into the Finance Office and accepted by the Town Accountant immediately, even if it is not addressed (counted) at that moment. The Accountant has a fireproof, locking cabinet and cash deposited with her office should be secured there. Employees should not be walking around with bags of cash or keeping it unsecured. Sandy told the Board that a police report was filed, and that she felt that the Board needed to be aware of this incident. Sandy further requested that a procedure for handling cash be put in place. Moved by Bendoraitis, seconded by Blakeslee to have the First Selectmen request in writing from the Town Accountant, a written procedure for all departments for handling of cash in the Finance office. Vote: yes. Unanimous.

5.6 Sandy Tremblay, Recreation Director told the Board that the Recreation Commission is requesting an Ordinance prohibiting smoking and pets at Aspinall Field. There are many recreational and sporting events that are family oriented and the Commission would like to present a healthy environment for all. Because of the danger of a biting dog and animal waste in the area where children play, it is recommended that pets be banned in this area. Okonuk will review existing ordinances and present at a future meeting. No action.

Moved by Bendoraitis, seconded by Okonuk to take up Item 5.14 The Request from the Track Replacement Chairman to have the project considered for STEAP Funding. Vote: yes. Unanimous.

5.14 Glen Coutu, Chair of the Track Replacement Building Committee came before the Board to request the Track Replacement Project be considered on the town's list for STEAP funding as the Committee told Finance and the Town Meeting they would investigate that funding opportunity and strongly urge the project's inclusion when submitting the town's next application. Regardless of the outcome, the project will move forward, as per Town Meeting authorized the use of the BC/BS reimbursement to fund the project. Okonuk explained to Coutu that the Town Center Parking Project was being considered next for this funding but the Board would certainly give attention to any and all requests. **No action.**

Moved by Bendoraitis, seconded by Blakeslee to move to return to the order of the agenda. Vote: yes. Unanimous.

5.7 Selectman Bendoraitis explained that there were a few employees who were not included on the list to receive name badges and there is an additional cost associated with the hardware for the badge that was not originally included. Moved by Blakeslee, seconded by Okonuk to appropriate an additional \$160.00 from "TIP Funds - Unallocated" to "TIP Funds - Name Badges". Vote: yes. Unanimous.

5.8 Okonuk requested the Board to rescind the motion to hire Tina Bourke as an interim ACO. Following that Selectmen action, it was determined that staff-related complications necessitated holding off on the hiring of this new employee at this time. The present Assistant ACO will continue to cover the department during the compensation-related absence of the ACO. Moved by Blakeslee, seconded by Bendoraitis, to rescind the motion on Item 5.9 at the 10/31/06 Special Selectmen's meeting to hire Tina Bourke as an interim ACO. Vote: yes. Unanimous.

5.9 Mary Ellen Wieczorek, Administrative Assistant and Sandy Tremblay, Rec Director attended a CIRMA workshop on Town Volunteers. Mary Ellen explained that one important aspect she learned at the workshop was the importance of the town to have a Volunteer Service Contract. CIRMA did explain that this is no guarantee that a volunteer would not file a claim should something occur, but it is important for the Town to clearly state the expectations of the volunteer, which is identified in the handout provided to the Board to review. The Town presently has a similar document on file and uses for Community Service volunteers. Moved by Okonuk, seconded by Blakeslee to require any volunteer or court-ordered volunteer, to complete and sign a Volunteer Service Contract prior to acting in any volunteer capacity. Vote: yes. Unanimous.

5.10 Moved by Bendoraitis, seconded by Blakeslee to authorize the First Selectman the authority to hire on-call snow removal and emergency workers without seeking approval of the full Board of Selectmen. Vote: yes. Unanimous.

5.11 In preparation for the budget, Selectman Bendoraitis provided a wage spreadsheet for part-time employees. The spreadsheet reflected present wages and proposed salary step increases over a multi-year time frame, identical to the one in the bargaining unit agreement. Okonuk said that new hires come into a position making the same wage as someone who has been in a position for as many as 15 years. Bendoraitis asked the Board to review the increments for each position. The Board will bring this item to another meeting. No action.

5.12 Selectmen suggested modifications to the job description for the Town Accountant. Recommendations included that the Town Accountant recommend changes to certain policies and controls and other related policies as approved by both the Board of Finance and Board of Selectmen. Policies are not to be implemented by the Town Accountant until they are approved by either the Board of Finance or Board of Selectmen. In addition to reconciling LOCIP and the Federal Bridge Program, the Board included other state and federal grant programs. Okonuk explained that Commissions and Boards responsible for budgets need to know, on an ongoing basis, what their year-to-date expenses are. Consequently, the Selectmen felt including that responsibility in the job description requiring quarterly summaries for Departments and Commissions is necessary. Moved by Bendoraitis, seconded by Blakeslee to submit the draft of the Town Accountant job description to the Board of Finance for comments, and the Board of Selectmen will finalize and act upon at a future meeting. Vote: Yes. Unanimous.

5.1 A request came into the Selectmen's office to hold a fundraiser on the Green and the requesting group needed it approved prior to a scheduled Selectmen's meeting. To facilitate the request, the First Selectman authorized the use of the Green for the event and now seeks Board approval. Moved by Blakeslee, seconded by Bendoraitis to approve the request from the Lebanon Middle School, National Jr. Honor Society to hold a warm clothing fundraiser on the Lebanon Green, December 1, 2006. Vote: yes. Unanimous.

5.14 Item 5.14 acted on – see above.

5.15 In September a highway employee backed equipment into the interior support beam on the tall equipment bay, knocking the cement block support severely off the base, causing structural damage. CIRMA sent an insurance adjuster out who provided a repair estimate and the name of a disaster cleaning and property reconstruction contractor that CIRMA recommended. The Town will be responsible for the \$1,000.00 deductible of the \$6,600.49 reported damage. Because of this repair job involves moving the inside beam and supports, and exposing the area to the outside conditions, the First Selectman authorized the repair to begin immediately. Moved by Bendoraitis, seconded by Blakeslee to pay \$1,000.00 from the Highway account for the deductible for the repair work totaling \$6,600.49 to the firm recommended by CIRMA.. Vote: yes. Unanimous.

5.16 The Town has received a \$5,000 check from the State Dept. of Health for investigating the option of joining a Health District. She requests the Board vote to accept the grant which will eventually need to be acted upon by the Board of Finance and the Town Meeting for final acceptance. Moved by Bendoraitis, seconded by Blakeslee to accept the State of Connecticut Grant in the amount of \$5,000.00 for investigating the option of joining a health district. Vote: yes. Unanimous.

5.17 Appointments/Re-Appointments to Commissions/Committees

5.17a - Moved by Bendoraitis, seconded by Blakeslee to reappoint Beverly Duntz, Alicia Wayland, Joyce Okonuk, David Fields, Arthur Wallace, Lynn Russo and Phillip McLellan to the Town Center Parking Lot Building Committee, terms to expire 08/06/07. Vote: yes. Unanimous.

5.17b – Moved by Blakeslee, seconded by Bendoraitis to reappoint Kim Hayman, Joe Dolan and Sue Smith to the Recreation Commission, for a three-year term to expire 02/01/10. Vote: yes. Unanimous.

5.17c – Moved by Okonuk, seconded by Bendoraitis to reappoint Gordon Fraser and Richard Patton to the FSC Building Committee, as recommended by the Committee Chair, for a three-year term to expire 02/01/10. Vote: yes. Unanimous.

5.18 Resignations from Commissions/Committees – **NONE**

Moved by Okonuk, seconded by Bendoraitis to add Item 5.19 to the agenda, discuss and act upon the re-appointment of Peter Zvingilas as building official. Vote: yes. Unanimous.

5.19 The term for the Building Official expired in April. The term use to expire in November, and it appears that somehow in the past four years, the term was modified. The last reappointment was acted upon in 2002, expiring 4/2/06. Okonuk told the Board that Peter Zvingilas is still registered with the state as a certified building official, but the Board needs to act on his reappointment this evening so he may continue to serve the town in this capacity. Moved by Blakeslee, seconded by Bendoraitis to reappoint Peter Zvingilas as building official for a four-year term to expire April 2, 2010. Vote: yes. Unanimous.

Moved by Okonuk, seconded by Bendoraitis to add item 5.20 to the agenda, discuss and act upon the policy for employee badges. Vote: yes. Unanimous.

5.20 Bendoraitis recommended that the Board consider establishing a policy that any employee acting in official capacity on town business must wear the name badge, including while working in their office. When an employee terminates, the badge will be turned into the First Selectman's Office and then the final paycheck will be provided. Employees must notify the First Selectman immediately if the badge is lost. Moved by Okonuk, seconded by Blakeslee to establish the above Name Badge Policy, which will be communicated by the First Selectman to all employees who receive a town badge.

Moved by Bendoraitis, seconded by Okonuk to take up Item 4.5 discuss the Resident State Trooper reports. Vote: yes. Unanimous.

4.5 The Board briefly discussed the Resident State Trooper (RST) reports. Bendoraitis indicated that he would like a breakdown of the roads patrolled each month for speed enforcements (including radar). Moved by Okonuk, seconded by Blakeslee to request Selectmen Bendoraitis to contact the RST on behalf of the Board to request a breakdown of the roads patrolled and to include on the monthly activity reports. Vote: yes. Unanimous.

6.0 **Executive Session – None**

7.0 Moved by Bendoraitis, seconded by Okonuk to approve the following tax refunds. Vote: yes. Unanimous.

Thomas McGuire	\$18.98
Glenn Ostrager	\$445.41
Chase Man Auto Fin Corp	\$107.83
John Lyon	\$783.55

8.0 **Public Forum - None**

9.0 Moved by Okonuk, seconded by Bendoraitis to adjourn the meeting at 9:45 p.m. Vote: yes. Unanimous.

Respectfully Submitted,

Joyce R. Okonuk, First Selectman