

**Board of Selectmen
Regular Meeting
November 10, 2020 — 5:00 PM
TELECONFERENCE
MINUTES**

Members Present: First Selectman Kevin Cwikla, Selectman Kathleen Smith, Glen Coutu, Robin Chesmer, and Betsy Petrie-McComber

Others Present: Jay Schall (LVFD Chief); Valerie Belles (Senior Accountant); J. Tuttle (Highway Foreman); Bernard Dennler (Administrative Assistant/Teleconference Host); Phil Chester (Town Planner); Kelly Lawer (Tax Collector)

1.0 Call to Order

K. Cwikla called the meeting to order at 5:03 PM.

2.0 Public Forum

New LVFD Chief J. Schall introduced himself and said he would like to regularly report to the Board of Selectmen. He said 2020 is on track to be the year with at least the second highest number of calls in a year. He said the LVFD has entered its highest state of alert related to the COVID19 pandemic. He said a dry hydrant has recently been installed at Savin Lake.

3.0 Correspondence

3.1 Monthly Letter from Troop K

The Selectmen reviewed the letter from Troop K.

3.2 Police Activity Report

The Selectmen reviewed the monthly activity report.

4.0 Financials

4.1 Monthly budget reports

The Selectmen reviewed the monthly budget reports and a report on expenditures related to the COVID fund. B. Petrie asked about the procedure for CARES funding and whether the Town needed to be denied FEMA funding first. V. Belles said these are happening in parallel and have been submitted. She said some items were clearly not FEMA eligible and those were not included to FEMA.

5.0 Consent Agenda

K. Cwikla said that item 5.3a be struck from the Consent Agenda because the terms were already set through 2021.

B. Petrie MOVED to approve the Consent Agenda as amended:

5.1 Approval of Minutes

Approve the following minutes:

- a. *Minutes of the October 6, 2020 Regular Meeting*
- b. *Minutes of the October 19, 2020 4:30 PM Special Meeting*

- c. *Minutes of the October 19, 2020 5:00 PM Special Meeting*
- d. *Minutes of the October 20, 2020 Special Meeting*
- e. *Minutes of the October 27, 2020 Special Meeting*
- f. *Minutes of the November 2, 2020 Special Meeting*

5.2 Approval of Tax Refunds

<i>Farm Credit Leasing Services Corp.</i>	<i>\$10,700.50</i>
<i>Corelogic</i>	<i>\$1,779.73</i>
<i>Shannon and Wendy Weum</i>	<i>\$248.57</i>

5.3 Appointments

- a. ~~Reappointment Constables Joseph Dolan, Brice Padewski, Christopher Dwyer, Rob Magao, and Kevin Slonski terms to expire 12/31/21~~

K. Smith SECONDED.

MOTION CARRIED 4:0

6.0 New Business

Discuss and act upon:

6.1 Bucket Truck and Other DPW Equipment

J. Tuttle presented repairs needed for the bucket truck based on the results of its annual inspection. K. Cwikla asked what the remaining life expectancy of the vehicle is. J. Tuttle said the truck itself should have a long life left in it and there are few issues with the vehicle itself. He said the main problems are with the boom which needs parts replaced. K. Smith and B. Petrie asked if there are additional tests that need to be completed as part of the annual inspection that could result in additional needed repairs. These should be the only repairs needed based on this annual inspection, according to J. Tuttle. B. Petrie asked how often it gets used. J. Tuttle said it probably gets used between 5 to 10 days per month outside of snow season. He confirmed there are funds in the current operating budget that can pay for the repairs at this time.

B. Petrie MOVED to appropriate up \$6,782 from the DPW Operating Budget Account 430 for repairs to the bucket truck. R. Chesmer SECONDED.

MOTION CARRIED 4:0

6.2 Diesel Fuel Treatment

J. Tuttle said the diesel at the Public Works garage was recently tested and there was microbial growth detected. He said it needs to be treated and the tank probably needs to be cleaned soon. He asked the Selectmen where the funds should come from going forward when this treatment needs to occur. B. Petrie said this year it should come from the DPW Operating Budget, but she said going forward the Selectmen could discuss a cost-share between departments that use the diesel.

K. Smith MOVED to appropriate up to \$224 from the DPW Operating Budget Account 430 to pay for treatment of the diesel fuel tanks at the Public Works Garage. R. Chesmer SECONDED.

MOTION CARRIED 4:0

6.3 Conservation and Agriculture Commission recommendation to conduct property surveys for farmland preservation for the 94-acre Dearborn (150 Exeter Road) and 56-acre Williams (312 Mack Road) properties. Funds to come from Open Space Account 220-00-401-2701-0060

P. Chester said there is a balance of \$289,917.94 in the Open Space Account. At the December 2019 Town Meeting, \$100,000 was appropriated for soft costs related to farmland preservation. \$69,199.70 remains for this use as directed by the Board of Selectmen. P. Chester said the Conservation and Agriculture Commission is requesting farmland preservation surveys for the 94-acre Dearborn property at 150 Exeter Road and the 56-acre Williams property at 312 Mack Road as part of a match with the Department of Agriculture.

K. Smith MOVED that the First Selectmen is authorized to spend up to \$40,000.00 for farmland preservation surveys for the 94-acre Dearborn property at 150 Exeter Rd. and 56-acre Williams property at 312 Mack Rd. with funds to come from Open Space Account #220-00-461-2701-0060. B. Petrie SECONDED.

MOTION CARRIED 4:0

6.4 Mowing Contracts

B. Dennler said Recreation Director Sandy Tremblay had sent revised bid specifications for the recreation mowing contract and is seeking permission from the Board of Selectmen to go out to bid. B. Petrie and K. Smith noted the revised specs include the new multipurpose field and requested the language reflect its use as a multipurpose field rather than a "soccer field." K. Smith said the language on bullets 4, 5, and 6 needs to be completed. B. Petrie requested confirmation before the December meeting on whether the Little League and Soccer clubs had any input on whether this mowing schedule suits their needs.

B. Dennler said there are two other mowing contracts, town properties and cemeteries, that need to go out to bid as well and requested the Selectmen consider possible changes to the contracts before bid specs get posted for those. K. Cwikla said he would check in with the Cemetery Commission.

NO ACTION TAKEN

6.5 2020 Holiday Hours

B. Dennler said the Selectmen typically approve holiday hours for a town employee holiday party and for Christmas and New Year's Eve. Due to COVID19, he said there would be no holiday party. K. Cwikla said the Town would follow past practice for Christmas Eve and Year's Eve.

K. Smith MOVED to approve Holiday Hours for Public Works employees beginning 11:00 AM and for other Town employees at 12:00 PM on Christmas Eve and New Year's Eve. B. Petrie SECONDED.

MOTION CARRIED 4:0

6.6 Approving the 2021 Meeting Schedule

B. Dennler presented possible dates for the 2021 Meeting Schedule, with the first Tuesday of the month at 5:00 PM as the regular meeting date/time. He noted there were several holiday conflicts where a holiday fell close to the meeting date and asked the Selectmen to decide which dates to use in those situations. B. Petrie suggested using the later of dates when there was a nearby holiday conflict.

K. Smith MOVED to approve the 2021 Meeting Schedule, included as Attachment A to these minutes. B. Petrie SECONDED.

MOTION CARRIED 4:0

6.7 2021-2022 Budget Calendar

V. Belles discussed the Board of Finance's 2021-2022 budget calendar with the Selectmen. Capital requests are due by January 7. Operating budget requests are due by January 22. K. Smith said the Selectmen agreed earlier this year they would begin their budget process for FY21-22 earlier than FY20-21. K. Smith suggested the BOS hold their first budget meeting before the BOF holds their first budget meeting in December.

The Selectmen agreed to hold their first budget meeting November 24 at 5:00 PM to discuss capital requests.

NO ACTION TAKEN

6.8 Tax Refund Process and Possible Ordinance

K. Lawer said the auditor raised concern over funds that are outstanding in a "floating" fund for tax refunds that were never claimed. State statute allows the Town to not issue refunds that are three years or older. The fund is about \$49,000; approximately \$36,000 is eligible to be moved to the general fund.

K. Smith asked whether the Town should renotify resident's who never processed their refunds. K. Lawer said that could cause issues with duplicate refunds and noted the expired amounts are mostly very small. B. Petrie said it may not take an ordinance since the expiration is covered by state statute. K. Lawer said there needs to be something that allows the expired funds to be moved from the "floating" account and back into the general fund. B. Petrie suggested reaching out to town counsel. K. Cwikla stated he would contact counsel on the process.

NO ACTION TAKEN

7.0 Old Business

Discuss and act upon:

7.1 DPW Lightning Strike

The Selectmen discussed the lightning strike. K. Cwikla asked if there is a quote yet on the arrester to prevent this from happening again. B. Petrie said she was not an advocate for paying for this from TIP but said it should probably come from TIP since that is how the deductible first lightning strike was paid for.

B. Petrie MOVED to approve up to \$2,500 from TIP to pay for repairs at the DPW related to a lightning strike. K. Cwikla SECONDED.

K. Smith asked why the amount was smaller than the last strike and why it had not gone through insurance. J. Tuttle said there was less damage with the second strike and V. Belles said the deductible was too high to make it worth claiming.

MOTION CARRIED 4:0

7.2 Road and Bridge Update

B. Handfield said the culvert for Smith Road is now ready to be delivered in December. He said the road could be open for Christmas. R. Chesmer asked what the guardrails look like since it is a scenic road. B. Handfield said they are timber.

K. Cwikla reviewed the latest schedule received by Anchor Engineering for the Goshen Hill and Chappell Road projects. B. Petrie said she wants to know if there will be a weight limit or other size restrictions when the roads are opened temporarily. B. Handfield said it is unlikely there would be weight restrictions based on what Anchor has presented.

B. Petrie asked if the other Selectmen have noticed improvements to the site on Chappell Road. R. Chesmer said the pipe is moving water. K. Cwikla asked about general housekeeping. R. Chesmer said until this weekend, it was still in disarray. He said it looked like someone came out and cleaned up today. B. Petrie said there are still signs down on 289. She also asked whether there needs to be a formal contract extension and said kicking the current contractors off and re-bidding would just create further delays for residents. B. Handfield said Anchor should provide a change order related to a possible contract extension.

NO ACTION TAKEN

7.3 Adopting Temporary Usage Policy for the Fire Safety Complex

B. Dennler presented a draft temporary usage policy for the Fire Safety Complex as a follow-up to the discussion at the last regular meeting. He said the policy would allow community groups to meet at the FSC in line with COVID19 restrictions.

K. Cwikla MOVED to adopt a temporary usage policy for the Fire Safety Complex, included as Attachment B to these minutes. K. Smith SECONDED.

MOTION CARRIED 4:0

K. Smith MOVED to add to the agenda as item 7.4 "DPW Truck Repairs." K. Cwikla SECONDED.

MOTION CARRIED 4:0

7.4 DPW Truck Repairs

J. Tuttle discussed Truck 7. He said the body had been replaced on that vehicle and it needs to be finished up and should be out on the road again soon. He said there are concerns about whether Truck 6 will pass DOT inspection. He asked if K. Cwikla will pursue an independent inspection on the truck frame. K. Cwikla said they will need a second opinion. He said that they would bring an update to the next Board of Selectmen meeting after getting another opinion.

K. Smith MOVED to add to the agenda as item 7.5 "Grader Update." K. Cwikla SECONDED.

MOTION CARRIED 4:0

7.5 Grader Update

J. Tuttle said several parts on the grader have been replaced and that work should be complete as of today. A radio and strobe light still need to be added before it goes out on the road. K. Smith

asked if there are plans to use it soon. She mentioned concerns from residents about North Street. J. Tuttle said there is work underway on North Street. K. Smith recommended the constables monitor North Street for speed.

NO ACTION TAKEN

8.0 Approval of Minutes

8.1 Minutes of the October 13, 2020 Special Meeting (G. Coutu not present)

K. Cwikla MOVED to approve the minutes of the October 13, 2020 Special Meeting. B. Petrie SECONDED.
MOTION CARRIED 4:0

8.2 Minutes of the October 15, 2020 Special Meeting

K. Cwikla said there was a need to amend the minutes to note the conversation that happened in public session which recapped the Executive Session.

K. Smith MOVED to amend the minutes of the October 15, 2020 Special Meeting to include that following Executive Session, the Selectmen returned to public session and briefly recapped that the Selectmen met with the LBC and LHS to discuss parking on the Green. The discussion included (i) acknowledgement of the SHPO determination that the LBC plan contained too much parking; (ii) the LBC revised proposal for parking; (iii) the LHS/Adams Trust parking proposal; and (iv) acknowledgment that additional meeting(s) may be required to obtain a mutually agreeable parking area for the renovated Library, which may also impact parking on the Church parcel; and to approve the minutes as amended. R. Chesmer SECONDED.

B. Petrie noted that the meeting K. Cwikla seemed to be referring to was actually the October 19, 2020 5:00 PM meeting attended by members of the Library Building Committee and Lebanon Historical Society. B. Dennler said if that is the case, the motion should be withdrawn, the minutes of October 15, 2020 approved as is, approval of the minutes of October 19, 2020 which were included under the consent agenda would need to be rescinded, and then the October 19, 2020 would need to be amended and approved.

MOTION WITHDRAWN

K. Smith MOVED to approve the minutes of the October 15, 2020 Special Meeting. K. Cwikla SECONDED.
MOTION CARRIED 4:0

B. Petrie MOVED to remove the approval of the October 19, 2020 5:00 PM Special Meeting from the Consent Agenda previously approved during the meeting at Item 5.1c. R. Chesmer SECONDED.
MOTION CARRIED 4:0

B. Petrie MOVED to add "Minutes of the October 19, 2020 5:00 PM Special Meeting" to the agenda as Item 8.3. K. Smith SECONDED.
MOTION CARRIED 4:0

8.3 Minutes of the October 19, 2020 Special Meeting

K. Smith MOVED to amend the minutes of the October 19, 2020 5:00 PM Special Meeting to include that following Executive Session, the Selectmen returned to public session and briefly recapped that the Selectmen met with the LBC and LHS to discuss parking on the Green. The discussion included (i)

acknowledgement of the SHPO determination that the LBC plan contained too much parking; (ii) the LBC revised proposal for parking; (iii) the LHS/Adams Trust parking proposal; and (iv) acknowledgment that additional meeting(s) may be required to obtain a mutually agreeable parking area for the renovated Library, which may also impact parking on the Church parcel; and to approve the minutes as amended. R. Chesmer SECONDED.

MOTION CARRIED 4:0

9.0 Executive Session

9.1 Executive Session: Discussion regarding Lebanon Green Litigation/Attorney-Client Communication

There was no Executive Session held.

10.0 Adjourn

B. Petrie MOVED to adjourn at 6:57 PM. K. Cwikla SECONDED.

MOTION CARRIED 4:0

Respectfully submitted,
Bernard W. Dennler III
Administrative Assistant

**BOARD OF SELECTMEN
2021 Meeting Schedule**

Meetings will take place at 5:00 PM on the first Tuesday of the month unless otherwise noted. Meetings will be held at Town Hall or by teleconference.

January 12 *

February 2

March 2

April 6

May 4

June 8 *

July 13 *

August 3

September 14 *

October 5

November 9 *

December 7

*Second Tuesday due to conflict.

Respectfully submitted,
Kevin T. Cwikla
First Selectman

COVID19 Fire Safety Complex Temporary Usage Policy

For the duration of the COVID19 pandemic, the First Selectman may grant permission to community organizations to use the Fire Safety Complex for in-person gatherings, provided that those gatherings adhere to all relevant guidance by the CDC, State of Connecticut, or Uncas Health District. Groups must maintain a contact tracing log and are responsible for assisting state contact tracers in the event of an exposure. Masks shall be worn inside, regardless of the distance between individuals. All fees shall be waived and no COI shall be required.

Priority for use shall be given to Town Boards and Commissions.