

Board of Selectmen
Regular Meeting
March 1, 2022 — 5:00 PM
Zoom and Town Hall
MINUTES

Members Present: First Selectman Kevin Cwikla, Selectmen Kathleen Smith, Robin Chesmer, and Betsy Petrie-McComber, and Mark DeCaprio

Others Present: David Lyon (Lebanon Life); Phil Chester (Town Planner); Kelly Lawer (Tax Collector); Hayley Wagner (Finance Director); Tony Tyler (Friends of Lake Williams); Jim Russo (Library Building Committee); Samuel Alexander (SECCOG); Bernard Dennler (Office Manager to First Selectman)

1.0 Call to Order

K. Cwikla called the meeting to order at 5:01 PM.

2.0 Public Forum

David Lyon (Lebanon Life) spoke about his proposal for Lebanon Life to become an online publication. He said Lebanon Life had an online issue published for March 2022. The publication is facing financial difficulties which led him to make it online-only. He said he needs to raise about \$700 per month.

3.0 Correspondence

3.1 Monthly Letter from Troop K

The Selectmen reviewed the monthly report.

4.0 Financials

4.1 Monthly budget reports

The Selectmen reviewed the monthly reports with H. Wagner.

5.0 Fire Department Report

J. Schall spoke in favor of Dave Lyon and Lebanon Life for his support of the LVFD over the years. The station is fully reopened now with relaxed COVID19 protocols as cases have declined.

6.0 Consent Agenda

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

6.1 Approval of Tax Refunds

CROOKS EILEEN	\$436.83
KRAMER DEBORAH	\$123.83
LERETA LLC	\$1125.78
LERETA LLC	\$1870.85
LERETA LLC	\$688.99
LERETA LLC	\$2817.14
NISSAN INFINITY LLC	\$261.98

NISSAN INFINITY LLC	\$511.83
NISSAN INFINITY LLC	\$62.55
NISSAN INFINITY LLC	\$167.54
NISSAN INFINITY LLC	\$146.78
NISSAN INFINITY LLC	\$166.66
NISSAN INFINITY LLC	\$124.92

- 6.2** *Re-appointment of Ethan Stearns to the Conservation and Agriculture Commission with a term to expire 04/01/2025*
- 6.3** *Re-appointment of Emery Gluck to the Conservation and Agriculture Commission with a term to expire 04/01/2025*
- 6.4** *Re-appointment of Marc Wolf as an alternate to the Conservation and Agriculture Commission with a term to expire 04/01/2025*
- 6.5** *Accept resignation of Michelle Trani from the Inland Wetlands Commission, effective 12/7/21*
- 6.6** *Approval of Minutes*
 - a. *Minutes of February 1, 2022 Regular Meeting*
 - b. *Minutes of February 22, 2022 Special Meeting*

K. Smith SECONDED.

MOTION CARRIED 5:0

7.0 New Business

Discuss and act upon:

K. Cwikla MOVED to add to new business items 7.11 “Discuss and act on authorizing the First Selectman to sign documents related to the 2023 Historic Preservation Grant” and 7.12 “Discuss and act on a recommendation to the Board of Finance regarding milfoil treatment at Lake Williams”. B. Petrie SECONDED.

MOTION CARRIED 5:0

7.1 Authorize First Selectman to sign contracts for purchase and installation of Library shelves, tables, etc

J. Russo said the Library Building Committee is looking to purchase shelving, desks, and round tables from PSI-NESP for approximately \$89,000. The lead time is about 10 to 14 weeks. They need it ready for mid-June to meet the scheduled opening date.

B. Petrie MOVED to authorize the First Selectman to sign a contract with PSI-NESP for the purchase of library shelves, desks, tables, and materials for \$89,065.74. K. Smith SECONDED.

J. Russo said within the month he will need authorization to purchase tables and chairs for the new community room. M. Earls noted the tables are octagonal not round.

MOTION CARRIED 5:0

7.2 State-mandated affordable housing plan

P. Chester introduced S. Alexander who presented the state-mandated affordable housing plan that SECCOG has developed on behalf of the town. S. Alexander said recent state statute requires a plan to be adopted by all municipalities in Connecticut by June 2022 and to revise the

plan every five years. The plan was underwritten by a grant at no cost to the Town. The plan is designed to address the unique qualities of Lebanon while charting a path toward more affordable housing. Affordable housing includes deed-restricted housing for people earning under the 80 percent median income threshold and government-subsidized housing which can include Section 8 but also includes USDA mortgages.

He said a survey shows that residents are opposed to “affordable housing” when polled, but when asked what type of new residents they would like to attract to Lebanon, most people said “young families, local workers, young adults, and senior citizens.” These groups tend to be below the 80 percent median income threshold.

Under state law, if less than 10 percent of housing in a municipality is considered affordable then there are mechanisms that allow a developer to get around certain zoning requirements if they intend to build affordable units. Currently 3.6 percent of Lebanon housing is deemed affordable. B. Petrie asked if this includes USDA and CFHA mortgages. S. Alexander confirms these do meet the requirements for affordable housing.

K. Smith asked how the potential affordable senior housing units at the Senior Center would affect the percentage of total affordable housing in Lebanon. S. Alexander said it would bring the Town closer to 4 percent. K. Cwikla asked what happens if the Town cannot meet the state’s very aggressive 10 percent goal. S. Alexander said the only penalty is that the Town would be subject to a developer appeal to circumvent Planning and Zoning. P. Chester noted that for 30 years the Town has been subject to this appeals process but there have been no appeals. S. Alexander said those appeals usually happen in areas with sewers.

M. DeCaprio asked what is mandated to be included in the plan. S. Alexander said the law does not have many specifics except that it must include a goal of 10 percent of affordable housing. B. Petrie asked if the plan should be approved by Planning and Zoning. P. Chester said that law does not specify which body should approve the plan. B. Petrie said she thinks it should be approved by Planning and Zoning or at least considered by them first before the Selectmen vote on the plan. M. DeCaprio said he is also uncomfortable approving the plan as a Selectman at this point. He said he needs more information on the requirements on the Town as part of the plan.

The Selectmen agreed that the plan should be first considered by the Planning and Zoning Commission which must get back to the Selectmen before the Board of Selectmen regular meeting in May.

NO ACTION TAKEN

7.3 ARPA requests

a. Social Services

S. Ashcom presented her request for \$25,000 for housing, mental health and addiction services, technology assistance services for seniors, and recreation-related scholarships for summer programs for children.

K. Smith MOVED to allocate \$25,000 from ARPA for social services related needs such as housing assistance, mental health and addiction services, technology assistance for seniors, and recreation-related scholarships for summer programs for children. B. Petrie SECONDED.

MOTION CARRIED 5:0

b. **Farmers' Market**

P. Chester presented his request for \$15,000 to cover costs of the Farmers' Market for additional years. The subcommittee had suggested it should be funded in the budget by Board of Finance now that there are no longer state grants available for the market. ARPA has funded it for 2022 and 2023. He is now requesting funding for 2024, 2025, and 2026. The Board of Finance declined to fund the Farmers' Market in 2021 because they felt it could be funded with ARPA.

B. Petrie MOVED to allocate an additional \$15,000 to fund the Farmers' Market for 2024, 2025, and 2026. K. Smith SECONDED.

B. Petrie said she was concerned that they are using ARPA funds for a recurring expense. She said these expenses need to be tracked so they do not all come up as line items at the same time. K. Smith said she shares that concern and would like to see Board of Finance include funding for the Farmers' Market in the budget. R. Chesmer said he fully supports the Farmers' Market and Town funding for it. He said it adds to the sense of community which is very important. M. DeCaprio said he supports funding it with ARPA but thinks the Board of Finance needs to be kept informed so they can plan to fund it after the ARPA funds are no longer available.

MOTION CARRIED 5:0

c. **Senior Housing**

P. Chester presented a revised proposal for RFP development with an architect to create a final conceptual layout that they can take out to bid. By creating a conceptual plan supported by the Town, developers are more likely to pursue a project.

K. Smith MOVED to authorize \$10,000 in ARPA funds for the development of a conceptual layout for 16-units of affordable senior housing. B. Petrie SECONDED.

R. Chesmer said he is still not satisfied with the revised proposal which still references a two-story building. P. Chester said the proposal can be revised to remove the reference to a two-story structure. K. Cwikla suggested creating a subcommittee to participate in developing the conceptual layout. R. Chesmer said the "deliverables" should not include reference to second-floor plans. M. DeCaprio said the requirement for an elevator should also be removed. The Selectmen agreed to remove any possible references to a second-floor requirement.

K. Smith AMENDED her motion to authorize \$10,000 from ARPA for the development of a conceptual layout for up to 16-units of affordable senior housing and the amended proposal from Brewster Architects LLC. B. Petrie SECONDED.

MOTION CARRIED 5:0

d. **Novus Fiber/CEN migration costs**

B. Dennler provided an update on the fiber to Town Hall project. Fiber is now in the building but not ready to be activated. Novus will need to perform some work for the ISP migration when the Town moves from Spectrum to CEN. This work is above the normal contracted hours with Novus

so additional funds are needed to complete the project. This is in-line with estimates presented previously.

B. Petrie MOVED to authorize \$3,500 from ARPA for the one-time ISP fiber migration project. R. Chesmer SECONDED.

MOTION CARRIED 5:0

7.4 Recommendation by auditor to move outstanding tax refunds to general fund

B. Petrie MOVED to recommend Board of Finance transfer \$43,388.07 from liability account 2278 to a miscellaneous revenue account for tax refunds in accordance with CGS 12-129. K. Smith SECONDED.

MOTION CARRIED 5:0

K. Lawer said she has modified her office policy to prevent this from needing to be done in the future.

7.5 FY22-23 fuel contract

The Selectmen discussed whether to lock-in a fuel price for fiscal year 2022-2023. H. Wagner said prices are high right now due to the Russian invasion of Ukraine. Prices may come down but the uncertainty of the crisis makes it difficult to forecast whether fuel prices could be even more expensive after July 1 when the current contract expires. The Selectmen agreed to continue to wait and see if prices go down. K. Cwikla suggested to ask the Board of Finance their preference. B. Petrie said the Town should not wait too long before locking in as the situation could get worse.

NO ACTION TAKEN

7.6 Extension of Cemetery mowing contract

B. Dennler reported that the Cemetery Commission wants to continue working with Primary Landscaping. The contract included the option to extend for a year.

K. Smith MOVED to authorize the First Selectman to sign a contract extension with Primary Landscaping for cemetery mowing for the 2022 mowing season. B. Petrie SECONDED.

MOTION CARRIED 5:0

7.7 Extension of Town Buildings mowing contracts

B. Dennler reported that the Town Buildings mowing contract is also eligible for one more extension which would prevent a potential price increase the Town might face if they went out to bid for a new contractor this year.

M. DeCaprio MOVED to authorize the First Selectman to sign a contract extension with D&D Property Maintenance for mowing of Town buildings for the 2022 mowing season. K. Cwikla SECONDED.

R. Chesmer expressed concern about the vendor's service. He said the vendor's vehicles drive too fast and do not show the kind of care the properties deserve. B. Petrie suggested an early meeting with the vendor to address concerns from the previous year.

MOTION CARRIED 4:1 with R. Chesmer opposed

7.8 Extension of corn and hay leases

K. Smith MOVED to extend the Town of Lebanon corn and hay leases for the 2022 growing season and to bid the contract for the 2023-2024 growing seasons in November. B. Petrie SECONDED.

MOTION CARRIED 4:0.

R. Chesmer abstained.

7.9 Approval of TIP funding for replacement of exit signs and emergency lights

The Selectmen reviewed quotes from FASD for equipment identified as needing replacement.

K. Smith MOVED to authorize \$3,745 from TIP for replacement of exit signs and emergency lights at Town buildings from FASD. K. Cwikla SECONDED.

MOTION CARRIED 5:0

7.10 Fire Marshal Office training

B. Dennler noted the item should refer to the Burning Official not the Fire Marshal as they are technically separate departments. K. Cwikla explained that the Burning Officials have requested they be compensated for their time completing the six-hour recertification course. B. Dennler confirmed there is money in the salary line of the Open Burning Official budget that can absorb this cost. The OBOs currently are paid a stipend of \$10 per permit issued and do not receive any hourly wage associated with the duties.

B. Petrie to authorize a \$150 stipend for burning officials for completion of their recertification process.

K. Smith SECONDED.

MOTION CARRIED 5:0

7.11 Authorize First Selectman to sign documents related to the 2023 Historic Preservation Grant

B. Petrie said the Town Clerk's apply for this grant annually and this is a procedural item.

B. Petrie MOVED to authorize the First Selectman to sign documents related to the 2023 Historic Preservation Grant. K. Cwikla SECONDED.

MOTION CARRIED 5:0

7.12 Authorize First Selectman to sign documents related to the 2023 Historic Preservation Grant

Tony Tyler, 125 Lakeshore Drive, spoke representing the Friends of Lake Williams. FLW is requesting the Town of Lebanon allocate \$10,000 annually in the budget for prevent milfoil from taking over the lake. There is public access to the lake and is an important ecological resource. This is supported by the Lebanon Plan of Conservation and Development.

B. Petrie provided background on the situation. The Town has funded milfoil treatment in partnership with the FLW using funds the Town took in as tax from lakeside property owners when Lake Williams Dam was constructed. T. Tyler said the FLW will continue to fundraise their share of the costs and has applied with the state for a grant to eradicate the weeds. K. Smith said the popularity of Lake Williams has increased significantly during the COVID19 pandemic.

M. DeCaprio apologized and stated he needed to leave the meeting early. He left at 7:00 PM.

B. Petrie MOVED to support a \$10,000 allocation for the Lake Williams milfoil treatment in the FY23-24 budget. K. Smith SECONDED.

MOTION CARRIED 4:0

K. Smith MOVED to add to the agenda as item 7.13 "Discuss and act on Social Services Administrator proposal." K. Cwikla SECONDED.

MOTION CARRIED 4:0

7.13 Social Services Administrator proposal

S. Ashcom reviewed a proposal to increase the Social Services Administrator salary within the existing 27-hour structure for the position. She discussed the additional duties and social services needs that have arisen since the pandemic such as taking over duties of the Lebanon Food Pantry. She also discussed comparable wages from similar positions in other municipalities. K. Cwikla said he did not think they could meet her full request but suggested meeting halfway on the dollar figure.

B. Petrie MOVED to support a \$5,000 market-rate adjustment to the social services administrator position. K. Smith SECONDED.

MOTION CARRIED 4:0

8.0 Old Business

Discuss and act upon:

8.1 Charter Revision process

The Selectmen reviewed information on the Charter revision process as sent by Catherine Marrion. They agreed to discuss again at a future meeting.

NO ACTION TAKEN

9.0 Approval of Minutes

9.1 Approval of Minutes

- a. Minutes of the February 8, 2022 Special Meeting (B. Petrie not present)

K. Smith MOVED to approve the minutes of the February 8, 2022 Special Meeting. K. Cwikla SECONDED.

MOTION CARRIED 3:0

B. Petrie abstained.

10.0 Executive Session

10.1 Executive Session: Strategy and Negotiations regarding Lebanon Green Litigation

No Executive Session was held.

11.0 Adjourn

The meeting adjourned at 7:33 PM.

Respectfully submitted,

Bernard W. Dennler III

Office Manager to the First Selectman