

Board of Selectmen  
**REGULAR MEETING**  
May 3, 2016– 3:00 PM  
Town Hall

**MINUTES**

**Members Present:** First Selectman Betsy Petrie, Selectman Glen Coutu and Selectman John Bendoraitis

**Also Present:** Library Director Julie Culp, Tom Meyers, Town Planner Phil Chester, Assessor Emma Sousa, David Bareiss, Michelle Bareiss, Gerald Stefon L.S. from Mattern & Stefon Land Surveyors, Facilities Director Jason Nowosad, Senior Center Director Darcy Battye, Highway Foreman Jay Tuttle, and Administrative Assistant Linda McDonald

**1.0 Call to Order:** B. Petrie called the meeting to order at 3:00 p.m.

**2.0 Public Forum:** David Bareiss of 151 Deepwood Drive said an increasing number of residents on Amston Lake are looking for guidance and help regarding how to better manage water run-off on their streets. He submitted photos depicting the water run-off issues. The members thanked D. Bareiss for bringing this to the Board and B. Petrie will follow-up with town staff.

**3.0 Correspondence**

**3.1** Correspondence from DEEP

**4.0 Financials**

**4.1** Monthly Expenditure Report: The members reviewed the report.

**4.2** CIRMA Three Year Stabilization Agreement: The Town will work with CIRMA on risk management plan.

**5.0 Old Business**

**Discuss and act upon:**

**5.1** Approving the Revised Job Descriptions for Library Director and Library Assistant

J. Culp reported on the revisions to the job descriptions. Discussion followed on the personnel management section in the job description for Library Director. No action was required by the BOS.

**5.2** Replacement Schedule for Library Computers:

J. Culp distributed a copy of the computer inventory at the Library and referred to the computers she considered in need of replacement. Bibliomation manages the Library computer system help desk support, internet support, and the email system. J. Bendoraitis commented that the IT service for the Town recommends the replacement of the Town's computers and suggested a technical recommendation from Bibliomation, prioritizing the list provided. J. Culp will come back with a suggested list and cost quote of replacement computers with software installation.

## **6.0 New Business**

### **Discuss and act upon:**

#### **6.1 Discussion with Gerald Stefon L.S. from Mattern & Stefon Land Surveyors regarding Perry Road.**

G. Stefon introduced himself and said he was here on behalf of his clients who own a piece of property on Perry Road and are seeking to build a house on their property and have not had any luck getting the necessary permits to do that.

G. Stefon continued that, at a Town Meeting in 2002, the Town of Lebanon voted to discontinue Perry Road as a public right of way (r.o.w.). He referenced Connecticut State Statute 13(a)-55 which he said indicates any road discontinued after 1959, even though the public r.o.w. has been extinguished, there remains a private r.o.w. for anyone who owns the land along that old road bed so they can get to their property and use that r.o.w. for any and all purposes. His clients purchased the property a few years after that Town Meeting thinking that Statute 13(a)-55 would allow them to build on that property.

G. Stefon met with the BOS last year and thought this issue had been resolved. His clients were asking for a simple easement to the property and would also like an assignable easement so Eversource can get utilities to the site and they can get a building permit for this lot.

G. Stefon said last June his clients were informed by town counsel that, if they could get a title insurance policy to protect the town if sued by the neighbor, the town would give the r.o.w. After a six month process, his clients secured a title insurance policy. Last month, the title insurance company called Lebanon town counsel to go over some facts and was advised by town counsel against giving his clients the title insurance policy.

G. Stefon said his clients are looking for support from the BOS to rectify something that should have never happened in the first place. They know the easement has to go through an 8-24 review before the Planning and Zoning Commission and needs to go to town meeting for vote.

J. Bendoraitis responded that prior boards have tried to come up something that would withstand any legal test and have been following town attorney's advice. G. Stefon said maybe current counsel is too intertwined with this issue and can't take a step back. His recommendation is that the Town get second opinion from another attorney.

G. Stefon indicated that part of the easement language would be that the town would not have to provide any maintenance to the road so that the pre-existing lots of record could build there. There are only three prior existing lots of record on the road. By issuing an easement the town would affirm this is not a public road.

Consensus of the Board is that finding a resolution will have to be discussed at a future meeting.

#### **6.2 Authorizing the First Selectman to apply for a State Matching Grant for Elderly and Disabled Demand Responsive Transportation.**

D. Battye explained the town applies every year for this grant.

J. Bendoraitis MOVED to authorize the First Selectman to apply for a State Matching Grant for Elderly and Disabled Demand Responsive Transportation. G. Coutu SECONDED. MOTION CARRIED 3:0:0.

**6.3** Awarding the contract for Synagogue Road Cemetery Design Plans and Cost Estimates.

J. Nowosad said he reviewed the contracts and the Cemetery Commission moved to recommend to the BOS that the contract go to CME. He said this company was second lowest bidder, but has more experience in this field and would provide three conceptals for the commission to review. Part of the bid would allow for the planting of grass.

J. Bendoraitis MOVED to award the contract for Synagogue Road Cemetery Design Plans and Cost Estimates to at a cost of \$12,331.00 with funds to come from capital budget. G. Coutu SECONDED. MOTION CARRIED 3:0:0.

**6.4** Setting septic pump-out schedules for Town buildings

L. McDonald reported that the septic pump-out schedules for the Town buildings need updating. J. Nowosad will develop pump out schedule.

**6.5** Approving Federal Signal Safety and Security Systems to replace the warning siren at the Lebanon Safety Complex at a cost of \$2,110.88, funds to come from Emergency Management.

B. Petrie said members of the LVFD will do the installation.

Members expressed concern for liability and work being done properly, as the work will be not be performed by professionals. B. Petrie said correspondence from the Lebanon Volunteer Fire Department (LVFD) states "As this is a direct replacement using existing wiring and mountings, costs should be limited."

J. Bendoraitis MOVED to approve Federal Signal Safety and Security Systems to replace the warning siren at the Lebanon Safety Complex at a cost of \$2,110.88, funds to come from Emergency Management. G. Coutu SECONDED. MOTION CARRIED 2:0:1 with B. Petrie abstaining. G. Coutu asked that any future projects include installation costs. B. Petrie will convey this to the LVFD.

**6.6** Contract proposal from All Washed Up to paint all exterior wood at Town Hall.

B. Petrie met with Scott McKinney of All Washed Up and asked him to provide quote to paint the exterior wood at Town Hall. His quote came in at \$3,278.00. Consensus of the members is for Facilities Director J. Nowosad inspect the cupola before painting begins. Cupola at least needs repainting and might need repair.

G. Coutu MOVED to award contract to All Washed Up to paint the exterior wood at Town hall at a cost of \$3,278.00, finds to come from TIP. J. Bendoraitis SECONDED. MOTION CARRIED 3:0:0.

**6.7** Discuss and Act upon the hiring of a temporary Senior Van Driver:

D. Battye reported a recent job listing for this position drew no applicants. She said the drivers try to stay under 19 hours per week and another driver is needed to relieve fatigued drivers. She said the person under consideration meets the criteria for the position.

G. Coutu MOVED to hire Marie Pratt as a temporary Senior Van Driver at the rate of \$12.88 per hour effective May 5, 2016. J. Bendoraitis SECONDED. MOTION CARRIED 3:0:0.

B. Petrie added Item 6.8: Financial Update to New Business

- 6.8** Financial Update: B. Petrie reported that she and the Highway Foreman put together a list of purchases for public works items to present to the Board of Finance (BOF) at their May 17, 2016. B. Petrie will ask the BOF to provide funding on these items with funds to come from the excess balance. Discussion followed. J. Tuttle will put a list of equipment for auction in June.

**7.0 Departmental Update**

- 7.1** Update from Assessor's Office: E. Sousa reported the BAA finished up duties in March, the Elderly Homeowner's program is coming to an end, the renter's rebate has started up and she will start her field work in June. She has been working with several farmers in town who are challenged on personal property.

**8.0 Minutes**

**Discuss and act upon:**

- 8.1** Approving the minutes from the April 7, 2016 Special Meeting: The minutes of April 7, 2016 were amended **(in bold)** as follows:

In section 3.1: "J. Bendoraitis MOVED to direct the Deputy Treasurer to execute the trades **and to sell all shares** of Amgen Inc, Alpha Natural Resources Inc, Fluor Corp, General Motors Company, GoldCorp Inc, Monsanto Company, and Invesgo American Franchise Fund with proceeds to be invested in the Franklin Templeton Government Securities Bond Fund."

In section 5.10: "J. Bendoraitis said he would recommend asking for 30 day effective date **in order for system changes to be made to accommodate new fees.**"

G. Coutu MOVED to approve the minutes from the April 7, 2016 Special Meeting as amended. J. Bendoraitis SECONDED. MOTION CARRIED 3:0:0.

- 8.2** Approving the minutes from the 2016 Special Meeting

G. Coutu MOVED to approve the minutes from the, 2016 Special Meeting as presented. J. Bendoraitis SECONDED. MOTION CARRIED 3:0:0

**9.0 Resignations**

- 9.1** Resignation of Daniel O'Hearn as Deputy Fire Marshal effective 7/1/2016. B. Petrie said D. O'Hearn will no longer be certified as of 7/1/16.

- 10.0 Appointments:** No appointments.

- 11.0 Police Report:** No report.

**12.0 Tax Refunds: J. Bendoraitis** MOVED to approve the following tax refunds as recommended by the Tax Collector. G. Coutu SECONDED. MOTION CARRIED 3:0:0.

<b>Tax Refunds for May 2016</b>	<b>Amount</b>
Lynne Marden	\$79.50
Nancy Suren	\$149.46
Nancy Suren	\$55.39
Nancy Suren	\$142.07
Nancy Suren	\$59.22
Christopher Van Riper	\$1,652.26

**13.0 Adjournment:** G. Coutu MOVED to adjourn the meeting at 4:44 p.m. J. Bendoraitis SECONDED. MOTION CARRIED 3:0:0.

Respectfully Submitted,

Linda H. McDonald