

Board of Selectmen
REGULAR MEETING
November 1, 2011 – 5:00 PM
Town Hall
MINUTES

1.0 First Selectman Joyce Okonuk called the meeting to order at 5:07 pm. Selectman Linda Finelli and Administrative Assistant Patti Handy were also present. Selectman John Bendoraitis joined the meeting at approximately 5:15 pm. Audience: 7.

2.0 **Public Forum** – None

3.0 **Minutes**

3.1 Motion made by Okonuk, seconded by Finelli to approve the minutes from the September 20, 2011 Special Meeting. Vote: Yes, unanimous.

3.2 Motion made by Okonuk, seconded by Finelli to the minutes from the October 11, 2011 Special Meeting. Vote: Yes, unanimous.

4.0 **Correspondence** – None

5.0 **Police Report**

5.1 The Selectmen reviewed the monthly police report supplied by the Resident State Trooper, who could not be present for this meeting.

5.2 Recommendations for security at Town Hall: Tabled for a future meeting.

6.0 **New Business**

6.1 Vincent Savalle and Teri Davis, current owners of property on Perry Road, presented a petition requesting that the Town of Lebanon re-open Perry Road by action of a Town Meeting. Attorney Edward O’Connell was also present to provide the legal history of the road and to explain his reasons for advising the Selectmen that the intent of the petition was not proper to call a Town Meeting. O’Connell explained that the issue of the status of Perry Road has already been heard by the Connecticut Superior Court and Appellate Court with both ruling that the road was actually discontinued in the 1937 town meeting action and had not be in constant use since that time, resulting in it not be eligible for re-opening. The Town Meeting should not take action in opposition to the ruling of the courts. Discussion followed concerning the process that was used to close the road originally in 1937. Savalle has pursued his appeal to have the road re-opened through the Appellate and Supreme Court systems without success, but was in hopes that perhaps the Board of Selectmen, through action of a Town Meeting, could reverse the decision. **Motion made by Bendoraitis, seconded by Finelli to deny the request made by Vincent Savalle and Teri Davis to call a Town Meeting for the purpose of re-opening Perry Road, based on the opinion of town counsel indicating the request was not proper. Vote: Yes, unanimous.**

Motion made by Okonuk, seconded by Finelli to adjourn the order of the agenda and take up item 6.8 on the agenda. Vote: Yes, unanimous.

6.8 Phil Chester, Town Planner, was present to request permission to apply for the 2011- 2012 Agricultural Viability Grant. Chester outlined the purpose of the grant and its uses in past years, including the purchase of agricultural books for the library. **Motion made by Bendoraitis, seconded by Finelli to authorize the First Selectman to apply for the 2011-12 Agriculture Viability Grant in the amount of \$25,000. Vote: Yes, unanimous.**

Motion made by Okonuk, seconded by Bendoraitis to add an item 6.1.1 to the agenda: Discuss and act upon the Industrial Park Road agreement. Vote: Yes, unanimous.

6.1.1 Attorney Edward O'Connell explained the agreement that he has drawn up to transfer the ownership of Industrial Park Road from the Town of Lebanon to Hyponex Corporation, as requested by the Board of Selectmen. As Hyponex has purchased all of the available land along the road, it is in the best interest of the Town to have the road discontinued. Owners of parcels abutting the road after its discontinuance will still have rights under the statute, and conveyance and use of the road will be subject to the State Traffic Commission permit. The Selectmen reviewed the draft of the agreement. **Motion made by Bendoraitis, seconded by Finelli to authorize the First Selectman to enter into an agreement with Hyponex Corporation as presented; final copy to be presented to Selectmen when prepared. Vote: Yes, unanimous.**

Motion made by Okonuk, seconded by Finelli to adjourn the order of the agenda and take up item 6.7 and under new business. Vote: Yes, unanimous.

6.7 Assessor Claire Foltz was present to discuss the possibility of collaborating with the towns of Franklin and Scotland for the 2013 Revaluation. This could potentially save money and widen the field of bidders for the revaluation. There is also the possibility of joining with a larger group of towns. The Selectmen felt that staying with the three small towns would be the most practical. The First Selectman of Franklin is going to investigate further and the Assessor will keep the Selectmen informed. No action.

Motion made by Okonuk, seconded by Finelli to adjourn the order of the agenda and take up item 6.3 next, as the Assessor had to leave. Vote: Yes, unanimous.

6.3 Foltz briefed the Selectmen on the settlement of the Ancona vs. the Board of Assessment Appeal Case. **Motion made by Okonuk, seconded by Finelli to approve settling the Docket # KNL-CV11-6009178 S (Benjamin Ancona V. Town of Lebanon). Vote: Yes, unanimous.**

Motion made by Okonuk, seconded by Finelli to return to the order of the agenda with item 6.3 under New Business. Vote: Yes, unanimous.

6.2 Howard Wayland, Chairman of the Cemetery Commission was present to discuss the possibility of the Town taking over the Greenman-Card Cemetery. After reviewing the applicable statutes, the Selectmen agreed that the Town does not have the authority to take over the cemetery as it does not meet the definition of "abandoned" as described in the statutes. No action.

6.3 (See Above)

6.4 Tax Collector Joyce Hofmann was present to request the purchase of three large display monitors for the Tax Office to better accommodate the tax-related software. **Motion made by Finelli, seconded by Okonuk to authorize the purchase of three large computer monitors for the Tax Office at a cost not to exceed \$750, funds to come from TIP. Vote: Yes, unanimous.**

6.5 The Tax Collector also requested a wage adjustment for the Assistant Tax Collector due to the recent certification completion. Selectmen discussed and reviewed the part-time non-union wage matrix. They agreed to take up the matter again under item 6.11.

6.6 Bendoraitis explained the need to purchase back-up battery packs for the Tax Collector's computer and the Registrar's computer. **Motion made by Finelli, seconded by Okonuk to purchase two back-up battery packs at a cost not to exceed \$200, funds to come from TIP. Vote: Yes, unanimous.**

6.7 (See above)

6.8 (See above)

6.9 Selectmen discussed the upcoming holiday hours for Town Hall. Since both Christmas and New Year's Day fall on Sunday, they will be observed on Monday, December 26, 2011 and Monday, January 2, 2011 respectively, in keeping with the Federal Legal Holiday calendar; Town Hall will be closed on both of

those days. The Selectmen also discussed closing Town Hall at 1:00 pm on Friday December 23, 2011 for the staff holiday celebration. **Motion made by Bendoraitis, seconded by Finelli to close Town Hall and Public Works at 1:00 pm on Friday December 23, 2011, to allow all Town employees to attend the annual holiday celebration. Vote: Yes, unanimous.**

6.10 The Selectmen wish to continue holding their meetings on the first Tuesday of the month at 5:00 pm. **Motion made by Finelli, seconded by Bendoraitis to approve the Selectmen's meeting schedule for 2012 as presented. Vote: Yes, unanimous.**

6.11 The Selectmen discussed making revisions to part-time, non-union salary matrix for the 2012-13 Fiscal Year. All agreed that this discussion would require some time and that a Special Meeting should be called for this purpose. The Board agreed to call a Special Meeting on Thursday, November 10, 2011 at 6:30, prior to the Board of Finance Meeting.

6.12 The Selectmen discussed renewing the computer service agreement with Walker Systems Support. **Motion made by Finelli seconded by Bendoraitis to renew the computer service agreement with Walker Systems Support for a total service cost of \$1,334, effective 11/01/2011 through 11/01/2012. Vote: Yes, unanimous.**

6.13 The Selectmen discussed a request from a Public Works employee to take payment in lieu of two weeks of vacation time. The current union contract allows for this arrangement with the permission of the Selectmen. No motion, no action.

Motion made by Bendoraitis, seconded by Finelli to add item 6.14 to the agenda: Discuss and act upon the Reverse 911 System." Vote: Yes, unanimous.

6.14 Bendoraitis noted that during the last power outage the Reverse 911 system did not go out to residents' cell phone. Also, there was a problem of "overlap" when the message was picked up by answering machines causing a part of the message to be unheard. Bendoraitis also suggested that a new system be put in place that would allow for text messaging to cell phones. All agreed that the system needs improvement, and getting information out to residents during an emergency is crucial. Okonuk brought up that at the present time we do not have a dedicated line for the Emergency Operations Center, and this should be changed. Okonuk will meet with Emergency Management Director Byron Lennox to discuss the matter and make the necessary changes.

7.0 Old Business

None

8.0 Appointments/Reappointments to, and Resignations from, Boards, Commissions and Committees **Discuss and Act upon:**

8.1 **Motion made by Finelli, seconded by Bendoraitis to reappoint Lebanon Constables Joseph Dolan, Brice Padewski and Marc Rubera for one (1) year term to expire on 12/31/2012. Vote: Yes, unanimous.**

8.2 **Motion made by Okonuk, seconded by Finelli to appoint Mark Fitton to the Rails to Trails Committee to fill a current vacancy with a term to expire on 5/5/2014. Vote: Yes, unanimous.**

8.3 **Motion made by Okonuk, seconded by Finelli to accept, with regret and appreciation, the resignation of Kara Fishman from the Solid Waste Commission. Vote: Yes, unanimous.**

8.4 The Selectmen discussed the reappointment of Joyce Okonuk to the Bozrah Utilities Commission, but decided that Selectman John Bendoraitis would be better able to serve the Commission as he is a customer of Bozrah Light & Power. Okonuk's term ended on 4/20/2011. **Motion made by Okonuk, seconded by Finelli to appoint John Bendoraitis to the Bozrah Utilities Commission for a term of three (3) years, to fill the vacancy left by Okonuk, term to expire on 4/20/2014. Vote: Yes, unanimous.**

9.0 Motion made by Finelli, seconded by Bendoraitis to approve the following Tax Refunds as presented for September and October 2011. Vote: Yes, unanimous.

Tax Refunds – September/October 2011	Amount
Nichols, David A Sr.	\$3.15
Flanigan, Nelson E or Flanigan, Mary C.	\$102.60
Parciak, Leo J. III or Parciak, Rita	\$56.09
Pofok, Richard	\$96.67
Overturf, Marie L.	\$12.17
Reed, John H. or Reed, Paula L.	\$9.10
Wetzel, Jonathan E.	\$95.85
Honda Lease Trust	\$223.44
Fidelity National Capital Inc.	\$8,438.22
Nissan Infiniti LT	\$270.30
Laskarzewski, Robert	\$102.60
Pineault, Richard G.	\$6.84
Shilosky, Shane P & Elizabeth S.	\$95.86
Salazar, Daniel S. or Salazar, Allyson C.	\$117.95
Kolar, Alan or Kolar, Deborah M.	\$8.30
Pellerin, Norman A. or Pellerin, Katherine C.	\$95.85
Pellerin, Norman A. or Pellerin, Katherine C.	\$99.45
Pellerin, Norman A. or Pellerin, Katherine C.	\$102.60
CAB East LLC	\$548.21
Tuttle, Robert J. Jr.	\$99.45
Byron, Robert H.	\$172.10
Byron, Robert H.	\$178.58

10.0 Financial Reports

None to review at this time

11.0

Respectfully Submitted,



Joyce R. Okonuk, First Selectman