

BOARD OF SELECTMEN
SPECIAL MEETING
August 24, 2015, 7:45 p.m.
Fire Safety Complex, 23 Goshen Hill Road
MINUTES

Members Present: First Selectman Joyce Okonuk, Selectman Linda Finelli, and Selectman John Bendoraitis **Also Present:** Attorney Catherine Marrion for the Law Firm of Waller, Smith and Palmer, Margaret McCaw, Alicia Wayland, Howard Wayland and Administrative Assistant Linda McDonald

- 1.0 CALL TO ORDER: J. Okonuk called the meeting to order at 7:45 p.m.
- 2.0 Discuss and act upon authorizing the First Selectman to sign the Operating Agreement for the Jonathan Trumbull Jr. House Museum LLC:

J. Bendoraitis MOVED to authorize the First Selectman to sign the Operating Agreement for the Jonathan Trumbull Jr. House Museum LLC. L. Finelli SECONDED.

Attorney C. Marrion said unless J. Okonuk is signing as a Board member, which she is not, her signature is not needed. This agreement is like a shareholder agreement and doesn't require the Town signature. The Lebanon Historical Society signs it as the primary signature as well as a Town appointed Board member as an acknowledgment of the terms and conditions; how the museum is going to be managed. The Jonathan Trumbull Jr. House Museum LLC Board members can be appointed 15 days after legal notice publication of the purpose of the "Ordinance Dissolving the Board of Historical Preservation for the Jonathan Trumbull Jr. House Museum and Designating Board Members as Trustees for the Jonathan Trumbull Jr. House Museum LLC " in the newspaper.

J. Bendoraitis WITHDREW his motion. L. Finelli WITHDREW her second of the motion. No action is required by the BOS on this agenda item.

- 3.0 Discuss and act upon recommending the lease purchase of a 2016 International plow truck:

J. Okonuk said the money for the lease purchase of the 2016 International plow truck is in the capital budget again this year but the BOS has to bring this to the Board of Finance (BOF) before the BOS can bring this to vote at Town Meeting. J. Bendoraitis MOVED to recommend to the Board of Finance the lease purchase of a 2016 International plow truck. L. Finelli SECONDED. MOTION CARRIED 3:0:0.

- 4.0 Discuss and act upon the creation of a Charter Commission and appointment of members to same:

J. Okonuk stated "The Board of Selectmen voted to accept the Charter from the Charter Commission in June 2015. It was the intention of the BOS to publish the Charter in Lebanon Life in the October issue and then mid-October hold a public information meeting to answer questions from the public about the Charter prior to the voters having this on the ballot on Election Day in November. It came the attention of the Board at a Selectman's meeting on July 14, 2015 that the Selectmen, per Connecticut State Statute, were required to publish the Charter within thirty (30) days of accepting it and that did not happen. As a result, counsel for the Town was contacted to see if there was any way that the Charter question could still be put on the ballot in November. The answer was no, it cannot; the statutory

timing is critical and it must be followed exactly. Counsel was asked if another Charter Commission could be appointed because the work has been done—just need to reset the clock. Counsel responded that approach was fine and permitted within statutes. Because the Charter hasn't been voted on yet, a new Commission can be appointed. Former Charter Commission Chair Tom Meyer was asked if he would check with the other members to see if they would be interested in reappointment. Letters of interest in reappointment have been received from all members of the former Charter Commission. After a year of intense work developing the Charter, they are very disappointed with this news and wish to see the document brought forward. In addition there was a vacancy on this Commission and Svea Meyer has offered to serve and fill that vacancy so we now have our full nine member commission."

J. Bendoraitis said the number of members on the Charter Commission does not have to be nine since this would be a new Charter Commission. J. Okonuk said since the members are willing to come back it would be easier to keep membership at the same number as on the prior Charter Commission.

J. Okonuk MOVED to create a nine-member Charter Commission for the purpose of developing a Charter for the Town of Lebanon. J. Bendoraitis SECONDED.

Discussion followed. L. Finelli asked about discussion regarding the clock not starting again. Attorney C. Marrion responded "What happened was the Charter became null and void, almost as though it hadn't happened. The law says you can't have two Charter Commissions in existence at the same time but we don't. That's the only limitation to starting a new Charter Commission and, in doing that, resetting the clock."

J. Okonuk said the Charter Commission has to follow all the same steps as they did originally. The Charter question cannot be on the fall ballot; timing won't allow it by State statute. Okonuk expressed she feels very badly about the amount of work that went into the Charter by the Commission and is taking full responsibility for missing the printing deadline. She has expressed same to all members.

MOTION CARRIED 2:1:0 with L. Finelli opposed.

J. Bendoraitis MOVED to appoint a Town Charter Commission consisting of the following members: Thomas Meyer, John Bendoraitis, John Daviau, Ellen Macauley, Peter Myers, Alicia Wayland, Keith LaPorte, and Linda Johnson. J. Okonuk SECONDED. MOTION CARRIED 2:1:0 with L. Finelli opposed.

5.0 Adjourn: J. Bendoraitis MOVED to adjourn the special meeting at 7:55 p.m. L. Finelli SECONDED. MOTION CARRIED 3:0:0.

Respectfully Submitted,



Joyce R. Okonuk, First Selectman

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.