

Board of Selectmen
SPECIAL MEETING
April 28, 2015 – 6:00 PM
Town Hall

MINUTES

- 1.0 The meeting was called to order by First Selectman Joyce Okonuk at 6:00 p.m. Selectmen Linda Finelli and John Bendoraitis were also present. Audience: 15

Motion by Finelli/Bendoraitis to adjourn order of the agenda to take up Item #3 first. Vote: Yes, unanimous

- 3.0 It has been confirmed that all Selectmen and Charter Commission Chairman Tom Meyer are all available to present the Charter overview on May 20th. Linda asked if another Hearing could be held later in the year, prior to the Municipal Election, so that residents could be reminded of the Charter details prior to voting on the Charter at Referendum in November. Selectmen supported her suggestion. A resident reviewed the proposed charter and presented Joyce with his comments which will be included in Hearing. **Motion by Finelli/Bendoraitis to warn a Public Hearing on the Proposed Charter for Wednesday, May 20th at 7:00 p.m. at the Fire Safety Complex. Vote: Yes, unanimous**

- 4.0 The Town Clerk has requested the Selectmen approve a Resolution for documents preservation. **Motion by Bendoraitis/Finelli to adopt a Resolution for a Historic Documents Preservation Grant. Vote: Yes, unanimous**

Motion by Finelli/Bendoraitis to return to Item #2 on the agenda. Vote: Yes, unanimous

- 2.0 The Town Clerk received a petition from Lebanon residents Ed Tytor and T. Alan Palmer requesting Town Meeting vote to not allow the Farmer's Market to continue to operate between the Town Hall and Route 207 on the town green. The petition was verified by the Town Clerk and added by the Selectmen to the Annual Town Meeting agenda. Tytor and Palmer and others involved with the petition were invited to meet with Selectmen to discuss the issues behind the petition and to try and seek a resolution prior to Town Meeting. The Selectmen explained they were unaware of any issues involving the weekly use of the Town Hall driveway and green by the Farmer's Market and certainly had not known of any detrimental impact on the newly installed veteran's memorial walk and monuments.

Tytor stated that the complaint/petition was not a Legion Post 180 issue but petitioners were members of the Post. Tytor said he thought the Market was a benefit to the town. He provided photos taken during the market last summer showing one vehicle parked close to a granite bench, one basket of produce sitting on the bench and several photos of worn grass along the edge of the curbing. No other impact was obvious.

Post 180 Commander Al Wilder stated the perception is that the Legion is involved with the petition and they are not. He was, however, aware of some issues during construction last year with the market during the installation.

Palmer said the issue shouldn't be voted on at the Annual Meeting but wants the area maintained. The older monuments in place were installed beginning in 1923 (flag pole), 1950 (WWI & II), 2002 (Korea), and in 2014 (Afghanistan & Iraq). He is not against the Farmer's Market. Okonuk reminded him that the issue should have come before the Farmer's Market organizers or Selectmen first to try and resolve any issues but now, as they have initiated the petition, the issue must be voted on at the town meeting.

Town Planner Phil Chester provided two exhibits depicting how the vendors were set up on the edge of the driveway/lawn for the past eight years. They impacted 40' onto the site, with trucks, produce and "easy up tents" on the grass and were fully off the paved area. Throughout the eight years there were no complaints, including last summer during construction.

Chester is proposing a new layout design with no vehicles on the lawn and minimum impact on the grass. He attempted to impact only 5' for vendors to stand and have two of the four legs of the tents on the grass, but by doing so, Town Engineer Brandon Handfield wrote that there was not enough of an emergency lane left between the two rows of vendors to provide 16' of emergency access. As a result, Chester's proposal depicted a 10' impact on the grass with no vehicles and two legs of the tent on the grass, two on the pavement. Chester also offered to re-seed any worn areas of lawn at end of season. The suggestion was made that mats be placed over the grass where vendors stand to minimize wear. Chester reminded attendees that the Farmer's Market went before PZC and the Selectmen for approval before it was initiated.

Palmer said he had no problem tabling this item at this year's Annual Meeting until the following year's meeting. Linda Finelli adamantly stated her opposition to that suggestion stating the matter should be discussed and dealt with, not left hanging over the market for the next year.

Selectmen called for a recess at 6:33 p.m. to allow meeting to move outdoors to look at the area in question.

Meeting resumed at 6:55 p.m.

Glenn Stygar asked if the impacted area could be reduced to 5' instead of 10'. Palmer asked if at the first market this year organizers could look at setbacks and try to move the vendors from that side of the driveway off the grass altogether. Tytor agreed the intent is to minimize impact on the grassed area and suggested we try the proposed plan (from Chester) and see how it works.

Audience member Suzanne Ingalls stated this issue raises a red flag for her. The town has changed since moving here in 1947, but to restrict people from walking on public property, gives her concern. Okonuk supported Ingalls stating that this petition is setting a dangerous precedent – should this matter result in a specific group being prohibited from using public property – where does it end? Public land belongs to everyone and as long as no abuse is taking place, this decision could have long term impacts. Jim Mello said petitioners are not asking for restrictions but rather respect of the monuments. He suggested we get rid of the grass along the curbing and put in crushed stone which would alleviate the concerns about wear.

Finelli supported trying the new plan and if it doesn't work, look into alternative options such as the crushed stone.

Okonuk individually addressed all persons involved with the petition and Tytor, Stygar and Palmer all said they agreed with trying the proposal. Farmer's Market Master Mary Ellen Wieczorek and Planner Chester also agreed.

Tytor said he would speak to the petition at the Annual Town Meeting advising a resolution had been reached.

- 5.0 Motion by Bendoraitis/Finelli to approve the minutes of the April 7, 2015 Regular Meeting amended as follows: *Item 8.2for three (3) year terms to expire on 4/1/2018*. Vote: Yes, unanimous**
- 6.0 Motion by Finelli/Bendoraitis to approve a tax return to Gerald A. Goodale and Kathy A. Yother in the amount of \$109.50 as recommended by the Tax Collector. Vote: Yes, unanimous.**
- 7.0 Motion by Finelli/Bendoraitis to approve the purchase of a replacement office chair for the Library in the amount of \$119.00, funds to come from TIP 208-00-620-62100. Vote: Yes, unanimous.**
- 8.0 Motion by Bendoraitis/Finelli to adjourn the meeting at 7:20 p.m. Vote: Unanimous**

Respectfully Submitted,



Joyce R. Okonuk, First Selectman