

Board of Selectmen  
**SPECIAL MEETING**  
April 28, 2014 – 9:30 a.m.  
Town Hall

**MINUTES**

- 1.0** First Selectman Joyce Okonuk called the meeting to order at 9:30 a.m. Selectmen Linda Finelli, John Bendoraitis and Town Attorney Ed O’Connell were also present.
- 2.0** The Selectmen entered Executive Session at 9:30 a.m. for the purpose of discussing a negotiated Federal Court agreement re a personnel matter. Attorney Ed O’Connell was invited to join.

The Selectmen returned to Regular Session at 10:15 a.m.

**3.0** In research provided by Attorney O’Connell, he advised the Selectmen that CGS 7-12 provides the Selectmen with the charge of settling all claims against the town and to request the treasurer to issue such payment. Further CGS 7-348 states that Board of Finance shall appropriate funds necessary for the settlement of claims or judgments against the town under the provisions of law and could be done without requesting Town Meeting approval. Once the authorization is approved, the First Selectman shall meet with the Board of Finance to discuss the necessary appropriation.

**Motion made by Finelli/Bendoraitis to settle the Barbara Richardson-Crouch Federal Court case for the sum of \$75,000 on the part of the Town of Lebanon, and to authorize the First Selectman to sign and deliver any documents necessary to officiate said agreement. Vote: Yes, unanimous.**

Town Planner Phil Chester, Town Attorney Ed O’Connell, of Waller, Smith and Palmer, Director of NPU John Bilda, NPU Water and Wastewater Director Mark Decker and Attorneys Paul McCary and Cherie Phoenix of Murtha-Cullina joined the meeting for Item 4.0 on the agenda. Administrative Assistant Patti Handy also joined the meeting at this time.

**4.0** The Selectmen reviewed the agreement between the Town and Norwich Public Utilities as reviewed and witnessed by Town Counsel O’Connell, finalizing the lease of town-owned property on Camp Mooween Road to Norwich Public Utilities. Appropriate documents were filed with the Town Clerk immediately following the signing. The signing of this agreement was authorized at a Special Town Meeting held on January 27, 2014.

Alicia Wayland, Town Historian and member of the Jonathan Trumbull Jr. House Board of Historical Preservation joined the meeting at 10:30 a.m.

**5.0** Attorney Frederick Gahagan of Waller, Smith & Palmer joined the meeting at 10:55 to discuss the legal recommendations for the creation of an LLC for the Jonathan Trumbull Jr. House Museum as requested by the Hugh Trumbull Adams Family Trust. The Trustees have requested that the Town establish a corporation with the Jonathan Trumbull Jr. House Board of Historical Preservation (“the Board”) as an LLC, an entity separate from the Town to enable the Trust to provide funding to the Museum yet through a not for profit LLC rather than through the Town of Lebanon. Discussion followed as to whether or not this action is possible, and if so, how best to proceed to be compliant with both the Trustees wishes and the IRS. It was agreed that the most efficient way to accomplish this would be to

request the Lebanon Historical Society (LHS), which already has an EIN for tax purposes, to become the a singular member of the new LLC for the Jr. House Museum. With permission from the LHS, they could appoint a member of the LHS as their representative on the new LLC and the EIN from the LHS would suffice for the Jr. House Museum as well. The attorney has already approached Ed Tollmann of the LHS with this idea and he was receptive to the concept. Okonuk asked if it would require an ordinance to form the LLC and more discussion followed; the Town would need to rescind the ordinance that created the Jonathan Trumbull Jr. House Board of Historical Preservation and rewrite it permitting the formation of the LLC with members of the current Board essentially becoming a Board of Directors and including the new LHS member. The Selectmen authorized the attorneys to outline the structure of the agreement and return with a draft.

**6.0 Motion made by Bendoraitis/Finelli to extend the contract with Gilbane Building Company as the Owner's Representative for Phase II Renovations to the Jonathan Trumbull Jr. House, as recommended by the Board of Historical Preservation, funds to come from the grant from the Adams Town Memorial Fund for 2014 renovations, when and if awarded. Vote: Yes, unanimous.** Phase II will include replacement windows, lighting and improvements to the heating duct system. The Board has requested \$174,930 of which \$25,000 is designated for the Owner's Representative. The Grant award is dependent on the formation of an LLC as discussed in Item 5.0 above.

**7.0 Motion made by Bendoraitis/Finelli to accept the Hanover Insurance Group settlement of claims for damage to furnishings by Sterling Movers in the amount of \$6,315.00 as recommended by the Jonathan Trumbull Jr. House Board of Historical Preservation. Vote: Yes, unanimous.**

**8.0 Motion made by Finelli/Bendoraitis to adjourn the meeting at 12:15 p.m. Vote: Yes, unanimous.**

Respectfully Submitted,

A handwritten signature in black ink, reading "Joyce R. Okonuk". The signature is written in a cursive, flowing style.

Joyce R. Okonuk, First Selectman