

Board of Selectmen
SPECIAL MEETING
Town Hall – October 19, 2010 – 5:15 PM
MINUTES

- 1.0** First Selectman Joyce Okonuk called the meeting to order at 5:15 pm. Selectmen John Bendoraitis and Linda Finelli, and Administrative Assistant Patti Handy were also present. Audience: 3
- 2.0** First Selectman Joyce Okonuk and Public Works Foreman Tom Conley reviewed and revised the bidding specifications for snow and ice removal for the three Lebanon Public Schools and discussed the details with the Board of Selectmen, including having a lump sum bid versus a per event bid. Bendoraitis was more in favor of a per event bid, but Okonuk and Finelli felt that a lump sum bid was appropriate for the first year as it would provide a maximum expenditure in the budget. The cost will be re-evaluated for next year, and adjusted to a per event bid if necessary. **Motion made by Finelli, seconded by Okonuk to go out to bid for snow and ice removal for the three Lebanon Public Schools as specified. Vote: Yes (2) Okonuk and Finelli, No (1) Bendoraitis. Motion carries.**
- 3.0** The Selectmen realized that the issue of repealing the Capital Project Ordinance as recommended by Town Counsel was acted upon at a previous meeting. (See Item 7.1 of the Minutes from the September 14, 2010 Regular Selectmen's Meeting.) No Action.
- 4.0** Attorney Jeff Walsh, Chairman of the Zoning Board of Appeals and Town Planner Phil Chester were present to discuss appealing to the State Appellate Court the recent decision of the Superior Court on the Tine vs. the Town of Lebanon ZBA case. Walsh gave the Board a brief overview of the zoning case which involves a zoning violation that was heard by the Superior Court, with the judge recently awarding on behalf of the plaintiff. The Town feels the case will be precedent setting and if left unchallenged, will have a significant impact on zoning enforcement in the future. The cost for the appeal process would be approximately \$4,000.00 and would come from the Selectmen's Legal budget, hence the need for approval by the Selectmen to appeal the decision.
Motion made by Okonuk, seconded by Bendoraitis to authorize the Lebanon Zoning Board of Appeals to utilize legal fees from Account # 400 – Legal Counsel, for the purpose of filing an appeal to the State Appellate Court in the case of Tine vs. the Town of Lebanon. Vote: Yes, unanimous.
- 5.0** **Motion made by Okonuk, seconded by Bendoraitis to adjourn at 6:00. Vote: Yes, unanimous.**

Respectfully Submitted,



Joyce R. Okonuk, First Selectman