

**Board of Selectmen  
Special Meeting  
October 9, 2018 — 3:00 PM  
Town Hall  
MINUTES**

Members Present: First Selectman Betsy Petrie and Selectmen Glen Coutu and John Bendoraitis

Others Present: Recording Secretary Linda McDonald, Chronicle reporter Michelle Firestone, and Jonathan Sczurek, P.E.

**1.0 Call to Order:** Meeting was called to order at 3:00 PM by B. Petrie.

**2.0 Public Forum:** There was no public comment.

**3.0 Correspondence**

3.1 Monthly correspondence from Troop “K” on services within the Town of Lebanon:

The Board acknowledged receipt of the correspondence.

**4.0 Monthly Financial Report:** The Board reviewed the monthly financial report.

**5.0 Consent Agenda**

*A Consent Agenda is presented by the Chair at the beginning of a meeting. Items may be removed from the consent agenda on the request of any one member. Items not removed may be adopted by general consent without debate. Removed items may be taken up immediately after the consent agenda or placed later on the agenda at the discretion of the assembly.*

5.1 Resignations

- a. Accept resignation of Naomi Davidson from the Rails to Trails Committee, effective September 19, 2018.
- b. Accept resignation of Paul Spedaliere as Assistant Tax Collector, effective October 5, 2018.

5.2 Approval of Minutes

- a. Special Meeting, September 13, 2018
- b. Special Meeting, September 19, 2018 — 6:00 PM
- c. Special Meeting, September 19, 2018 — 7:00 PM

5.3 Tax Refunds

<b>Tax Refunds for September 2018</b>	<b>Amount</b>
Toyota Lease Trust	\$131.27
Sheryle & David Lohbusch	\$242.61
Sheryle & David Lohbusch	\$108.14

David Lohbusch	\$15.99
Sheryle & David Lohbusch	\$78.35
Aime & Sandra Dallaire	\$33.99
CAB East LLC	\$276.51
CAB East LLC	\$397.78
Nick Branciforte	\$124.50
Elizabeth Smith	\$110.40
Christine Zaprianov	\$20.73
Dale Cloud	\$15.91
Kathy Cavallo	\$10.29

#### 5.4 Police Activity Report

*G. Coutu MOVED to approve the Consent Agenda as presented. J. Bendoraitis SECONDED. MOTION CARRIED: 3:0:0*

#### 6.0 Approval of Minutes

6.1 September 11, 2018 Regular Meeting: The following amendment was made to the September 11, 2018 minutes: item 5.5: Tax Returns – delete “Paul Tavors” and replace with “Honda Trust”

*B. Petrie MOVED to approve the Minutes of the September 11, 2018 Board of Selectmen Regular Meeting as amended. J. Bendoraitis SECONDED. MOTION CARRIED: 3:0:0*

6.2 October 1, 2018 Special Meeting (3:00 PM)

*B. Petrie MOVED to approve the Minutes of the October 1, 2018 3:00 pm Board of Selectmen Special Meeting as presented. G. Coutu SECONDED. MOTION CARRIED: 2:0:1 with J. Bendoraitis abstaining.*

6.3 October 1, 2018 Special Meeting (4:30 PM)

*B. Petrie MOVED to approve the Minutes of the October 1, 2018 4:30 pm Board of Selectmen Special Meeting as presented. G. Coutu SECONDED. MOTION CARRIED: 2:0:1 with J. Bendoraitis abstaining.*

6.4 October 4, 2018 Special Meeting

*B. Petrie MOVED to approve the Minutes of the October 4, 2018 Board of Selectmen Special Meeting as presented. G. Coutu SECONDED. MOTION CARRIED: 2:0:1 with J. Bendoraitis abstaining.*

#### 7.0 New Business

Discuss and act upon:

BOS 10.9.2018 Special Meeting Minutes

7.1 Quote for Paving of Fire Safety Complex public side parking lot:

B. Petrie reported upon her request and recommendation of the Highway Foreman, quotes were solicited for paving the public side parking lot at the Fire Safety Complex. Funds would come from the Highway Paving account. The members reviewed the two quotes received.

*B. Petrie MOVED to award paving of the Fire Safety Complex public side parking lot to Hain Materials Corp., funds to come from highway paving. G. Coutu SECONDED.* Discussion followed, in light of the recent storm damage, to postpone this paving until the Town knows how it will pay for the overall storm damage. The paving of the parking lot could be done at the same time as the reclamation of town roads. Consensus of the Board was to table any action to the November BOS meeting, allowing time for discussion with the Board of Finance. NO ACTION TAKEN.

7.2 Authorizing the First Selectman to Sign the Paramedic Service Agreement with Windham Hospital:

*G. Coutu MOVED to authorize the First Selectman to sign the Paramedic Service Agreement with Windham Hospital, pending verification that the terms are the same as in the current contract. J. Bendoraitis SECONDED. MOTION CARRIED: 2:0:1 with B. Petrie abstaining.*

7.3 Quote for Generator Repair at Town Garage:

The members reviewed an estimate from Alternative Services & Mfg. Inc. for corrective measures and preventative maintenance on the generator at the Town garage. B. Petrie commented that this is a high quality unit and explained what was needed to get the generator fully operational.

*B. Petrie MOVED to expend up to \$4,422.38 with funds to come from Emergency Management account #228-00-000-2701-0000-0000 for the improvements to the generator at the public works garage. G. Coutu SECONDED. MOTION CARRIED: 3:0:0.*

7.4 Hiring of Two Seasonal Snowplow Drivers: B. Petrie notified the members that six interviews will be conducted Friday, October 12 for two temporary seasonal DPW snowplow drivers, to start November 1, 2018 to March 30, 2019 with a forty hour work week and no benefits and a starting rate of \$21.00. These temporary hires would be called in for overtime only after the existing DPW workforce is called in. She said she would keep the board informed on the hires.

7.5 Awarding Bid for Lebanon Green Path Maintenance:

B. Petrie explained the DPW employees are working on extensive road repair that resulted from the September rainstorm. In order to complete the maintenance started on the Lebanon Green path before the winter weather sets in, the job was put out to bid. Four bids were received, with the lowest bid from Tru Cut Landscaping LLC.

*B. Petrie MOVED to award the bid for Lebanon Green Path Maintenance to Tru Cut Landscaping LLC at a cost of \$7,890.00, funds to come from Miscellaneous Town Projects, account #218-00-018-2400-0000. J. Bendoraitis SECONDED. MOTION CARRIED 3:0:0.*

7.6 Setting date and Agenda for Special Town Meeting:

*B. Petrie MOVED pursuant to Connecticut General Statutes Section 7-1, et seq., public notice is hereby given to the Electors and those qualified to vote at town meetings of the Town of Lebanon that a special Town Meeting will be held on Monday, October 29, 2018 at 7:30 P.M. in the Lyman Memorial High School Auditorium, 917 Exeter Road (Route 207) Lebanon, to consider and act upon the following:*

1. To consider a resolution,

- (a) to appropriate \$4,400,000, to be funded in part by \$500,000 of available, unencumbered General Fund balance and the remainder by borrowings as referenced below, for costs related to the design, construction, furnishing and equipping of a new Public Works facility, contemplated to include but not limited to facility offices, vehicle/storage and maintenance facilities, a fueling island, a salt storage shed and a material storage yard, to be located on the easterly portion of the Lebanon Middle School property at 891 Exeter Road in Lebanon. The appropriation may be spent for design, construction, acquisition and installation costs, equipment, furnishings, materials, utilities, permitting costs, engineering and other consultant fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Board of Selectmen shall be authorized to determine the scope and particulars of the project, and may reduce or modify the scope of the project; and the entire appropriation may be spent on the project as so reduced or modified;
- (b) to authorize the issue bonds or notes of the Town in an amount not to exceed \$3,900,000 to finance in part the appropriation; to provide that the amount of bonds or notes authorized to be issued shall be reduced by any grants received for the project; to authorize the issue temporary notes of the Town in an amount not to exceed \$3,900,000 in anticipation of such bonds or notes and the receipt of project grants: to authorize a majority of the Selectmen and the Treasurer of the Town to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes, and to perform all other acts which are necessary or appropriate to issue the bonds or notes; to take such action to allow temporary advances of available funds which the Town reasonably expects will be reimbursed from the proceeds of borrowings; to authorize a majority of the Selectmen and the Treasurer to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by the resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years; and to authorize a majority of the Selectmen and the Treasurer to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes; and

- (c) to authorize the Board of Selectmen, the First Selectman, the Treasurer, and other proper officers and officials of the Town to take all other action which is necessary or desirable to complete the project and to issue bonds or notes and obtain grants to finance the aforesaid appropriation.
2. Approval of Revised Ordinance Providing a Revised Fee Schedule for Inland Wetlands Commissions Applications As per CGS Sec 8-1c.
  3. Approval of Revised Ordinance Providing a Revised Fee Schedule for Planning and Zoning Commission Applications as per CGS Sec 8-1c.
  4. Approval of a Revised Ordinance Providing a Revised Fee Schedule for Transfer Station Fees per CGS Sec 8-1c.
  5. Approval of Bazaar and Raffle Ordinance and fee schedule per CGS Sec 8-1c.
  6. Consider and act upon a proposal to discontinue in its entirety Lebanon Avenue Extension as a town road or highway.
  7. Consider and act upon authorizing the transfer of \$60,000.00 from the General Fund Balance within Fund 100 to a Capital Non-Recurring account within Fund 200 for improvements needed to the Oliver Road Bridge.
  8. Pursuant to Sections 7-7, 9-369 and 9-369d of the General Statutes to adjourn said town meeting at its conclusion and to submit the resolution to be presented under item 1 of this notice to referendum vote on Tuesday, November 6, 2018, between the hours of 6:00 A.M. and 8:00 P.M. in conjunction with the elections to be held on that date. The resolution will be presented to the voters under the following heading:

“SHALL THE TOWN OF LEBANON APPROPRIATE \$4,400,000 FOR A NEW PUBLIC WORKS FACILITY TO BE LOCATED ON THE EASTERLY PORTION OF THE LEBANON MIDDLE SCHOOL PROPERTY, TO BE FUNDED BY \$500,000 OF GENERAL FUND BALANCE AND THE \$3,900,000 BALANCE, TO THE EXTENT NOT DEFRAYED BY GRANTS, FROM BORROWINGS?”

Voters approving the resolution will vote “YES” and those opposing the resolution will vote “NO.”

Electors shall vote on the question by voting machine at their polling place at the Lebanon Fire Safety Complex, 23 Goshen Hill Road in Lebanon. Persons qualified to vote at town meeting who are not electors shall vote separately at the Lebanon Fire Safety Complex. Absentee ballots will be available from the Town Clerk’s office.

*J. Bendoraitis SECONDED. MOTION CARRIED 3:0:0.*

- 7.7 Creation of a Charter Commission: B. Petrie asked the members to consider re-establishing and appointing a Charter Commission and reaching out to interested persons. She said, once appointed, the timeline for a Charter Commission is very stringent with specific rules.

*B. Petrie MOVED that the Board of Selectmen appoint a seven member Charter Commission. J. Bendoraitis SECONDED.*

In discussion, J. Bendoraitis commented that, once appointed, the BOS cannot steer the Charter Commission in any particular direction but should stress, given the requirements around voting on the Charter, the Commission really needs to work toward a target of having the Charter ready for the November 2019 ballot.

B. Petrie said she would like the BOS to reach out to the appropriate Town committees to see if some persons would step forward. Some with Town government experience and others who are novices. MOTION CARRIED 3:0:0.

- 7.8 Damage from September 25, 2018 rainstorm: B. Petrie updated the members on the damage in town from the heavy rainstorm (7" of rainfall) on September 25<sup>th</sup>. She said the EOC was activated about 9:00 p.m. Conditions and damage were surveyed later that night and the next day. A list was compiled with the objective of making roads safe first. Two bridges were washed out on Randall and Smith Roads. She said headway on repairs is being made. Work on roads requiring paving may be contracted out. The Board of Finance has been briefed on the potential costs for repair. B. Petrie reported she is working on the package from FEMA on any federal funds that could be available. Discussion followed on sub-contracting some of the work out to expedite repairs before bad weather sets in. Overtime has been offered to DPW employees as well to speed up repairs.

B. Petrie said she would discuss costs for materials and labor with the Board of Finance at their next meeting. Discussion followed on possible funding mechanisms for the repairs to roads and bridges.

## **8.0 Old Business**

Discuss and act upon:

- 8.1 Oliver Road Bridge Repairs: B. Petrie said, after discussion at the September 11 BOS meeting, proposals were solicited for the Oliver Road bridge repair on the Town's website. No additional proposal were received other than the \$56,000.00 proposal from Mattern Construction the Town already had.

*B. Petrie MOVED that the Board of Selectmen authorize the First Selectman to engage Mattern Construction at a cost not to exceed \$56,000.00 for the Oliver Road bridge repairs, pending approval of funding at the October 29, 2018 Town Meeting. J. Bendoraitis SECONDED. MOTION CARRIED 3:0:0.*

## **9.0 Executive Session**

9.1 Executive Session per State Statutes Section 1-200 (6)(B): Discussion regarding Lebanon Green Litigation/Attorney-Client Communication

*B. Petrie MOVED to enter Executive Session at 3:53 p.m. with Jonathan Sczurek present and Attorney Catherine Marrion from the law firm of Waller, Smith and Palmer participating by phone. G. Coutu SECONDED. MOTION CARRIED 3:0:0*

J. Sczurek exited Executive Session at 4:12 p.m. Executive Session ended at 4:50 p.m. with no action taken.

**8.0**     **Adjournment:** *B. Petrie MOVED to adjourn at 4:50 PM. J. Bendoraitis SECONDED. MOTION CARRIED: 3:0:0.*

Respectfully submitted by Linda H. McDonald, Recording Secretary

*Linda H. McDonald*

*Please see the minutes of future meetings for any corrections hereto.*