

**Board of Selectmen
SPECIAL MEETING
December 10, 2019 — 5:00 PM
TOWN HALL
MINUTES**

Members Present: First Selectman Kevin Cwikla; Selectmen Kathleen Smith and Glen Coutu

Others Present: Public Works Building Committee Chair Rob Cady, Town Planner Phil Chester, former First Selectman John Bendoraitis, Administrative Assistant Bernard Dennler, members of the Conservation and Agriculture Commission

1.0 Call to Order

Called to order at 5:01 PM.

2.0 Public Forum

No public comments.

3.0 Correspondence

3.1 Police activity report

The Selectmen reviewed the report.

3.2 Invitation to meet with Planning and Zoning POCD Subcommittee

Selectmen reviewed the letter and agreed to meet with Planning and Zoning's POCD Subcommittee on January 21st.

4.0 Financials

4.1 Monthly budget reports

K. Cwikla note that some items are frontloaded due to one-time payments at the start of the fiscal year.

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

G. Coutu MOVED to approve the following:

5.1 Resignations

Acknowledge or accept the following:

- a. Resignation of Betsy Petrie (R) as an Alternate to the Zoning Board of Appeals, effective November 9, 2019*
- b. Resignation of Kevin Cwikla (D) as a member of the Board of Finance, effective November 19, 2019*

- c. *Resignation of John Bendoraitis (D) as an Alternate to the Board of Finance, effective November 20, 2019*

5.2 Appointments

Appoint or hire the following:

- a. *Re-appointment of Joseph Dolan as a Constable, term to expire December 31, 2021*
- b. *Re-appointment of Brice Padewski as a Constable, term to expire December 31, 2021*
- c. *Re-appointment of Christopher Dwyer as a Constable, term to expire December 31, 2021*
- d. *Re-appointment of Rob Magao as a Constable, term to expire December 31, 2021*
- e. *Re-appointment of Kevin Slonski as a Constable, term to expire December 31, 2021*
- f. *Re-appointment of John Meigel as Deputy Fire Marshal, term to expire February 5, 2021*
- g. *Re-appointment of Nick Poppiti (D) to the Recreation Commission, term to expire February 1, 2023*
- h. *Re-appointment of Alexis Hussey (R) to the Recreation Commission, term to expire, February 1, 2023*
- i. *Re-appointment of Laura Davidson (R) to the Recreation Commission, term to expire February 1, 2023*
- j. *Appointment of Mike Nintean (R) to fill a vacancy as an Alternate to the Zoning Board of Appeals, with a term to expire November 16, 2021*
- k. *Appointment of AJ Dunnack (D) to fill a vacancy on the Board of Finance, with a term to expire November 16, 2021*

5.3 Approval of Minutes

Approve the following minutes:

- a. *Minutes from November 12, 2019 Regular Meeting*
- b. *Minutes from November 20, 2019 Special Meeting*

5.4 Approval of Tax Refunds

<i>Laurie & Donald Ray</i>	<i>\$26.04</i>
<i>CAP Auto Lease LTD</i>	<i>\$326.78</i>

- 5.5 *Approval of a resolution regarding the Town's Endowment Investment account with Edward Jones (Attachment A to these Minutes)*

- 5.6 *Approval of a resolution regarding Emergency Management grants (Attachment B to these Minutes)*

- 5.7 *Authorize the First Selectman to sign the Section 5310 Agreement Package for a grant pertaining to the Senior Van Program*

5.8 *Adoption of a Trail Use Policy for the Five-Mile Rock and Commons Hill Trails (Attachment C to these Minutes)*

5.9 *Adoption of an Annual Drawdown Policy for Lake Williams (Attachment D to these Minutes)*

K. Smith SECONDED.

MOTION CARRIED 3:0

6.0 **New Business**

Discuss and act upon:

6.1 **Software Licensing/Support Agreement with John Bendoraitis**

J. Bendoraitis described the three programs he has developed for the town. One tracks permitting and fees for the Building Department, one tracks client information for the Social Services Department, and one tracks problems at individual properties for the WPCA. As a member of the Board of Selectmen, he maintained this software for free, but he is no longer a Selectman. He presented a contract which would cost \$50 per hour for maintenance with a \$100 minimum. He said over the last year he likely only spent two hours maintaining the software.

K. Cwikla asked about survivorship in the contract. J. Bendoraitis said for budgeting purposes he recommends the Town consider commercially available software at least for the Building Department. He said his agreement could be terminated early if they find replacement software before the end date of the contract.

G. Coutu MOVED to authorize the First Selectman to sign the software licensing and support agreement with John Bendoraitis. K. Smith SECONDED.

MOTION CARRIED 3:0

6.2 **Future of Public Works Building Committee**

K. Cwikla asked R. Cady about the current makeup of the committee. K. Cwikla noted that that the current makeup of the committee does not include many Republicans. He suggested a more bipartisan composition of the committee might put together a plan that was more likely to pass.

G. Coutu asked what prompted the concerns regarding the partisan makeup of the committee. K. Cwikla responded that he noticed that the project was defeated twice with a lot of opposition and misinformation about the proposals on social media. He suggested getting more people who are politically active and engaged to serve may help the political process. R. Cady said he felt strongly that the political makeup of the committee did not affect the outcome of the two referendums. G. Coutu said he thinks that given the defeat of the project twice, they need to continue to focus on the topic of a salt shed and not a new facility.

K. Cwikla stated he believed the committee should remain active.

K. Cwikla MOVED that the Public Works Building Committee should remain in place.

The Selectmen discussed whether they have the power to disband the committee. R. Cady stated he believed that because the PWBC was created by Town Meeting that the Selectmen have no authority

either way. They discussed the language used when the committee was established and appointed. The members were appointed with terms to expire upon "completion of the project."

MOTION WITHDRAWN

R. Cady said the PWBC would like direction from the Board of Selectmen. He asked the Selectmen to attend their January 14th meeting.

B. Dennler asked if the committee had any invoices pending as they had previously indicated. R. Cady said they do not. B. Dennler asked if they expect any additional bills at this time. R. Cady said they do not. He said they are in limbo waiting for the Selectmen to give them guidance.

NO ACTION TAKEN

6.3 Sending to Town Meeting a recommendation to expend \$30,000.00 from Open Space Account #220-00-461-2701-0060 for costs associated with the preservation and public access to 80-acres of land abutting the Airline Trail, currently owned by Markell Properties, Assessors Map 225, Lot 1

P. Chester thanked Paul Ramsay of the Columbia Open Space Committee which he said had spearheaded this purchase of "Wells Woods", an expansion of the Mono Pond State Park. The land includes 78 acres in the Town of Lebanon and 235 acres in Columbia. He said the Conservation and Agriculture Committee is recommended \$20,000.00 for the fee purchase and \$10,000 to offset the survey costs. He said the land would be public access from day one which could be as soon as February.

P. Ramsay said this expansion would link the Lebanon Airline Trail to Mono Pond State Park with existing and future trails. By participating in conjunction with Columbia, the purchase would lead to over 300 acres of land becoming public access along the airline trail.

K. Smith MOVED to send to a future town meeting a recommendation to expend \$30,000.00 from Open Space Account #220-00-461-2701-0060 for costs associated with the preservation and public access to 80-acres of land abutting the Airline Trail, currently owned by Markell Properties, Assessors Map 225, Lot 1. K. Cwikla SECONDED.

MOTION CARRIED 2:0 with G. Coutu abstaining

6.4 Authorizing expenditure of up to \$20,000.00 from Open Space Account #220-00-461-2701-0060 for a farmland preservation survey for 90-acres owned by Diana Dearborn, 150 Exeter Road

P. Chester said the Selectmen have previously authorized the expenditure of 'soft costs' for farmland preservation projects using funds released by Town Meeting to be used at the discretion of the Board of Selectmen for appraisals, surveys, and other administrative costs. He said the Board of Selectmen have previously funded appraisals at the Dearborn property. He said the State is ready to make an offer but is asking the Town fund the survey costs.

K. Smith MOVED to authorize expenditure of up to \$20,000.00 from Open Space Account #220-00-461-2701-0060 for a farmland preservation survey for 90-acres owned by Diana Dearborn, 150 Exeter Road. K. Cwikla SECONDED.

MOTION CARRIED 2:0 with G. Coutu abstaining

6.5 Authorize expenditure of up to \$25,000.00 from Open Space Account #220-00-461-2701-0060 for farmland preservation appraisals and survey for 50-acres owned by Matthew and Jennifer Williams, 312 Mack Road

P. Chester said the property owner had contacted the State about farmland preservation for the property and the State contacted the Town asking for financing for appraisals and surveying of the 55-acre property. P. Chester said the Conservation and Agriculture Open Space Subcommittee recommended the Selectmen authorize the expenditure.

K. Smith MOVED to authorize expenditure of up to \$25,000.00 from Open Space Account #220-00-461-2701-0060 for farmland preservation appraisals and survey for 50-acres owned by Matthew and Jennifer Williams, 312 Mack Road. K. Cwikla SECONDED.

MOTION CARRIED 2:0 with G. Coutu abstaining

6.6 Sending to Town Meeting a recommendation to expend \$100,000.00 from Open Space Account #220-00-461-2701-0060 for costs associated with land preservation property appraisals, surveys, legal and administration expenses

P. Chester said with the passage of the previous motions, the Open Space 'soft costs' funds which the Selectmen can expend at their discretion would be fully spent. He said Town Meeting has voted six times to release funds for use by the Selectmen for 'soft costs' that pay for expenses associated with land preservation such as appraisals, surveys, and other administrative expenses.

P. Chester noted these costs are never paid to property owners and cannot be used to purchase property. Payments to property owners would always go to Town Meeting.

K. Smith MOVED to send to Town Meeting a recommendation to expend \$100,000.00 from Open Space Account #220-00-461-2701-0060 for costs associated with land preservation property appraisals, surveys, legal and administration expenses. K. Cwikla SECONDED.

MOTION CARRIED 2:0 with G. Coutu abstaining

6.7 Sending to Town Meeting a recommendation to authorize the following transfers for the 2018 – 19 fiscal year with funds to come from Contingency (Account 100-00-490-5741): -

- a. \$27,827.00 to Account 100-00-400-5310 (Legal General Council)

G. Coutu MOVED to send to Town Meeting a recommendation to authorize a transfer of \$27,827.00 to Account 100-00-400-5310 (Legal General Council) for the 2018-19 fiscal year with funds to come from Contingency Account 100-00-490-5741. K. Smith SECONDED.

MOTION CARRIED 3:0

- b. \$69,020.00 to Account 100-00-490-5492 (Transfer – Board of Education Expense)

G. Coutu MOVED to send to Town Meeting a recommendation to authorize a transfer of \$69,020.00 to Account 100-00-490-5492 (Transfer – Board of Education Expense) for the 2018-19 fiscal year with funds to come from Contingency Account 100-00-490-5741. K. Smith SECONDED.

MOTION CARRIED 3:0

6.8 Approval of Minutes from the December 2, 2019 Special Meeting (G. Coutu not present)

G. Coutu MOVED to approve the minutes of the December 2, 2019 Special Meeting. K. Smith SECONDED.

MOTION CARRIED 2:0 with G. Coutu abstaining

6.9 DPW Bucket Truck Issues

K. Cwikla said that the Highway Foreman had reported that the bucket truck needed to be sent in for repairs due to rodent damage and that these repairs were underway. An invoice for the work which included fixing hydraulic hoses

G. Coutu MOVED to have the bucket truck repaired by CUES Inc for \$13,587.00 with funds to come from DPW Account 430-5240. K. Smith SECONDED

MOTION CARRIED 3:0

6.10 Invoice from Anchor Engineering Services for Stormwater Monitoring

B. Dennler said there is an outstanding invoice from Anchor Engineering Services for Stormwater Monitoring. It has not yet been paid because the Selectmen previously indicated the intent to pay for this out of a newly created contractual services account, but no formal motion had ever authorized this change. G. Coutu said for budgeting purposes this needs to be added as a line item to the DPW Contractual Services Account if is not already included.

G. Coutu MOVED that Stormwater Monitoring services from Anchor Engineering be paid from Account 430-5320. K. Smith SECONDED.

MOTION CARRIED 3:0

6.11 Invoice from Electrical Wholesalers for FSC Parking Lot Lights

B. Dennler said there was also an outstanding invoice from Electrical Wholesalers which the Selectmen had previously indicated would be paid for from TIP but they had not formally voted to authorize as a TIP expenditure. G. Coutu affirmed that this needed to be a TIP expense.

G. Coutu MOVED to authorize \$5971.35 from TIP to Electrical Wholesalers to pay for the FSC Parking Lot Lights project. K. Smith SECONDED.

MOTION CARRIED 3:0

6.12 Hiring of Relief Drivers for Snow Plowing

K. Cwikla said there has been some interest in the position which already posted. K. Cwikla said he wants to have assurances that there is backup. He has also spoken to two individuals who previously plowed snow for the town. G. Coutu said it is standard practice to hire relief drivers but noted it is difficult to find drivers for the lower rate the town had previously paid. K. Cwikla said he intended to increase the rate of pay for the position.

K. Cwikla MOVED to hire Heather Marion and Peter Hodina as relief snow plow drivers for the 2019-2020 winter weather season at an hourly rate of \$25.78. G. Coutu SECONDED.

MOTION CARRIED 3:0

6.13 Call a Special Town Meeting for Wednesday, December 18, 2019 at the Fire Safety Complex at 7:00 PM

G. Coutu MOVED the following:

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 Wednesday, December 18, 2019 at 7:00 P.M. in the Fire Safety Complex, 23 Goshen Hill Road, Lebanon, Connecticut, to consider and act upon the following:

1. Consider and act upon authorizing the transfer of \$27,827.00 to Account 100-00-400-5310 (Legal General Council) from Contingency Account 100-00-490-5741
2. Consider and act upon authorizing the transfer of \$69,020.00 to Account 100-00-490-5492 (Transfer – Board of Education Expense) from Contingency Account 100-00-490-5741
3. Consider and act upon expending \$30,000.00 from Open Space Account #220-00-461-2701-0060 for costs associated with the preservation and public access to 80-acres of land abutting the Airline Trail, currently owned by Markell Properties, Assessors Map 225, Lot 1
4. Consider and act upon expending \$100,000.00 from Open Space Account #220-00-461-2701-0060 for costs associated with land preservation property appraisals, surveys, legal and administration expenses

K. Smith SECONDED.

MOTION CARRIED 3:0

7.0 Old Business

Discuss and act upon:

7.1 Authorize the posting of RFPs for the dugout replacement and utility field projects

B. Dennler said the Recreation Director had asked for approval to post the RFPs for the dugouts and utility field projects which were recently authorized by Town Meeting. The Selectmen discussed who would be responsible for assembling and posting the RFPs.

G. Coutu MOVED to authorize the posting of RFPs for the dugout replacement and utility field projects. K. Cwikla SECONDED.

MOTION CARRIED 3:0

7.2 Appointments to the Lebanon Green Tree Replanting Committee

The Selectmen discussed the previously approved charge of the committee and reviewed membership applications. B. Dennler said the Selectmen had voted to form a five-member committee but they had only received four applications so far. G. Coutu suggested appointing members now and filling the vacancy later.

B. Dennler asked whether the Selectmen intended to set term limits given the open-ended nature of the charge and when their appointments would become effective. He noted that if the four members were appointed effective immediately, they could begin meeting immediately as they would technically have a quorum without the fifth member.

G. Coutu MOVED to appoint Scott Bender, Daniel King, Keith Laporte, and Betsy Petrie McComber to effective February 1, 2020 terms to expire February 1, 2024. K. Cwikla SECONDED.

MOTION CARRIED 3:0

7.3 FEMA update

K. Cwikla said he has spoken to Brandon Handfield again about the possibility of needing a DEEP certification. All Selectmen agreed that the two bridges which are out should be replaced before the end of next year, and that they will go out to bid in the spring. The Selectmen agreed to discuss again in February.

NO ACTION TAKEN

7.4 Approval of Holiday Hours for December 13, 2019

B. Dennler stated the annual employee holiday party is scheduled for December 13 at 1:00 PM.
G. Coutu said past practice is to grant holiday hours for the party.

K. Cwikla MOVED holiday hours for Town employees beginning at 1:00 PM on Friday, December 13, 2019.

K. Smith SECONDED.

MOTION CARRIED 3:0

8.0 Adjourn

Adjourn at 6:29 PM.

Respectfully submitted,

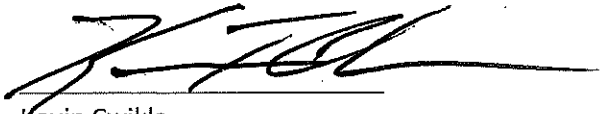
Bernard W. Dennler III
Administrative Assistant

Please see the Minutes of future meetings for any corrections hereto.

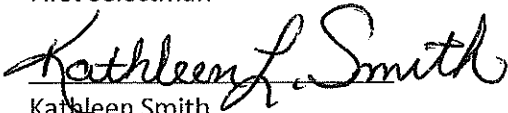
A Resolution by the Board of Selectmen
Authorizing Management of the Town of Lebanon Endowment

Be it Resolved, that First Selectman Kevin T. Cwikla, Town Treasurer Deborah R. Martin, and Senior Accountant Valerie E. Belles, shall have the full power and authority on behalf of the Town of Lebanon to enter an agreement on behalf of the town; open a brokerage account on behalf of the Town of Lebanon; do and perform every act to be done in conjunction with the account being opened, including, but not limited to, being able to transfer, endorse, sell assign, and deliver any and all certificates of stock, bonds, debentures, notes, subscriptions, warrants, stock purchase warrants, evidences of indebtedness, or other securities now and hereafter registered in the name of or owned by the corporation; and make, execute, and deliver any and all written instruments necessary to effectuate the authority hereby granted therein.

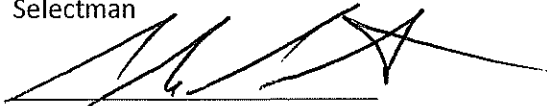
Dated at Lebanon, Connecticut this 10th day of December 2019



Kevin Cwikla
First Selectman



Kathleen Smith
Selectman

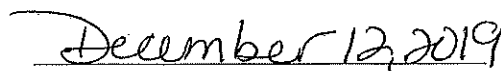


Glen Coutu
Selectman

I, Mary Ellen Wieczorek, the Clerk of the Town of Lebanon, do hereby certify this to be a true copy of the Resolution duly adopted at the Board of Selectmen's meeting on December 10, 2019 and that it has not been rescinded, amended or altered in any way, and that it remains in full force and effect.



Mary Ellen Wieczorek, Clerk



Date

(SEAL)

SECTION C. AUTHORIZING RESOLUTION

All Forms Must Be Original - Copies Will Not Be Accepted

This Blanket Resolution Can Also Be Used to Satisfy the Requirements of the Homeland Security Grant Program

AUTHORIZING RESOLUTION OF THE

Lebanon, CT Board of Selectmen

(Insert name of governing body--for example, town council)

CERTIFICATION:

I, Man Ellen Dieczorek the Town Clerk of Lebanon,
(keeper of the records—for ex. town clerk or secretary of council)

do hereby certify that the following is a true and correct copy of a resolution adopted by
Board of Selectmen at its duly called and held meeting on 11/10, 2019,
(name of governing body) (Month, Day)

at which a quorum was present and acting throughout, and that the resolution has not been modified,
rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the Board of Selectmen may enter into with and deliver
(name of governing body)

to the State of Connecticut Department of Emergency Services and Public Protection, Division of
Emergency Management and Homeland Security, any and all documents which it deems to be
necessary or appropriate; and

FURTHER RESOLVED, that Kevin Cwikla, as First Selectman of
(name and title of officer)

Town of Lebanon,
(Name of governing body)

is authorized and directed to execute and deliver any and all documents on behalf of the
Board of Selectmen
(name of governing body)

and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry
out the terms of such documents.

The undersigned further certifies that Kevin Cwikla
(name of officer)

now holds the office of First Selectman and that he/she has held that office since
11/19/19.

IN WITNESS WHEREOF: The undersigned has executed this certificate this 12th day of

December 2019

Man Ellen Dieczorek
(Name and title of record keeper)



The Chief Executive Officer has not changed since the
previous resolution was authorized on 12/10/2019
(Date)



TOWN OF LEBANON

December 10,
2019

DRAFT

Trail Use Policy: Commons Hill and Five Mile Rock Trails

Purpose

Per Recommendation of the Conservation and Agriculture Commission, to ensure the safety of the public and private residents who own property on these trails

Issuing Authority

Board of Selectmen

Policy

The Five Mile Rock and Commons Hill Trails shall be closed from dusk until dawn.



TOWN OF LEBANON

December 10,
2019

DRAFT

Annual Drawdown Policy: Lake Williams

Purpose

To create a regular schedule for the drawdown of Lake Williams to ensure property owners have adequate time to prepare.

Issuing Authority

Board of Selectmen

Policy

On or about November 1st of each year, the Town shall perform a drawdown of Lake Williams.