

**Board of Selectmen
Special Meeting
September 26, 2023 –5:00 PM
Lebanon Town Hall – Zoom /Teleconference
MINUTES**

Members Present: Kevin Cwikla (First Selectman), Robin Chesmer (Selectman), Betsy Petrie-McComber (Selectman)

Others Present: Bernard Dennler (Office Manager), Michael Wolf (Administrative Clerk), Hayley Wagner (Finance Director)

1. Call to Order

K Cwikla called the meeting to order at 5:00pm

2. Discuss and act on approving explanatory text regarding Charter revision ballot questions to be considered on the November 7, 2023 ballot

The Selectmen reviewed updated copies of the explanatory text as prepared by town counsel. The new text included language regarding the position of town manager and the First Selectman's salary.

B. Petrie-McComber MOVED to approve the explanatory text, included as Attachment A to these minutes, regarding Charter revision ballot questions to be considered on the November 7, 2023 ballot. R. Chesmer SECONDED.

MOTION CARRIED 3:0

3. Discuss and act on awarding a contract for the septic project at Lebanon Green/First Congregational Church

The Selectmen reviewed the bids for the Lebanon Green/First Congregational Church septic project.

R. Chesmer MOVED to award a contract for the septic project at Lebanon Green/First Congregational Church to Wentworth Septic Service LLC at the proposed bid of \$48,900. K. Cwikla SECONDED.

K. Cwikla MOVED to amend the original motion to award a contract for the septic project at Lebanon Green/First Congregational Church to Wentworth Septic Service LLC at the proposed bid of \$48,900, with \$30,000 for the project to come out of the previously designated escrow account and the remaining \$18,900 to come from the Library Renovations Fund. R. Chesmer SECONDED.

MOTION CARRIED 2:0

B. Petrie abstained.

4. Discuss and act on warning a special town meeting

B. Petrie-McComber MOVED to approve and warn the following Special Town Meeting Agenda reading:

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 October 18, 2023 at 7:00 P.M. in community room of the Jonathan Trumbull Library at 580 Exeter Road, Lebanon, Connecticut, to consider and act upon the following:

1. Call to Order

2. Consider and act upon authorizing the expenditure from the general fund in the amount of \$1,220,500 for the following projects:

- I. Trees - \$300,000
- II. Complete wall at North Lebanon Cemetery – \$45,000
- III. Replace firetruck ET106 – Down Payment, lease at a later date – \$100,000
- IV. Asbestos at LES/LMS Schools – \$145,000 (completes this)
- V. Alarm at Schools – \$30,000 (district wide)
- VI. LES Gym Floor – \$100,000
- VII. School Study – \$100,000
- VIII. DPW Plow Truck – \$163,000 (completes purchase with the \$81,500 allocated in the FY24 budget that was approved)
- IX. DPW 1 Ton Dump Truck – \$37,500 (completes purchase with the \$37,500 allocated in the FY24 budget that was approved)
- X. High School Roof Repairs with 5-year warranty - \$200,000

3. Consider and act upon transferring \$27,405 from Contingency to Department 420 Police Services

4. Adjournment

Dated at Lebanon, Connecticut this 26th day of September, 2023.

Lebanon Board of Selectmen

MOTION CARRIED 3:0

5. Adjourn

The meeting adjourned at 5:10pm

Respectfully submitted,
Michael R. Wolf
Administrative Clerk

**TOWN OF LEBANON
EXPLANATORY INFORMATION ON
PROPOSED TOWN CHARTER REVISION BALLOT QUESTIONS
REFERENDUM DATE: TUESDAY, NOVEMBER 7, 2023**

October, 2023

This explanatory text was prepared by the Lebanon Town Clerk and Town Attorney pursuant to Connecticut General Statutes Sec. 9-369b. As required by law, the text specifies the intent and purpose of each ballot question but does not advocate for either the approval or disapproval of any ballot question.

To Lebanon residents,

The Town Charter adopted in 2019 requires that the Board of Selectmen periodically consider whether a charter revision commission should be appointed. In 2022, the Board of Selectmen established the 2022 Charter Revision Commission, which has completed the work with which it was charged. This document provides information on the proposed Charter revisions under consideration in a series of eight (8) questions to be voted on at a public referendum to be held in conjunction with the municipal election on November 7. The ballot questions reflect the recommendations of the 2022 Charter Revision Commission which were approved by the Board of Selectmen.

Full copies of the original Charter and the proposed Charter as revised are available at the Town Clerk's office. The proposed Charter revisions are not final unless they are approved by the Lebanon voters on November 7. Each question set forth below will have a yes/no vote on the ballot and will be counted and implemented separately.

1. Shall the Town Charter be amended to create the appointed position of Town Manager, who would assume most of the administrative functions of the Town that are currently handled by the First Selectman?

EXPLANATORY TEXT

If approved, this change would occur at the end of the current First Selectman's term (November 2025) unless the current First Selectman ceases to serve on an earlier date. The intent and purpose of the proposal is to change the Town's chief executive officer (CEO) from an elected First Selectman to a non-political, hired Town Manager chosen, appointed and supervised by the Board of Selectmen (BOS) exclusively on the basis of technical and administrative qualifications, character, education, training and experience. The BOS could appoint and remove the Town Manager with the affirmative votes of 4 of the 5 BOS members.

The key responsibilities of the Town Manager would include:

- Hiring and managing town employees, departments and non-elected agencies
- preparing the annual budget for review by the Boards of Selectmen and Finance
- monitoring financial performance, identifying cost-saving measures, and ensuring compliance with budgetary guidelines
- long-term strategic planning for the Town's future

- coordination and collaboration with governmental agencies
- implementation of ordinances, resolutions, policies, and other action approved by the BOS or at Town Meeting
- subject to budgetary authorizations, purchasing necessary supplies, materials, equipment and other commodities required by any Town agency or department
- subject to BOS approval, entering into contracts for the performance of services on behalf of the Town

Many sections of the Charter would change to replace “First Selectman” with “Town Manager” and to reflect the shift of duties from First Selectman to Town Manager. The First Selectman would remain the chair of the BOS but would no longer receive a salary. If approved, the Town Manager salary would replace the First Selectman salary and would likely be higher than the current First Selectman salary.

2. Shall the Town Charter be amended to institute an automatic referendum on the Annual Town Budget?

EXPLANATORY TEXT

The intent and purpose of this proposal is to (1) increase participation in the annual budget process and (2) instill certainty as to the time and manner in which the Annual Town Budget will be voted on.

Historically, Lebanon voters have voted on the Annual Town Budget at the Annual Town Meeting in May unless the budget is petitioned to referendum pursuant to processes established in the statutes and the Town Charter. As proposed, each Annual Town Meeting would be limited to a public presentation of the budget by the BOS, Board of Finance and Board of Education with an opportunity for public participation by comments and questions. After presentations and public comment on the budget, and completion of all other Annual Town Meeting business, the Town Meeting Moderator would adjourn the meeting to a referendum on the voting machines to take place on the Thursday that is ten (10) days after the Annual Town Meeting. No votes on the budget would be taken at the Annual Town Meeting.

As happens now if the budget fails, the Board of Finance would revise the budget in consultation with the BOS and Board of Education. The BOS would then announce the date, location and time of the reconvened referendum. This process would continue until the Annual Town Budget is approved.

3. Shall the Town Charter be amended to increase the Board of Selectmen authority to purchase and sell real estate on behalf of the Town from \$10,000 to \$50,000?

EXPLANATORY TEXT

The intent and purpose of this proposal is to update and streamline the process for approval of relatively minor land purchases and sales by the Town. Currently, Town Meeting must approve all such land transactions over \$10,000. The proposal would allow the BOS to approve such land transactions up to \$50,000 without Town Meeting approval.

The legal requirement that the Lebanon Planning & Zoning Commission review the proposed transaction and report to the BOS to ensure consistency with the Lebanon Plan of Conservation and Development and the comprehensive plan of the Town would remain. This is commonly called an “8-24 referral”.

4. Shall the Town Charter be amended to increase the Board of Finance authority to approve supplemental appropriations from \$10,000 to \$25,000?

EXPLANATORY TEXT

The intent and purpose of this proposal is to update and streamline the process for approval of relatively small supplemental appropriations to Town boards, commission and agencies. Currently, Town Meeting must approve all supplemental appropriations to boards, commissions, agencies or Town offices over \$10,000. The proposal would allow the Board of Finance to approve such supplemental appropriations up to \$25,000 without Town Meeting approval.

5. Shall the Town Charter be amended to limit eligibility to hold elected office to Town residents?

EXPLANATORY TEXT

The intent and purpose of this proposal is to ensure that all elected Town officials reside in Town. Currently, the eligibility rules allow a Town resident to continue to serve as an elected official after moving out of Town and until the individual is removed from the voter registration list, which may take several years.

6. Shall the Town Charter be amended to require that the Town Meeting Moderator receive relevant training?

EXPLANATORY TEXT

The intent and purpose of this proposal is to impose an eligibility requirement on nominees for Town Meeting Moderator. The Town Charter requires that Town Meetings be conducted pursuant to the latest edition of Robert's Rules of Order. Robert's Rules, as they are called, are the widely used meeting rules followed by most government agencies. In Lebanon, the First Selectman begins Town Meeting and asks for Town Meeting Moderator nominations. Prior to Town Meetings, the BOS will usually ask a resident with known experience in moderating to accept a nomination from the floor. Other nominations may be made and accepted from the floor. The person receiving the majority of votes becomes the Moderator of the Town Meeting and is charged with moderating the Town Meeting in accordance with Robert's Rules.

If this Charter revision is adopted, a process would need to be instituted to determine what constitutes sufficient and relevant training, and to limit requests to serve as Moderator to individuals with sufficient training.

7. Shall the Town Charter be amended to prohibit compensation of non-hired town officials unless required by the Charter or law?

EXPLANATORY TEXT

The intent and purpose of this proposal is to control Town expenses by prohibiting compensation (except for expense reimbursement) for elected and appointed board and commission members and other non-hired officials. If approved, this proposal would apply to the Office of the First Selectman only if Question 1 is approved and a Town Manager is hired. Many Connecticut towns that have hired town managers have made this change. Connecticut law requires the payment of registrars of voters and the town clerk, so the prohibition does not apply to those positions.

8. Shall all other proposed revisions be made to the Town Charter to update and conform to the remainder of the Charter and Connecticut law?

EXPLANATORY TEXT

The intent and purpose of this proposal is to make minor updates, revisions and clarifications to the Charter which do not affect the operations of the Town. The revisions include:

- making the non-binding advisory ballot questions regarding the size of the budget mandatory
- removal of a disbanded board
- cross-references and renumbering as a result of other Charter revisions
- addition of relevant statutory references
- clarification as to dates of elections, organizational meetings of elective agencies and duties of certain personnel, and
- grammatical clean-up.