

**MINUTES
SPECIAL TOWN MEETING
October 1, 2012**

A special town meeting of the electors and those qualified to vote at the town meetings of the Town of Lebanon was held on Monday, October 1, 2012 in the Lyman Memorial High School Auditorium, 917 Exeter Road, (Route 207) Lebanon, Connecticut. Audience: 69

Selectman Linda Finelli called the meeting to order at 7:30 PM.

The meeting was opened with the Pledge of Allegiance.

Selectman Finelli then called for nominations for moderator.

Moved by John Bendoraitis, seconded by John Huling to appoint Edward Tollmann as moderator. Vote called – Motion passed

Moved by John Bendoraitis, seconded by Alicia Wayland to wave the reading of the call of the meeting. Vote called – Motion passed

Moved by Liz Charron, seconded by John Bendoraitis to bring item 1 to the floor. *“Consider and act upon releasing fifty thousand dollars and no cents (\$50,000.00) from Capital Reserve Account #220-900-5469 (Open Space Fund) for the purpose of preserving the 162-acre property located at 185 Randall Road, owned by the Anderson family”.*

Town Planner Philip Chester spoke to the question as follows. Town Meeting is being asked to expend \$50,000 from the Town’s Open Space Account and to accept and expend a \$135,500 USDA Farm and Ranch Land Protection Grant. These together, along with a \$15,000 cash donation earmarked by Joshua’s Trust for the Anderson project amount to \$200,500, which would be paid to the Andersons to place a permanent conservation easement on 162-acres of land.

The Anderson property contains 164 acres and is made up of 3 lots each of which can have its own house. The property contains a mile and a half of road frontage along Randall and Sisson Roads. The Anderson family asked the town for assistance to place a conservation restriction on their land, which they have owned for 200 years, prior to its sale. The Town has conducted an appraisal of the property and determined the value of the conservation easement to be \$524,000. The Anderson’s have agreed to donate or gift \$323,500 of the conservation easement value to the Town of Lebanon.

With the exception of a 2.5-acre potential building lot located on Sisson Road which the Anderson’s are excluding from the easement area, 162-acres will have a permanent restriction placed on it that prohibits future subdivision. Farming will be permitted on the USDA FRPP grant portion of the property with sustainable forestry permitted on the remaining land. Public access will be provided to the historic Five Mile Rock along an existing trail or farm road with a trail maintained by the Conservation Commission.

Moderator Tollmann called the question.
Vote called - Item 1 passed

Moved by John Bendoraitis, seconded by Linda Finelli to bring item 2 to the floor. *“Consider and act upon accepting and expending a USDA Resource Conservation Service Grant in the amount of One hundred thirty five thousand five hundred dollars and no cents (\$135,500.00) for the purpose of preserving the 162-acre property located at 185 Randall Road, owned by the Anderson family”.*

Moderator Tollmann called the question.
Vote called - Item 2 passed

Moved by John Bendoraitis, seconded by Linda Finelli to bring item 3 to the floor. *“Consider and act upon revising the Ordinance Providing a Revised Fee Schedule for Municipal Land Use applications for the Planning and Zoning Commission”.*

(A copy of the Revised Ordinance follows these minutes)

Moderator Tollmann called the question.

Vote called - Item 3 passed

Moved by Linda Finelli, seconded by John Bendoraitis to bring item 4 to the floor. *“Consider and act upon revising the Ordinance Providing Public Hearing Application Fee for the Zoning Board of Appeals”.*

(A copy of the Revised Ordinance follows these minutes)

Moderator Tollmann called the question.

Vote called - Item 4 passed

Moved by Linda Finelli, seconded by John Bendoraitis to bring item 5 to the floor. *“Consider and act upon revising the Ordinance for Municipal Building Permit Fees for the Building Department in the Town of Lebanon”.*

(A copy of the Revised Ordinance follows these minutes)

Moderator Tollmann called the question.

Vote called - Item 5 passed

Moved by Liz Charron, seconded by Linda Finelli to bring item 6 to the floor. *“To consider and act on a Resolution to approve the entrance by the Town into a lease-purchase agreement in a principal amount not to exceed \$181,000 to finance costs related to the acquisition of two trucks and a front-end loader, and related equipment, for use by the Town of Lebanon Public Works Department; to authorize the First Selectman to determine the lease-purchase financing provider, to accept and determine the amount, date, interest rate, term and other details of the financing under the lease-purchase agreement, and to take other actions as may necessary or expedient in connection with the fulfillment of the provisions of the lease-purchase agreement and related transactions; to make certain declarations and to authorize the First Selectman to bind the Town pursuant to such representations and covenants necessary or advisable in order to maintain the continued exemption from federal income taxation of the interest portion of payments under the lease-purchase agreement, including covenants to pay rebates of investment earnings to the United States in future years; and to authorize the First Selectman and other proper officers and officials of the Town to take all other action and to enter into any other agreements which are necessary or desirable to complete the project and to finance the project through the lease-purchase agreement”.*

Glen Coutu, Vice Chairman of the Board of Finance, spoke to the question.

{The full text of the Resolution was made available to all those in attendance. A copy of the full text follows these minutes}

Moderator Tollmann called the question.

Vote called - Item 6 passed

Moved by Liz Charron, seconded by Linda Finelli to adjourn at 7:58 PM.

Vote called – adjournment passed

Respectfully submitted,

Susan C. Coutu CCTC
Lebanon Town Clerk

A PROPOSED REVISED ORDINANCE PROVIDING A REVISED FEE SCHEDULE FOR MUNICIPAL LAND USE APPLICATIONS FOR THE PLANNING AND ZONING COMMISSION AS PER CGS SEC. 8-1c.

BE IT ORDAINED by the electors of the Town of Lebanon at a duly warned Special Town Meeting to be held on October 1, 2012:

The following fee schedule for Municipal Land Use Applications for the Planning and Zoning Commission:

	<u>Amount</u>	<u>When Due</u>
1. Applications Requiring a Public Hearing	\$200	With application
2. Zone Map or Amendment Change	\$300 per acre (\$600 minimum)	With application
3. Subdivision or Re-subdivision	\$300	With application
Plus		
If preliminary plan	\$100 per lot	With filing
Or if no preliminary plan	\$100 per lot	With final plan
4. Revised Subdivision plan	\$200 per lot	With final plan
	\$150 per lot	With filing
5. Review of design of new or rebuilt roads, drainage and other site improvements	\$250 per lot	With submission
6. Supervision & Inspection of construction of new or rebuilt roads, drainage and other site improvements	4% of estimated costs or \$500, whichever is greater.	With final plan
7. Site plan as defined in 7.7 of the Zoning Regulations.		
<u>New Plans</u>	\$500 + \$100 per page	With submission
<u>Revised Plans</u>	\$100 + \$100 per page	With submission
8. Earth Excavation and Filling Permits	\$500	With application
9. Home Occupation		
<u>Permit granted under 7.5a</u>	\$50	With application
<u>Permit granted under 7.5b</u>	\$50	With application
10. Sign	\$25	With application\
11. Certificate of Zoning Compliance	\$50	With application
12. Erosion and Sedimentation Control Plan Review	\$50 first three lots or part thereof	With application
13. Legal review pertaining to Deeds- Easements- Bonding	\$400	With final plan
14. Zoning Review Fee for Building Permits. application	\$25	With building permit
15. <u>Financing of Special Studies.</u>	Applications requiring environmental, traffic, engineering and/or other expertise deemed by the Commission to be beyond the expertise of Town staff to adequately review may require an independent professional study or consultation necessary for the Commission to decide the issue before it. In such cases the Commission may require an applicant, as a condition of processing its application, to pay for the cost of such study or consultation, and the applicant shall be required to place up to \$10,000.00 into a fee account, the balance of which shall be returned to them after the study and/or consultation is completed.	
16.	The Commission may waive fees if the applicant is the Town of Lebanon or a Municipal Agency of the Town.	

This fee schedule supersedes any prior fee schedule pertaining to the Planning and Zoning Commission.

This ordinance will take effect Fifteen (15) days after publication in accordance with the General Statutes.

**A PROPOSED REVISED ORDINANCE PROVIDING PUBLIC HEARING APPLICATION FEE
FOR THE ZONING BOARD OF APPEALS
IN THE TOWN OF LEBANON**

BE IT ORDAINED by the electors of the Town of Lebanon at a duly warned Special Town Meeting held on the 1st day of October 2012:

- A. The public hearing application fee for the Zoning Board of Appeals will be four hundred dollars and no cents (\$400.00).
- B. This Ordinance shall supersede any prior fee pertaining to the Zoning Board of Appeals.

This Ordinance shall take effect (15) fifteen days after publication in accordance with Connecticut General Statutes.

**A PROPOSED REVISED ORDINANCE FOR MUNICIPAL BUILDING PERMIT FEES
FOR THE BUILDING DEPARTMENT IN THE TOWN OF LEBANON**

BE IT ORDAINED by the electors of the Town of Lebanon at a duly warned Town Meeting to be held on the 1st day of October 2012.

Building permit – dwellings, additions:

Calculate square footage at seventy dollars (\$70) per sq. ft. for actual value. Multiply value times fifteen dollars (\$15) per \$1,000 with a twenty-five dollar (\$25) MINIMUM.

Accessory buildings — repairs and renovations:

Multiply actual value times fifteen dollars (\$15) per \$1,000 with a twenty-five dollar (\$25) MINIMUM.

Barns:

Calculate square footage fee at thirty-five dollars (\$35) per square foot with a twenty-five dollar (\$25) MINIMUM.

Garages:

Multiply actual value times fifteen dollars (\$15) per \$1,000 with a twenty dollar (\$20) MINIMUM

Mobile home replacements:

Multiply actual value times fifteen dollars (\$15) per \$1,000 with a twenty dollar (\$20) MINIMUM.

Construction trailers:

Twenty dollars (\$20) flat fee.

Trades (Electrical, Plumbing, Heating):

Twenty dollars (\$20) per \$1,000 with a twenty dollar (\$20) MINIMUM.

Re-inspection fee for inspections incomplete after 2nd inspection

Twenty-five dollars (\$25).

Septic, new includes Permit to Discharge

One-hundred-twenty (\$120) flat fee.

Septic repair includes testing and Permit to Discharge.

One-hundred-twenty (\$120) flat fee.

Pit and Perc tests

One-hundred-twenty (\$120) flat fee per lot.

Septic and Well inspection for sale of property

Fifty dollars (\$50) flat fee.

Well permit

Sixty dollars (\$60) flat fee.

Review of Engineers Septic Plan

Sixty dollars (\$60) flat fee (Residential)

One-hundred dollars (\$100) flat fee (Commercial)

State Building Fee

Twenty-six cents (\$0.26) per \$1,000 or as mandated by State of CT.

This schedule shall rescind any prior fee schedule ordinance pertaining to the Municipal Building Department fee schedule. This Ordinance shall take effect fifteen (15) days after publication in accordance with General Statutes.

TOWN OF LEBANON
RESOLUTION OF TOWN MEETING AUTHORIZING A LEASE-PURCHASE FINANCING
TO FINANCE COSTS RELATED TO THE ACQUISITION OF TWO TRUCKS AND A
FRONT-END LOADER, AND RELATED EQUIPMENT, FOR USE BY THE TOWN OF
LEBANON PUBLIC WORKS DEPARTMENT

WHEREAS, it is proposed that the Town of Lebanon (the "Town") enter into a lease-purchase agreement (the "Agreement") with a lease-purchase financing provider to be determined (the "Lessor") in the estimated principal amount of \$181,000 to finance costs related to the acquisition of two trucks and a front-end loader, and related equipment, for use by the Town of Lebanon Public Works Department (such acquisition and related costs, the "Project"); and

WHEREAS, it is contemplated that the interest portion of lease payments under the Agreement shall be exempt from Federal income taxation;

NOW, THEREFORE, BE IT RESOLVED, the Town of Lebanon hereby approves the entrance into the Agreement to finance the Project. The costs of the Project to be financed under the Agreement shall not exceed ONE HUNDRED EIGHTY-ONE THOUSAND DOLLARS (\$181,000). The First Selectman, on behalf of the Town, is authorized to determine the Lessor, to accept and determine the amount, date, interest rate, term and other details of the financing under the Agreement; to execute and deliver the Agreement and any addenda, schedules, notes, UCC financing statements, trust agreement or indenture, escrow or other agreements or instruments issued pursuant or related to the Agreement, the assignment of the Agreement, or the issuance of certificates of participation in the Agreement, and any other instrument or document which may be necessary or expedient in connection with the fulfillment of the provisions of the Agreement, the assignment of the Agreement or the issuance of certificates of participation therein; and to grant, or to delegate to other Town officials the power to grant, all consents, approvals and other determinations necessary to implement the provisions of the Agreement and any related documents.

FURTHER RESOLVED, that the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that Project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of the Agreement in an aggregate amount not in excess of the amount authorized above for the Project. The First Selectman is authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as the First Selectman deems necessary or advisable in order to maintain the continued exemption from federal income taxation of the interest portion of lease payments under the Agreement, if the Project is financed on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

FURTHER RESOLVED, that the First Selectman is authorized to make representations and enter into written agreements for the benefit of the Lessor, of any trustee to whom the Agreement is assigned or of the holders of certificates of participation or other interests in the Agreement 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 interests in the Agreement.

FURTHER RESOLVED, that the First Selectman and other proper officers and officials of the Town are authorized to take all other action and to enter into any other agreements on behalf of the Town which are necessary or desirable to complete the Project and to finance the Project through the Agreement.

Dated at Lebanon, Connecticut this 1st day of October, 2012.

First Selectman Joyce R. Okonuk
Selectman Linda Finelli
Selectman John A. Bendoraitis, Jr.