

Special Town Meeting October 28, 2019

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 28, 2019 at Lyman Memorial High School, 917 Exeter Road. Audience 143

First Selectman Betsy Petrie called the meeting to order at 7:34 PM.

The meeting was opened with the Pledge of Allegiance.

First Selectman Betsy Petrie then called for nominations for moderator.

Moved by Kevin Cwikla, seconded by Phil Johnson to appoint Diane Malozzi as moderator. Voice vote called to nominate Diane Malozzi as moderator – Motion passed

Moderator Malozzi reviewed Town Meeting rules and protocol.

Moved by Betsy Petrie, seconded by Dave Scata, to wave the reading of the call of the meeting. Voice vote called – Motion passed. One opposed.

Moved by Betsy Petrie, seconded by Jason Nowosad, to bring item 1 to the floor. “Consider and act upon authorizing the transfer of \$100,000.00 from the General Fund Balance to the school improvement fund Account 220-490-2735-0050-0010.”

Robert Angeli, Superintendent of Schools spoke to the question as follows: This past spring, the Board of Education (BOE) requested \$238,000.00 in the SIP capital account to address safety issues within the district. Adopted at Town Meeting was \$100,000. The town has realized some savings over the past fiscal year, and the Board of Selectmen and Board of Finance have brought forward an opportunity for the town to allocate money for capital projects. The focus for the BOE has been on safety issues and the additional money would be used for the following:

Funding would be used for security cameras and the hardware and software in the all three schools.

There is asbestos in the Elementary and Middle Schools. Some tiles in the hallways and classrooms has begun to lift and crack which is a health hazard. BOE has been budgeting remediation for three to four classroom each summer.

A district truck which is 20+ years old needs to be replaced. This truck had a mechanical failure with the brakes and is falling out of road worthiness. The district would replace with a 2020 F350 with a service body.

A serious issue which is prevalent in the community and nation is the vaping epidemic. Lebanon is not immune to the vaping epidemic, and we have strong concerns about students vaping in the school. Vaping detecting devices for the restrooms would be purchased.

When the board’s request for \$238,000 did not come through, general upgrades such as painting were delayed. Painting falls under capital because of the cost associated with the project. There have been two phases of painting in at the high school, but all three schools require painting.

The projects discussed are estimated at \$102,017.00 and the BOE is asking for \$100,000.

Moderator Malozzi opened the floor to questions/comments.

Ken Lavoie, 501 Deepwood Drive: Where will the security monitoring systems be located? Can these systems be located at the police station or fire department?

Superintendent Angeli: The district will have the capability to remotely access one system across the district. This is cloud-based allowing cameras and monitors to be accessed. Emergency responders presently have access and this practice will continue. There would be no need to locate the system outside the district.

Moderator Malozzi called the question "Consider and act upon authorizing the transfer of \$100,000.00 from the General Fund Balance to the school improvement fund Account 220-490-2735-0050-0010."

Voice vote called – Motion passed.

Moved by Betsy Petrie, seconded by Jason Nowosad, to bring item 2 to the floor "Consider and act upon authorizing the transfer of \$75,000.00 from General Fund Balance to Account 220-490-2735-0060 for the purpose of purchasing a fuel tank at Lyman Memorial High School"

Robert Angeli, Superintendent of Schools spoke to the question as follows: The fuel oil tank is about 26 years old and is original to the High School. The tank is no longer insured and is not insurable because of its age. In the event there were a leak, the town would have to absorb the costs for remediation and clean up. The tank is already beyond recommended life. Testing on the tank indicated there is no leaking. Replacing the tank is critical before a catastrophic situation arises.

Moderator Malozzi opened the floor to questions/comments.

Mark Tollmann, 354 Cook Hill Road: How many gallons will the tank be and will it be above ground or in the ground?

Superintendent Angeli: The tank being used is 10,000 gallons and is in the ground. Tanks are generally installed above ground now.

Chris Darrow, 27 McCall Road: How do you determine the price beforehand if it is unknown if the tank will be in or above ground?

Superintendent Angeli: The Facilities Director obtained quotes solicited a variety of quotes. We have not gone for an RFP. There was a post on a social media sight regarding the cost associated with the tank. Someone responded that another school system installed a tank which was around this figure.

Kenneth Lavoie, 501 Deepwood Drive: Will the tank have leak detection?

Superintendent Angeli: The existing tank does not have detection. New tanks will be up to code and must meet all standards.

Doug Morton, 156 Church Road: Will the cost include removal of the tank or just the tank?

Superintendent Angeli: Cost should cover removal and the new tank.

Moderator Malozzi called the question "Consider and act upon authorizing the transfer of \$75,000.00 from General Fund Balance to Account 220-490-2735-0060 for the purpose of purchasing a fuel tank at Lyman Memorial High School"

Voice vote called – Motion passed.

Moved by Betsy Petrie, seconded by Jason Nowosad, to bring item 3 to the floor "Consider and act upon authorizing the transfer of \$8,000.00 from General Fund Balance to the Account 220-206-2710-0010 for engineering plans for Field 2 at Aspinall Property."

Selectman Glen Coutu spoke to the question as follows: People that have been on these fields realize the wetness in the area. The amount is to engineer the drainage only.

Moderator Malozzi opened the floor to questions/comments.

Ryan Smithwick, 11 Gates Farm Road: Field 3 is just as wet as Field 2. Can the town get some deal on doing both?

Selectman Glen Coutu: The request is only for Field 2.

Andrew Holley, 246 Burnham Road: Questioned if the engineering firm at the bottom on the slide is the same firm that represented the new town building last year?

Recreation Director Sandra Tremblay: Quote received was from Anchor Engineering for the engineering cost for drainage.

Sheree Swenson, 53 Leonard Bridge Road: Will the drainage projects include the field space between the field and the property line? These areas are very wet as well.

Recreation Director Sandra Tremblay: Aware of wetness surrounding the field. This project is for the field only.

Kenneth Lavoie, 501 Deepwood Drive: Is the funding requested to do the project, or just find out what the project needs.

Recreation Director Sandra Tremblay: This is only to request engineer plans for Field 2.

Mike Nintean, 286 Clubhouse Road: Stated he was planning to vote for the project. However, people have been stating there are other issues and there could be further problems.

Selectman Glen Coutu: We can only act on what is on the agenda. This is a monumental step to properly fix the drainage at the Aspinall property.

Sheree Swenson, 53 Leonard Bridge Road: If this is approved, will there be an opportunity to expand the scope of the project?

Selectman Glen Coutu: Town Meeting can only approve the \$8,000.00 for engineering plans. The cost will depend on the RFP and there could be addendums. We are not here to approve anything other than engineering plans.

Moderator Malozzi called the question "Consider and act upon authorizing the transfer of \$8,000.00 from General Fund Balance to the Account 220-206-2710-0010 for engineering plans for Field 2 at Aspinall Property."

Voice vote called – Motion passed.

Moved by Betsy Petrie, seconded by Jason Nowosad, to bring item 4 to the floor "Consider and act upon authorizing the transfer of \$40,000.00 from General Fund Balance to Account 220-206-2711-0010 for the replacement of dugouts at Aspinall Property."

Selectman Glen Coutu spoke to the question as follows: Board of Selectmen have received requests from the Recreation Commission for dugout repairs/replacements over the past two years for Fields 2 and 3. The replacement figures were as high as \$75,000. The Commission has done their due diligence to bring forward a reasonable cost.

Moderator Malozzi opened the floor to questions/comments.

Dave Scata, 379 Levita Road: This amount seems significant. How did the Commission come up with this figure and how accurate is the \$40,000.00? What steps were taken to get this number?

Recreation Director Sandra Tremblay: Field 1 was cemented a few years ago. Those estimates were used. The Commission went back to those companies and received quotes to build a dugout. These are the best figures we could find.

Dave Scata: Are these written quotes?

Recreation Director Sandra Tremblay: Yes, these are written estimates. Project also includes painting, polyurethane, and a chain link fence in front of the dugout.

Doug Morton, 156 Church Road: Would like to see financials and estimates on the screen for every town meeting. Would be helpful to see what is being discussed.

Andrew Holley, 246 Burnham Road: Field 3 does not get used. Does not see positive effects of putting dugouts there. Could cut the quote in half.

AJ Dunnack, 64 Kingsley Road: Supports the project. Well spent when project done correctly so children can play safely. Middle School has no place to play and they presently use the High School.

Kevin Whitcher, 49 Kelleys Corner: Serves as President of Little League. Enrollment numbers are increasing and will need a field to play on. Presently work around the high school schedule to play.

Paula Steele, 360 Leonard Bridge Road: Concerned for safety at the fields. There was a metal roof on the ground which is a safety hazard.

Kenneth Lavoie, 501 Deepwood Drive: Would like to see an itemized breakdown of what the money will be spent on for one dugout.

Recreation Director Sandy Tremblay: The amount requested is for four dugouts.

Moderator Malozzi called the question "Consider and act upon authorizing the transfer of \$40,000.00 from General Fund Balance to Account 220-206-2711-0010 for the replacement of dugouts at Aspinall Property."

Voice vote called - Motion passed.

Moved by Betsy Petrie, seconded by Meghan Bruce, to bring item 5 to the floor "Consider and act upon authorizing the transfer of \$200,000.00 from General Fund Balance to Account 220-206-2712-0010 for project costs and implementation of a soccer utility field at Aspinall Property."

Selectman Glen Coutu spoke to the question as follows: This project has been on and off the table for several years. The Town Facilities Director solicited more than one quote verbally and was comfortable going forward with the \$200,000.00 for construction. This field will be used for a soccer field and will remain flat. This field could be used for other activities when the schedule will allow.

Moderator Malozzi opened the floor to questions/comments.

Phil Johnson, 21 Brookview Drive: Spoke in favor of the project.

Kevin Cwikla, 419 Levita Road: Rec Department has come a long way with this project. Supports the project.

Nick Poppiti, 198 Lebanon Avenue: Investment in town's future and for our kids. In favor of project.

Linda Finelli, 487 Kick Hill Road: What percentage of children are from Lebanon that play in the soccer league?

David Kukucka, 1329 Exeter Road: Serves as a Soccer Board Member. About ten children are from other towns. 96-97% are from Lebanon. Franklin represents most of the out of town participants.

John Hiltz, 192 Bogg Lane: We have about 95%. This year's enrollment was about 200 children.

Dori Bruce, 87 Kingsley Road: These projects have been on the table for a long time. Are there any policies going forward with what the future maintenance would cost?

Recreation Director Sandra Tremblay: Future expense will cost \$4,500.00. This includes costs to mow, fertilize, aerate, roll and oversee the fields. This is done at all fields including Tyler Field to ensure the fields are not ruined.

Sheree Swenson, 53 Leonard Bridge Road: Thanked Board of Selectmen and Board of Finance for their work. The people should support the town's investment and future by keeping infrastructure projects in the budget.

Mike Nintean: 256 Clubhouse Road: Existing fields appear improperly maintained. This field will be an additional \$4,500.00 each budget. We have a surplus from the State, and we should stop looking at our wants. Town should focus on needs.

Diane McCall, 127 McCall Road: Are there other soccer fields in Town like the one on the Lions grounds that can be used? Rather than give the money back, we have money the Town should use wisely and spend.

The question was called.

Moderator Malozzi stated that calling the question is out of order.

First Selectman Betsy Petrie: Recreation Commission worked with Town Planner on long-term objectives. On their list were the dugout replacements, the soccer utility field and drainage. The town's fund balance is robust. We are trying to improve the assets and infrastructure. This is not just a single cause. Tonight, it is a Recreation cause. In the spring it was the Fire Department. We want to continue services for all residents. This property gets used heavily and these projects tonight are for the children and adults as well. Tonight, we are here to work together.

AJ Dunnack, 64 Kinglsey Road: We need to invest money in our children and give them a positive outlet. Our town is about collaboration and community. In favor of the project.

Dave Scata, 379 Levita Road: Addressed Moderator stating the public can call a question.

Moderator Malozzi: Reiterated her statements from earlier and the protocols to be recognized to speak. Yelling out, making motions or calling the question without addressing the Moderator is not in order with Roberts Rules or Parliamentary procedure.

John Okonuk, 356 Levita Road: Would like to see the drainage issue fixed before building a field.

Meghan Bruce, Kingsley Road: This is a way to fund recreation without raising the mil rate. The mil rate will keep residents in town and attract people to move to our town.

Moderator Malozzi called the question "Consider and act upon authorizing the transfer of \$200,000.00 from General Fund Balance to Account 220-206-2712-0010 for project costs and implementation of a soccer utility field at Aspinall Property."

Voice vote called – Motion passed. (attachment follows minutes)

Resident Al Vertefeuille recognized First Selectman Petrie for her accomplishments during her terms in office.

Moved by Betsy Petrie, seconded by Meghan Bruce, to bring item 6 to the floor "Consider and act upon the recommendation of the Board of Selectmen to transfer ownership of the Jonathan Trumbull Jr. House Museum, the real property located at 780 Trumbull Hwy., Lebanon, CT and the endowment established to maintain the Museum to the Lebanon Historical Society, subject to a reversionary interest retained by the Town"

- a. Consider and act upon authorizing the Selectmen to take any and all action legally necessary or appropriate to accomplish the foregoing.

First Selectman Betsy Petrie spoke to the question as follows: The Jonathan Trumbull Jr. House Museum is located on Route 87. This property was acquired and gifted to the town in 1977 by Hugh Adams. Mr. Adams purchased this property and then gifted it to the Town. It was occupied for a period of time by a caretaker and then became vacant. There was a vision for this house to become a museum. This has happened over time, but there is more that can happen with this house. It is unusual for a town to own a museum. This Board of Selectmen and previous boards have been discussing ways to best utilize this house to benefit everyone in town. Mr. Adams, who is now deceased, established a trust for maintenance and repairs for certain properties. This is one of those properties. This property receives revenue or vested income from the investment for this house and others as well. That is what is used to manage the property. Mr. Adam's will does not permit the Town to directly receive grant money from his estate. In 2015, there was the formation of an LLC which is a cooperative between the Town of Lebanon and the Lebanon Historical Society (LHS). At that time, the LLC was the answer. The Board has been trying to figure out how to receive money from Mr. Adam's trust.

It has come to the point that the property can become more. The Board of Selectmen has struggled with how to proceed. The Board does not feel the town should own a museum and should transfer this property to the LHS should Town Meeting give authorization this evening.

Rick Kane, President Lebanon Historical Society spoke to the question as follows: LHS has been approached off and on for six or seven years on the management of this property. LHS now has ten buildings on its existing museum property. There is a large staff to assist with the public and events, and LHS manages a large amount of money. LHS is in the museum business. It was agreed that this would be the right time to transfer this property to the Historical Society. The Board that has maintained this house has done a phenomenal job. LHS is in favor and the attorneys that manage the trust for the family of Mr. Adams are very pleased with the proposed transfer. The LLC will be removed, and this will be an advantage to all parties.

Moderator Malozzi opened the floor to questions/comments.

Tim Smith, 414 Cook Hill Road: Stated he is a member of the Jr. House Board. Opposes the transfer. The Board has heard no negative comments on how the building is operated – only praise. Does not feel LHS will manage it any better than the existing Board.

Sheree Swenson, 53 Leonard Bridge Road: Requested a clarification on “subject to reversionary interest retained by the Town.”

First Selectman Betsy Petrie: Should there be an opportunity that LHS could not continue as a Museum, this house could be returned to the town. This basically is a deed restriction.

Kenneth Lavoie, 501 Deepwood Drive: Where will the funding of this property go after the transfer?

First Selectman Betsy Petrie: The money goes into an investment account and the town will receive money until the transfer. The endowment will eventually transfer as well.

Marie Reynolds, 93 Trumbull Highway: Asked for clarification on whether the money that comes into this building can only be used for this building? Can the money be used in other investment accounts the town has?

Selectman John Bendoraitis: The town did not receive a lot of documentation on the gifts that were accepted from Mr. Adams. About six or seven years ago, the Board of Selectmen pulled all the endowments together to manage them more efficiently. The Board adopted an Endowment Policy which states that unless there are specific instructions to the contrary, that the money would be managed for the benefit and whatever purpose it was developed to. The principal could not be spent, only the income. It is a Board of Selectman policy how we could use money. We did not have any documentation on how to manage the property since 1977. We have attempted to honor the original intent and manage it that way up to this point.

Rick Kane, President Historical Society Museum: There are two sides from the LHS perspective. The endowment will transfer with the property and will remain in a separate account entity within LHS. The income generated from the endowment is insufficient for the existing Board to operate as efficiently as they would like.

Phil Johnson, 21 Brookview Drive: Encouraged LHS to research any income restrictions on the endowment. What will happen to existing staff at the Jr. House Museum?

First Selectman Betsy Petrie: With regards to the endowment, there are no restrictions. The staff associated with the property were notified. Prior to the decision to bring the transfer forward, the Board of Selectmen was notified that she will not continue in her role. This is the only staff. There is an active group through the LLC that manages the property, and we expect this group to continue to work with LHS. The LLC ordinance in effect since 2015 will be disbanded at a future Town Meeting.

No Name Stated: A bad investment if you will have to put more money into the property.

Rick Kane, President Lebanon Historical Society: There is an endowment and only the dividend interest it generates for operating expenses on an annual basis is used. This is the only source of income, and there are no tax dollars. It is the dividend interest generated by the endowment. The income generated last fiscal year 2018-19 was \$19,000. The Jr. House Board has been operating the property with a less operating expense than they would like. That is what they are limited to. Our board feels we can bring more to the table as we have access to the Hugh Trumbull Adams Trust.

Tammy Raymond, 31 Lawrence Drive: Are there other properties on the Green that the Town owns?

First Selectman Betsy Petrie: This was a gift to the Town in the 70's. There are no other properties the Town owns on the Green.

Kenneth Lavoie, 501 Deepwood Drive: Is this any part of the Lebanon Green? How many acres is this property on?

First Selectman Betsy Petrie: This property is located on Trumbull Highway (Route 87) across from the Green. There are approximately two acres.

John Knudsen, 283 Babcock Hill Road: Lebanon Historical Society is a superb organization and has a wonderful staff. In favor of the transfer.

Moderator Malozzi called the question: "Consider and act upon the recommendation of the Board of Selectmen to transfer ownership of the Jonathan Trumbull Jr. House Museum, the real property located at 780 Trumbull Hwy., Lebanon, CT and the endowment established to maintain the Museum to the Lebanon Historical Society, subject to a reversionary interest retained by the Town"


- a. Consider and act upon authorizing the Selectmen to take any and all action legally necessary or appropriate to accomplish the foregoing.

Voice vote called – Motion passed.

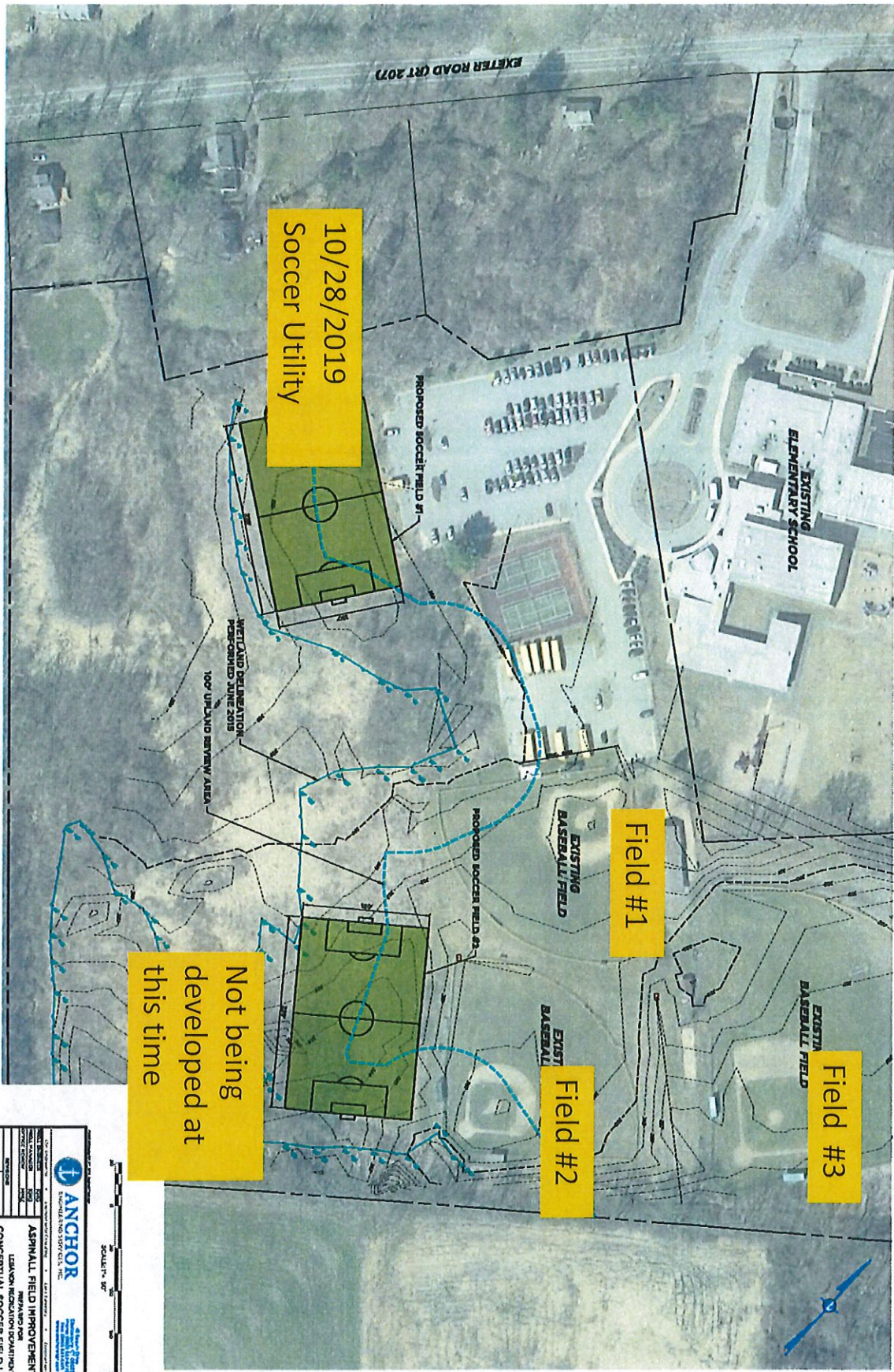
Motion by Jason Nowosad, seconded by Nick Poppiti to adjourn meeting at 8:48 PM.

Voice vote called – Motion passed.

Respectfully submitted,



Mary Ellen Wiczorek, CCTC
Town Clerk



10/28/2019
Soccer Utility

Not being
developed at
this time

ASPINALL FIELD IMPROVEMENT PLAN LEAVEN RECREATION DEPARTMENT CONCEPTUAL SOCCER FIELD LAYOUT CENTER ROAD (RT 307) LEAVEN, CT	
DATE	10/28/2019
PROJECT	ASPINALL FIELD IMPROVEMENT
SCALE	1" = 50'
SHEET	1 OF 1