

**MINUTES
SPECIAL TOWN MEETING
December 18, 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 Wednesday, December 18, 2019 at the Lebanon Fire Safety Complex, 23 Goshen Hill Road. Audience: 21

First Selectman Kevin Cwikla called the meeting to order at 7:00 PM.

Due to the absence of an American Flag in the meeting hall, the Pledge of Allegiance was dismissed.

Selectman Kevin Cwikla called for nominations for moderator.

Moved by Liz Charron, seconded by Wayne Budney to appoint Diane Malozzi as moderator.

Voice vote called to nominate Diane Malozzi as moderator – passed unanimously.

Moderator Malozzi reviewed Town Meeting rules and protocol.

Moderator Malozzi asked for a motion to bring Item 1 to the floor.

Motion by Meghan Bruce to bring Item 1 with an amendment. “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 for FY 2018-19.”

Moderator Malozzi stated the amendment to Item 1 is to include FY 2018-19.

Moderator Malozzi called for vote to accept the motion on the floor to amend Item 1.
Voice vote called – Motion passed unanimously.

Moderator Malozzi asked for a motion to bring Item 1 as amended to the floor.

Moved by Meghan Bruce, seconded by Fran Malozzi, to bring item 1 to the floor. “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 for FY 2018-19.”

Board of Finance Chairman Liz Charron spoke to the question as follows: This item is for last fiscal year, not the fiscal year we are in now. There is a Contingency budget for unexpected expenses that might occur which are difficult to budget. Legal is the item being presented this evening. Instead of putting \$45,000.00 into Legal, the Board puts \$25,000.00 from a budget standpoint. The Contingency account is used if there is an overage. At the end of the year, the Board of Finance looks at various areas that are over budget and use Contingency to revise budget deficits. In August, the Board of Finance made a motion to transfer the \$27,827.00 from Contingency to Legal. State statute requires an amount over \$20,000.00 be brought to Town Meeting for approval.

Moderator Malozzi opened the floor to questions/comments.
There were no questions/comments from the floor.

Moderator Malozzi called the question "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 for FY 2018-19." Voice vote called – passed unanimously.

Moderator Malozzi asked for a motion to bring Item 2 to the floor.

Motion by Meghan Bruce to bring Item 2 with an amendment. "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 for FY 2018-19."

Moderator Malozzi stated the amendment to Item 2 is to include FY 2018-19.

Moderator Malozzi called for a vote to accept the motion on the floor to amend Item 2.
Voice vote called – Motion passed unanimously.

Moderator Malozzi asked for motion to bring Item 2 as amended to the floor.

Moved by Meghan Bruce, seconded by Fran Malozzi, to bring item 2 to the floor. "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 for FY 2018-19."

Board of Finance Chairman Liz Charron spoke to the question as follows: Special Education is difficult to budget. It can change dramatically depending if families move in or out of town. A certain amount of money has to be spent, and the State reimburses some of that expense. Early on, it became evident Special Education would be overbudget about \$200,000.00. Board of Finance asked the Board of Education to bring the budget down as much as possible. The Board of Education was able to bring the shortfall down to \$69,020.00. In August, the Board of Finance made a motion to transfer that amount of money from Contingency to the Board of Education budget so there would not be a deficit.

Moderator Malozzi opened the floor to questions/comments.
There were no questions/comments from the floor.

Moderator Malozzi called the question "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 for FY 2018-19."

Voice vote called –passed unanimously.

Moderator Malozzi asked for a motion to bring Item 3 to the floor as presented.

Moved by Fran Malozzi, seconded by Ethan Stearns, to bring item 3 to the floor "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."

Town Planner Philip Chester spoke to the question as follows: The Town of Columbia and the Trust for Public Land approached the Conservation and Ag Commission. The Town of Columbia asked the Trust for Public Land to put together purchase and sale agreements. The Trust for Public Land has secured the purchase of a property that is partially in Lebanon which includes about 80 acres. This is part of a 313-acre property owned by Markell Property Group. This will provide access from the Airline Trail at the Hebron end into what will become a 1,000-acre Mono Pond State Park and will be managed by the Town of Columbia. Should Town Meeting approve this evening, it will be purchased in February. The property will be purchased for \$625,000.00. The Trust for Public Land has secured several grants. The Town is being asked to appropriate \$30,000.00 from the Open Space Account for both partial cost of purchase and to secure a survey.

Moderator Malozzi opened the floor to questions/comments.

Ethan Stearns, Village Hill Road: Spoke in favor. This is a small amount of money to cover the cost for a property that is getting a lot of grants already, and will provide access to a gigantic preserved area that another town is going to manage. There will be no recurring expenses for Lebanon. A great move for Lebanon to be a part of this huge park.

Tom Meyer, Bogg Lane: A rare opportunity for the Town. A small amount of money. Benefit is Lebanon will not need to take care of the area.

Moderator Malozzi called the question: "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."

Voice vote called - passed unanimously. *See attachment following these minutes.*

Moderator Malozzi asked for a motion to bring Item 4 to the floor as presented.

Moved by Liz Charron, seconded by Ethan Stearns to bring item 4 to the floor. "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"

Town Planner Philip Chester spoke to the question as follows: The Town has put aside Open Space funds annually since 2007. This is the fifth time the Conservation & Ag Commission with the Board of Selectmen recommending this approval, has come to ask for "soft costs". These costs may be for appraisals, negotiating terms, closing costs and other items. Half the money spent by the Town is about \$460,000.00 which has been spent on "soft costs". The Town purchases very little land. This makes up about five percent of the preservation costs. There are minimal "soft cost" funds remaining. Requesting Town Meeting to appropriate these funds. Any expenses from the \$100,000.00 require Board of Selectmen approval.

Moderator Malozzi opened the floor to questions/comments.

Liz Charron: To make a purchase, does it go to Town Meeting?

Philip Chester: Correct. If the Town is going to pay a property owner, it is brought to Town Meeting. There have been five or six properties of the 22 that have been brought forward since 2007. It is the State putting in the money to buy, but the Town is asked as our match, to do the appraisals.

Meghan Bruce: What exactly are we approving tonight?

Philip Chester: \$100,000.00 for future open space projects. The State asks the Town to match to do the appraisals. There are several projects on the books. The Conservation & Ag Commission rates these projects and recommends to the Board of Selectmen, who vote to do the appraisals. An offer is made to the State, USDA or other entities. If the owner accepts, then the money is used to complete a survey. In some instances, such as the Anderson property, the Town had to take on an easement.

Meghan Bruce: Is this an authorization to prepare a list? Or is there a list already?

Philip Chester: The list is always available. The Conservation & Ag Commission meets once a month and rates projects. Anyone can ask me for the list or come into my office as it is always updated on my board. Only the Board of Selectmen can authorize expenditure of this money.

Alan Olenick: Why is the property owner not held responsible for knowing their property lines and pay for the survey themselves?

Philip Chester: The easement holder would be the State. The State wants to have an A-2 survey done even if one is already on file. The State requires they do a survey that lists the property and what area is the easement. The State now requires their own attorney to perform a title search to make certain the person offering their land for open space actually owns it, and is free and clear. Then the State asks the Town to do an appraisal.

Ethan Stearns: This is five percent of preservation. Lebanon does not pay the other 95 percent which means the Town gets an enormous return. This money goes to property owners to help them invest in their agricultural business or helps them to retire, instead of selling to development. Costs of agricultural and open space land is far less than development.

Gregg LaFontaine: Is the \$100,000.00 being spent this fiscal year or over multiple years?

Philip Chester: Spend on average \$37,000.00 per year. Last time requested was about two years ago.

Alton Blodgett, Bush Hill Road: These are funds that have already been allocated. Approval tonight will move it into a fund whereby the Board of Selectmen approves expenditures.

Moderator Malozzi called the question "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"

Voice vote called –passed unanimously. *See attachment following these minutes.*

Moderator Malozzi stated this is a Special Town Meeting, and no other business can be taken up.

Moved by Liz Charron, seconded by Fran Malozzi to adjourn the Special Town Meeting at 7:19 PM. Vote called – Motion passed.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary Ellen Wiczorek". The signature is written in a cursive, flowing style.

Mary Ellen Wiczorek
Lebanon Town Clerk

To: Phil Chester, Town of Lebanon, Planner

From: Honor Lawler, The Trust for Public Land (TPL), Project Manager

Date: December 9, 2019

Re: Memo regarding Mono Pond State Park Expansion

Overview:

The Trust for Public Land, in partnership with the State of Connecticut and the Town of Columbia, is working to expand Mono Pond State Park by nearly 1,000 acres. The project area is bracketed by Mono Pond State Park on the northeast, the Air Line State Park Trail to the south, a series of important ecological hotspots to the southwest, and protected farmland to the northwest and southeast. Wells Woods forms both a key linkage in a nearly pristine habitat corridor and a strategic recreational opportunity for the community and visitors from across the region. A network of recreational trails weaves through the private properties that make up this vast 1,000-acre project area. At the southern boundary, the paths connect to the Air Line State Park Trail. This connectivity lends the property even greater strategic value, linking one of Connecticut's favorite long distance trails to an incredible ecological, recreational, and cultural landscape.

Status Update:

Markell Acquisition (313 acres +/-) in Columbia (235 acres) and Lebanon (78 acres):

- TPL holds contract with landowner to purchase all 313 acres for \$625,000 (appraised fair market value).
- To date, The TPL has secured \$590,000 in public grants as follows:
 - \$312,500 from the Land and Water Conservation Fund (United States Oil and gas revenues directed towards Connecticut conservation priorities)
 - \$187,500 in State bond funds
 - \$90,000 from Audubon Wetland In-Lieu-Fee program
- TPL has completed most of due diligence and is in the final survey is underway (expected completion by end of January 2020).
- Once final funding commitments are secured and necessary grant requirements are met, TPL will purchase property and convey directly to the State of CT as an expansion of Mono Pond State Park (estimated early February 2020).
- The State and the Town of Columbia will co-manage the property per a finalized Management Agreement.

Inzinga Acquisition (100 acres +/-) in Columbia:

- TPL holds contract to purchase all 100 acres for a small bargain sale of \$195,000 (appraised fair market value is \$200,000).
- State of CT and TPL are in the process of securing funding from the following:
 - \$100,000 from the Land and Water Conservation Fund

- o \$75,000 from State bond funds
 - o \$20,000 from the Town of Columbia
- TPL has completed most due diligence, and the survey is being finalized (expected completion by December 30th).
- TPL will purchase the property once the survey is finalized, and hold it until public funding is secured.
- The State and the Town of Columbia will co-manage the property per a finalized Management Agreement.

Additional acquisitions under confidential letter of intent (90 acres) and undergoing appraisals and other due diligence.

Request to the Town of Lebanon:

TPL respectfully requests the following support from the Town of Lebanon:

- \$20,000 - A capital contribution from the Town's Open Space Fund towards the purchase price of the Markell acquisition (313 acres). This is the cost of just 10 of the 313 acres, or 3% of the total purchase price.
- \$10,000 - A contribution towards the survey work on the Markell acquisition.

TPL understands this is a significant request, but we believe this expanded State Park and accessibility from the Air Line State Park Trail to a new recreational amenity will provide a multitude of benefits to residents and visitors of Lebanon. The State of Connecticut and Town of Columbia will be bearing the majority of the financial and managerial responsibility. Below is an outline of hard costs associated with the transactions. This does not include The Trust for Public Land's staff time, overhead, etc.

| EXPENSES | Markell - 313 acres | Inzinga - 99 acres | TOTAL (412 Acres) |
|-----------------------|---------------------|--------------------|-------------------|
| Land Acquisition | \$625,000 | \$195,000 | \$820,000 |
| Professional Services | \$23,800 | \$26,400 | \$50,200 |
| Survey | \$18,500 | \$19,000 | \$37,500 |
| Appraisals | \$2,000 | \$2,400 | \$4,400 |
| Title and closing | \$3,300 | \$2,500 | \$5,800 |
| Environmental | \$0 | \$2,500 | \$2,500 |
| Total Expenses | \$648,800 | \$221,400 | \$870,200 |

A Bigger, Better Mono Pond State Park

THE
TRUST
FOR
PUBLIC
LAND



1. MONO POND STATE PARK, CONNECTICUT

Columbia, Connecticut: The Trust for Public Land is seizing a rare opportunity to protect an expansive assemblage of hardwood forestland in Columbia, Lebanon, and Hebron known colloquially as Wells Woods. The location of the properties provides a rare opportunity to protect miles of recreational and interpretive side trails along the 50-mile Air Line State Park Trail. Spanning nearly half of the state from Portland to Thompson, the trail connects walkers, hikers, equestrians, and trail bikers with nature and each other. From lowland blueberry swamps to rocky foothills, this land protection effort will create new great outdoor experiences and a beautiful, recreational amenity for residents and visitors from across the state to enjoy.

Returning the land to the community

At the behest of the local community, The Trust for Public Land is working to expand Mono Pond State Park by preserving up to 1,000 acres of forestland. Our success will expand and diversify nearby recreational opportunities, unlock local access to the Air Line State Park Trail, and empower a community through local natural resource and forest management.

Mono Pond State Park is nothing short of majestic. Whether it's paddling, hiking, fishing, or simply watching the birds rest on the serene 115-acre pond, this little park has a lot to offer. But the critters that use it also need the vast acreage south of the park, and encroaching development threatens these vital habitats. Expanding the State Park will preserve this diverse ecosystem and strengthen part of a key greenway for both humans and wildlife.

A key greenway building block

More than just a haven for wildlife, the forest block connects hundreds of acres of protected open space, preserved farmland, State forestland, and parks. Preservation of these critical properties will enhance outdoor recreation opportunities for all, including rural, eastern Connecticut commuters using the Air Line State Park Trail as a transportation alternative.

A thriving and resilient ecosystem

Ecologically, this 1,000-acre forest block unbroken by development, represents some of the most important and suitable areas for the conservation of biodiversity in the region. These critical woodlands form an important linkage which allows for wildlife migrations in the face of changing climates, and encompasses enough land to support species like wood warblers, herons, and woodpeckers that need large, uninterrupted forests to thrive. Casual hikers may spy deer, bobcat, fox, otter, and spotted turtle, to name a few. The properties encompass a diversity of habitats and nearly a mile of the Mint Brook.

The legacy of past generations

The land also boasts a fascinating history. By 1800, this was one of the last large and intact forests remaining in town. Two decades later, settlers had moved in, only to abandon the land just a century later. The lure of lumber and charcoal attracted early dwellers, while the Jewish immigrants who came after quickly found the soils unsuitable for the productive farming that they desired. Remnants of the land's former life; 19th-century foundations, stone walls, and an old mill complex, offer a glimpse into the storied history of the area and present a unique interpretive and educational opportunity for residents and visitors alike.



The path to protection

Building on Columbia's successful acquisition of 57 acres in early 2019, The Trust for Public Land has signed contracts to purchase 99 acres from one landowner by December 2019, and 313 acres from another private landowner by the spring of 2020. Once funds are secured, the lands will be conveyed to the State of Connecticut, while enabling the Town of Columbia to co-manage the forest, building the social fabric of the community and providing an economic return through sustainable forestry.

With your help, we can leverage State and local dollars to protect this critical forestland and ensure that residents and visitors can enjoy this new open space amenity for generations to come. Please join us.

Our work

Through local collaborations, The Trust for Public Land has successfully protected over 3.3 million acres across the United States, including more than 7,500 acres in Connecticut.



The Trust for Public Land
creates parks and protects land
for people, ensuring healthy,
livable communities for
generations to come.

tpl.org

FOR MORE INFORMATION

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PHOTOS: This page: Andy Richter, Reverse page: Walker Holmes
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**Town of Lebanon
Special Town Meeting
December 18, 2019**

Open Space Account #220-00-461-2701-0060

| | |
|---|------------------|
| OPEN SPACE FUNDS ALLOCATED SINCE FY07: (Average \$57,769 funded annually since FY07) | \$750,000 |
| OPEN SPACE FUNDS EXPENDED TO DATE SINCE FY07: | \$460,000+/- |
| OPEN SPACE FUNDS REMAINING: (Includes \$30,000 allocated prior to FY07 and \$20,000, PZC fee-in-lieu of open space fees, and donations) | \$290,000+/- |
| <u>TM Item #3 Approval:</u> Expend \$30,000 Mono Pond/Wells Woods | - \$30,000 |
| <u>TM Item #4 Approval:</u> Expend \$100,000 for soft costs per Board of Selectmen approval. | - \$100,000 |
| Total Remaining in Open Space Account: | \$160,000 |