

**Board of Selectmen
Regular Meeting
May 4, 2021 — 5:00 PM
TELECONFERENCE
MINUTES**

Members Present: First Selectman Kevin Cwikla, Selectmen Kathleen Smith, Glen Coutu, Robin Chesmer, and Betsy Petrie-McComber

Others Present: Bernard Dennler (Administrative Assistant/Teleconference Host); Paul Spedaliere; Jay Schall (Fire Chief, LVFD); Valerie Belles (Senior Accountant); Catherine Marrion (Waller, Smith, and Palmer); Jim Russo (Library Building Committee); Matt Earls (Library Director); Dean Hunniford (Director of Public Works and Facilities)

1.0 Call to Order

K. Cwikla called the meeting to order at 5:02 PM.

2.0 Public Forum

P. Spedaliere thanked the Town for allowing use of Green for annual fundraiser walk.

3.0 Correspondence

3.1 Monthly Letter from Troop K

The Selectmen reviewed the letter.

3.2 Police Activity Report

K. Cwikla stated an activity report was not yet available for May.

3.3 Letter regarding National Day of Prayer event on Town property

K. Cwikla said they had received a letter opposing the use of Town property for the annual National Day of Prayer Event.

4.0 Financials

4.1 Monthly budget reports

K. Cwikla reported that the legal account will likely be over-expended and they will review with the Board of Finance. The elections account is also likely to be over-expended. B. Petrie said the legal account has been complicated by the library issues for the last six years but voiced optimism that those issues could be resolving themselves now.

5.0 Fire Department Report

J. Schall reported that the LVFD is updating its COVID19 procedures for members and is allowing more members in the firehouse. High-risk members are now able to participate on calls again. To date, there have been no known cases of COVID19 among members as a result of an LVFD-related exposure.

6.0 Consent Agenda

B. Petrie MOVED to approve the Consent Agenda as presented:

6.1 Authorize First Selectman to sign the CIRMA LAP and Worker’s Compensation Renewal Agreement

6.2 Appointments

- a. Re-appointment of Michael Lambert, Mark Fitton, and Bruce Sievers to the Rails to Trails Committee, terms to expire 05/01/2023
- b. Re-appointment of Mary Withey to the Rails to Trails Committee, term to expire 05/01/2024
- c. Appointment of Walter Miller as a member of the to the Rails to Trails Committee, term to expire 05/01/2024
- d. Re-appointment of James Hallene, Jim Bender, and Michelle Trani to the Inland Wetlands Commission, terms to expire 06/01/2024

6.3 Approval of Tax Refunds

Alleyne Tito R	\$127.74
Bender Eric R	\$38.35
Berglund Corinne K	\$16.64
Brooks Kenneth M	\$40.27
Brown Robert J & Brown Julie J	\$8.21
Bumgarner Maryann C & Bumgarner Carrol L	\$59.36
CAB East LLC	\$226.73
Chalifoux Tanya L	\$210.37
Davis Kenneth A	\$18.00
Fitch Steven C	\$90.10
Gervase Bethann	\$31.98
Green Cyril W 3RD	\$30.04
Hirth Donald R & Betty P	\$86.04
Hitchcock Gregory S & Julie N Trustees	\$208.65
Kubilius Peter A Et Al	\$41.48
Larkin James W & Larkin Angelika	\$14.21
Macmahon Eric & Robin	\$75.91
Montz Andrew J & Mary Jane	\$30.93
Morabito Daniel	\$1908.01
Morrissey Gerald	\$32.85
Peters Ernest A & Linda C	\$199.42
Prides Corner Farms Inc	\$35.65
Prides Corner Farms Inc	\$39.17
Prides Corner Farms Inc	\$42.16
Prides Corner Farms Inc	\$27.63
Prides Corner Farms Inc	\$57.00
Prides Corner Farms Inc	\$75.94
Prides Corner Farms Inc	\$43.43
Prides Corner Farms Inc	\$38.69
Rice Erik D & Rice Tina Marie	\$203.16
Schmidt Adam V & Schmidt Bruce R	\$269.87
Stober Cody J	\$36.37

Tartaglia Laura J	\$168.64
Tartaglia Michael J	\$34.57
Troy Audrey E	\$29.35

6.4 Approval of Minutes

Approve the following minutes:

- a. Minutes of the April 6, 2021 Regular Meeting
- b. Minutes of the April 13, 2021 Special Meeting

K. Smith *SECONDED*.

MOTION CARRIED 5:0

7.0 New Business

Discuss and act upon:

7.1 Approve contract for stump grinding work

K. Cwikla presented a quote for stump grinding work from Powers Outdoor Services. B. Petrie said the Town has used them for stump grinding before.

G. Coutu MOVED to approve a contract with Powers Outdoor Services for stump grinding work in the amount of \$2,500 with funds to come from TIP K. Cwikla SECONDED.

MOTION CARRIED 5:0

B. Petrie asked if the work would be done and cleaned up before Memorial Day. K. Smith asked about plan for replanting. B. Petrie said conversations are ongoing with the tree committee. K. Smith said she wants to see the trees planted as soon as possible.

7.2 Neighborhood Assistance program process

B. Dennler stated that SCADD is interested in applying for funds under the Neighborhood Assistance Program. DRS requires a public hearing be held by the Board of Selectmen and for the BOS to endorse the proposal before a nonprofit can apply. SCADD needs their application turned in by July 1. B. Dennler said he would reach out to BOS members about scheduling the hearing.

NO ACTION TAKEN

7.3 Memorial Day Parade update

B. Dennler provided an update on the Memorial Day parade. The parade will be in-person and the State has provided a highway use permit conditioned on applicable COVID19-related guidance and Executive Orders. The parade's theme will be "Always Remember, Never Forget: Centennial of the Tomb of the Unknown Soldier." The school bands have declined to participate but most other groups have expressed interest. Congressman Joe Courtney, State Sen. Cathy Osten, and States Reps. Doug Dubitsky and Brian Smith have been invited as dignitaries.

NO ACTION TAKEN

B. Petrie MOVED to adjourn the order of agenda to take up item 9.0 "Approval of Minutes". K. Smith SECONDED.

MOTION CARRIED 5:0

8.0 Old Business

Discuss and act upon:

8.1 Library building project status and next steps

C. Marrion stated that she has previously advised the Board of Selectmen not to sign a contract to letter of intent to J.A. Rosa until certain regulatory authorizations were received that would guarantee the Town could meet its obligations under the contract. Since then, the Town received an approval from the Uncas Health District regarding the library septic plans and a letter from SHPO stating that there is no adverse effect related to the library project. The letter is not conditioned upon anything related to the septic, but it does invite additional consultations regarding the septic plans. She said the septic plans approved by Uncas should not cause an adverse visual impact that SHPO was concerned with although it is possible SHPO could request additional archaeological studies that could cause delays.

J. Russo said that if the Board of Selectmen issues a Letter of Intent to the general contractor then the contractor can obtain the bonds which must be provided to the Town prior to the First Selectman signing the contract. C. Marrion said the letter of intent locks in the price.

K. Cwikla asked about the status of the grant. C. Marrion stated that the assistant attorney general which represents the State Library told her that the Library Director should send a letter to the State Librarian stating that the Town has cleared the major obstacles and is ready to proceed with construction. It is possible that the Town could retain the original grant without reapplying given the major change of circumstances.

B. Petrie asked if there need to be sign offs from the building official or fire marshal for the library to make its move to the temporary location at the Community Center. D. Hunniford said he would check with the electrician tomorrow on electrical. B. Petrie asked if J. Russo can make sure the existing Christmas tree is not cut down before the 2021 Tree Lighting, citing the lack of a traditional ceremony in 2020. J. Russo said the tree is scheduled to come down with another pine tree on the parcel but they may be able to work around it until January 2022. The tree may need to be trimmed.

K. Cwikla read a resolution authorizing the First Selectman to sign a Letter of Intent to the general contractor.

B. Petrie MOVED the following:

The Lebanon Board of Selectmen RESOLVED, that the Letter of Intent between the Town and J.A. Rosa Construction, LLC ("Rosa") whereby Rosa will act as Contractor for the Jonathan Trumbull Library renovation pursuant to the Town's 1/14/21 Invitation to Bid, for the agreed upon sum of Three Million Two Hundred Fifteen Thousand Two Hundred Eighty-One Dollars and Zero Cents (\$3,215,281.00) is hereby approved; and

FURTHER RESOLVED, that the First Selectman is authorized and directed to execute and deliver the Letter of Intent on behalf of the Town; and

FURTHER RESOLVED, that subject to the Town's receipt of satisfactory insurance certificates and surety documents from Rosa, AIA Document A101-2017, Agreement between Owner and Contractor, by and between the Town and Rosa ("Agreement"), is hereby approved; and

FURTHER RESOLVED, that, upon receipt of satisfactory insurance certificates and surety documents, the First Selectman is hereby authorized and directed to finalize, execute and deliver the Agreement and to execute and deliver such other documents as are necessary and appropriate in furtherance of the Agreement and the acts anticipated therein.

K. Smith SECONDED.

MOTION CARRIED 5:0

J. Russo stated there was also a recommendation from the Library Building Committee to engage W.B. Meyer for \$46,088 for moving services.

B. Petrie MOVED to add to the agenda "Library Relocation Services Contract" as Item 8.2. K. Smith SECONDED.

MOTION CARRIED 5:0

8.2 Library Relocation Services Contract

B. Petrie MOVED to authorize the First Selectman to sign the contract with W.B. Meyer for temporary relocation services for the Jonathan Trumbull Library with funds to be come from the Library Building Committee account. K. Smith SECONDED.

MOTION CARRIED 5:0

K. Smith asked if the contract covers the cost of both moving into the Community Center and moving back into the newly constructed Library. M. Earls confirmed that it does.

9.0 Approval of Minutes

9.1 Minutes of the April 22, 2021 Special Meeting (G. Coutu not present)

B. Petrie MOVED to approve the Minutes of the April 22, 2021 Special Meeting. K. Smith SECONDED.

MOTION CARRIED 4:0 with G. Coutu abstaining

9.2 Minutes of the April 29, 2021 Special Meeting (G. Coutu not present)

B. Petrie MOVED to approve the Minutes of the April 29, 2021 Special Meeting. K. Smith SECONDED.

MOTION CARRIED 4:0 with G. Coutu abstaining

10.0 Executive Session

10.1 Executive Session: Strategy and Negotiations regarding Lebanon Green Litigation

No Executive Session was held.

B. Petrie MOVED to add to the agenda "Updates on Road and Bridge Projects" as Item 11.0. K. Smith SECONDED.

MOTION CARRIED 5:0

11.0 Updates on Road and Bridge Projects

B. Handfield reported that work on the Smith Road project is nearing completion. Railings are expected this week, but if railings do not arrive on time then Smith Road can be reopened. K. Cwikla said that on Chappell Road, the contractor needs to make sure that the road is not closed for Memorial Day weekend due to the detour. B. Handfield said if necessary, paving can be done after Memorial Day but it could be completed before that date. R. Chesmer asked if there will be compaction tests on area leading up to bridge on Chappell Road. He raised concerns about settling. D. Hunniford agreed there is a settling problem and he informed the contractor about the issue.

B. Petrie MOVED to add "Discuss and Act Upon: Security Cameras for DPW" to the agenda as Item 12.0.

R. Chesmer SECONDED.

MOTION CARRIED 5:0

12.0 Security Cameras for DPW

K. Cwikla reported there had been a theft of a utility trailer from the Department of Public Works. D. Hunniford presented a quote from Professional Protection LLC for the installation of security cameras, a monitor, hard drive, and remote viewing app for \$2580. D. Hunniford said he used the same system in Colchester. B. Petrie expressed concern from a labor perspective that there could be a grievance if cameras are installed. She stated she tried previously and ran into issues. B. Petrie said the fund should come from DPW, not TIP.

K. Smith MOVED to approve a contract with Professional Protection LLC for the installation of security cameras with the funds to come from the DPW operational budget. R. Chesmer SECONDED.

MOTION CARRIED 5:0

B. Petrie stated there may be policy language still available in the Selectman's Office about the use of security cameras. She said employees should know it is there to monitor the facility and the equipment, not to monitor the employees. B. Dennler said he would look for language and would make sure the camera settings comply with the state-required retention policy.

13.0 Adjourn

The meeting adjourned at 6:03 PM.

Respectfully submitted,
Bernard W. Dennler III
Administrative Assistant

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