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JUNE 25, 1988

Lake Williams residents seek equitable tax solution

Officials continue push for park, study of lake

By SUSANN VIAFORA
Staff Writer

LEBANON - About 31 residents have petitioned the town for a referendum to spend \$426,667, split equally among all town taxpayers, to buy Lake Williams.

The petition, circulated by Lake Williams Beach Association Tax Collector Philip Godeck Sr. and signed primarily by members of the LWBA, was submitted to the town clerk Monday, according to First Selectman Richard Bauwens. Only 20 signatures are required to force a town meeting.

The Board of Selectmen were expected to meet Friday to schedule a date for the town meeting, that would adjourn to a voter referendum. If the LWBA's request is approved by voters, taxpayers would contribute equally toward the town's two-thirds share of a proposed \$640,000 purchase price for the lake, dam and water rights, amounting to about one mill over a four-year amortization period. The remaining \$213,333 would be paid by state funds.

Controversy has erupted over the proposal which, if endorsed by voters, would settle a 10-year battle between lake owner Gilman Brothers of Bozrah, town and state officials and town residents over ownership and use of the lake as a recreational facility.

Bauwens' suggestion of splitting the town's share between lakeside property owners, who he says would benefit most from the lake, and taxpayers as a whole was met with skepticism and fear by many lakeside residents. A majority of LWBA members rejected the idea during their annual meeting earlier this month, noting that they are already paying premium taxes and could not bear the burden of any additional tax levies.

Members of the Flood and Erosion

"It depends how hard they campaign for it ... but there's a possibility it'll fly."

-Richard Bauwens
First Selectman

Board have also spoken against the idea, saying it would be unfair to make some residents pay more than others and the establishment of a special tax district would cause inequities in the way people are taxed different amounts for the same privilege - lake use.

But Bauwens wonders whether taxpayers would willingly take on a financial burden for something in which they would benefit only indirectly; the state's offer to contribute funds to buy the lake includes an extra provision to establish a boat launch, rather than public beach access. Bauwens has asked state Rep. Edith Prague (D-Columbia) and state Sen. Kenneth Przybysz (D-Montville) to intercede on the town's behalf and urge Department of Environmental Protection Commissioner Leslie Carothers to change her mind regarding beach access.

Bauwens planned to meet with Carothers, Flood and Erosion Board Chairman Sol Kiotic, Przybysz and Prague in Hartford Wednesday.

One item up for discussion during the meeting is a "compromise" request - originally, Przybysz' idea - for a public park rather than a public beach, Bauwens said.

"We're hoping to at least come up with a park area, even if it's not a swimming area," Bauwens said, noting he will also ask the state to do an environmental impact study to assess the current condition of the lake. The overall shallow depth, a result of water flowing past the unrepaired

(Continued on Page 31)

▶ Lake Williams

(Continued from Page 1)

dam and occasional draining of the lake by the Gilmans, has caused algae and weeds to "grow like mad."

"There are reeds out there an inch and a half thick," Bauwens said. "It probably would have been better left empty. We'd like to know what, other than filling it back up, is needed to bring the lake back."

Regardless of the outcome of the

meeting with Carothers, taxpayers will still have the opportunity to decide whether they wish to contribute toward the lake settlement later this summer. Will it fly, without guarantee of beach access or a park?

"There's a possibility," Bauwens nodded. "It's the time of year when all the residents who live at the lake are going to be in the area. It depends how hard they campaign for it ... but there's a possibility it'll fly, sure."

the Chronicle

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Fate of Lake Williams decided

By JEANNE A. DUNCAN
Staff Writer

LEBANON — A proposal for the town and state to jointly purchase Lake Williams will be presented at a special town meeting July 19 and then brought to referendum within 15 days.

The proposal stems from an agreement between the parties reached in May.

A recent petition signed by 30 members of the Lake Association seeks the lake's purchase from the Gilman Brothers Co. of Bozrah within a year through a one-time tax on residents.

The Board of Finance has estimated the lake will cost residents 4.6 mills.

Total cost of the lake has been negotiated at

\$640,000, an increase of \$30,000 since the state's first offer of \$610,000 in May was negotiated. The town would be responsible for two thirds of the cost, or \$426,000, and the state would pay \$213,000.

In addition, the state would provide maintenance including much-needed repairs to the dam which are estimated at \$400,000.

If the referendum passes, the state Department of Environmental Protection will assume control over the dam and water rights. The DEP is currently investigating the cost of installing a boat launch.

Negotiations are presently under way between the town and the state to determine what recreational activities would be best for the lake.

First Selectman Richard Bauwens said this morning still under discussion is the matter of public access to the lake.

Controversy over Lake Williams began about a decade ago when the DEP first ordered the Gilman firm to either repair or remove the dam. The Gilmans lost a suit against the DEP which claimed the agency did not have the right to issue such an order on a private property.

Four years later, the Gilmans sought a permit to remove the dam, but the DEP rejected that application on the grounds that it would adversely affect the surrounding wetlands.

In 1986, the DEP repeated its order to the Gilmans to repair the dam, but the order was

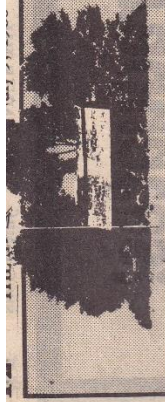
July 19

revoked after the General Assembly approved legislation calling for the town and the state to purchase the lake for \$1.5 million, \$500,000 of which would go to the Gilmans.

A subsequent appraisal of the lake indicated that the asking price was too high and scaled it down to \$360,000. That offer was rejected.

Amid negotiations, a broken gate was causing water to drain out of the lake, prompting the Gilmans to drain the lake last summer. This resulted in a massive fish kill. The lake now has water in it, but its elevation level is still low.

The special town meeting on the lake will be held at Lebanon Elementary School at 8 p.m.



Lebanon

Support for Lake Williams purchase proposal fizzling

Officials scoff at funds to purchase launch land

By SUSANN VIAFORA
Staff Writer

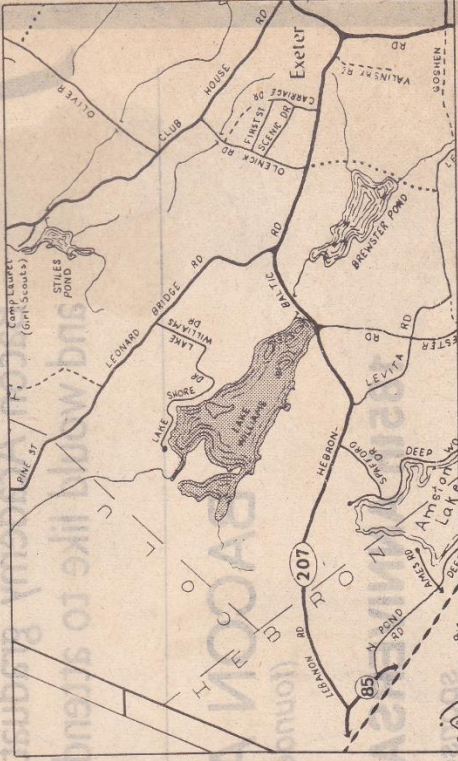
LEBANON - Is Lake Williams doomed? If the sentiments expressed by officials last week are any indication, it will be a miracle if the proposed lake purchase agreement passes the July 19 town meeting - never mind a referendum. It also appears the state has used seriously outdated information to determine how much money it is willing to spend to purchase the necessary land for dam maintenance, a boat launch and picnic area.

"In regard to the land, I knew there was going to be a hitch," Flood and Erosion Board Chairman Sol Kiotic said during the panel's Tuesday meeting. "The state really doesn't want to buy it, so they come out with all kinds of excuses."

"I'll tell you right now, if we don't have a beach and a boat launch, forget about the lake," agreed board member

"They're telling her to flub it up so the state doesn't have to buy the land."

**-Sol Kiotic
Flood and Erosion
Control Board**



Lake Williams, one of many ponds and lakes in town, sits near the Columbia and Hebron town lines.

months shows the average selling price of land per acre to be about \$32,000, and \$65,000 for a two-acre building lot.

"I do have some serious problems with some of the information which has been presented to you," Bauwens wrote to Carothers of the difference in land price estimates. "I honestly do not feel that you are being given the best information available.... I realize that the more land purchased, the greater likelihood of a reduced price, however, right now in this town it does not appear to be the case. We, at the present time, are looking at a parcel for a high school and the price tag is \$1 million for a 27-acre lot, which is a price of \$37,000-plus per acre."

Bauwens added that the land the state is considering purchasing, on the eastern shore of the lake, is good quality land (owned by Lebanon resident Harold Liebman) that would offer some choice building lots.

"I realize that this could kill the deal on the table now, however I feel this information must be made available to all of our people," Bauwens wrote. "I have talked to the owner of the property and let me assure you, he is not anxious to sell any of his property. I believe he is planning on it being part of his estate for his children and-or grandchildren. He is, of course, willing to talk."

During the flood panel meeting,

According to the proposal, the state would pay one-third of the proposed \$640,000 purchase price to lake owner Gilman Brothers of Bozrah. The town, in turn, would pay the remaining two-thirds, or \$426,667, in a one-time tax supplement of 4.6 mills. But many believe that voter approval of the deal rests on the state providing public access to the lake, and the current proposal contains only \$82,500 to buy about 11 acres of land for dam maintenance access and the boat launch area.

Funds for land in doubt

In a June 28 letter to state Department of Environmental Protection Commissioner Leslie Carothers, First Selectman Richard Bauwens noted that a study of town land transactions over the last six

Bauwens told the group that Liebman has "never been approached" by any state official seeking to negotiate for the land.

And, referring to minutes of a June 22 meeting between himself, Carothers, Kiotic, state Sen. Kenneth Przybysz (D-Montville) and Rep. Edith Prague (D-Columbia), as well as representatives of the DEP Water Resources Unit and land acquisition unit, Bauwens asked Carothers, "What happens if the land is not for sale?" Carothers reportedly replied, "if he doesn't sell it, we'll take it."

Carothers, however, added that she does not plan to take the land by eminent domain, Kiotic recalled.

Lake water quality

Another topic raised during both the Hartford meeting and last week's flood panel meeting concerned the quality of the lake water. The relatively low water level of the lake, due to the dam's disrepair, added to the effects of draining the lake several times during the 10-year dispute has left algae, weeds, reeds and field grasses predominant. According to the DEP, if the water level is kept to between 36 and 40 inches below the dam spillway, the dam would not need to be repaired. But that level is much lower than the lake's capacity, and seriously affects the water's swimming quality.

"I realize that this could kill the deal on the table now, however I feel this information must be made available to all of our people."

**-Richard Bauwens
First Selectman**

Carothers said the lake would not support a 200-person swimming area, and the state has no intention of providing funds for such a beach.

"I feel it is our obligation to provide state citizens with access to the lake, in order to justify the purchase and therefore the present plan for the boat launch area," Carothers said during the Hartford meeting. "We do want the lake restored and we will extend ourselves to the extent that we can. We were planning to go with the whole beach concept; however, when the original legislation lapsed, we lost the funding to complete that project.

"You people don't really seem to understand that I have serious responsibilities and limits on the amount of money that the DEP can spend on this project," she added.

Funding priorities

That comment did not sit well with flood board member Al Lopes, who said, "They're spending our money on Pickerel Lake and every other... lake, that's why the money isn't there. The lake is going to grow apple trees. Good area for it - the land is very fertile."

"They (higher-ups) tell her how much to spend, how much not to spend," Kiotic said. "They're telling her to flub it up so the state doesn't have to buy the land."

Kiotic added that, during a recent canoe outing with his son, the two men found malodorous sediment leaking from the area around Wells Woods, a Columbia subdivision bordering on the northern edge of the lake.

"The situation as of now, no beach, no

boat launch, no legal access to the water unless someone wants to sell land or give land," Kiotic said, referring to the state's ultra-conservative land price estimates. "For 71 years I loved that lake. I'm turned off. Now, I'm turned off that lake."

A new proposal?

Panel member and Lake Williams Beach Association representative Michael Melville urged the board to work together to draw up a proposal in which lakeside property owners would contribute more than townspeople as a whole, despite the LWBA's rejection of a proposed special tax district during the group's annual meeting last month.

"You and the people at the lake should come and give us a proposition," Kiotic replied.

After the flood panel meeting adjourned, Lopes asked the four members still present whether anyone would vote in favor of the one-time tax proposal on July 19. All four indicated they would vote against the idea, with both Lopes and Kiotic adding they would ask as many people as possible to vote no as well. The board's consensus appears that, even with town taxpayers splitting the cost equally, the purchase deal would be unfair unless adequate public access is provided for. At the same time, lakeside residents do not want to pay more than the "premium taxes" they are already paying on their property, even though they would primarily be the ones to benefit from a lake with little or no public access.

At the projected 4.6 mill assessment, residents with \$200,000 worth of property would pay \$8,000 in taxes next year. If the proposal is rejected by voters next week, they would pay \$7,080 at the 35.4 basic mill rate set for 1988-89.

Voters will consider the matter at the town meeting next Tuesday, where they will vote to adjourn or call a referendum. As Carothers commented during the June 22 meeting, "We should expedite the purchase agreement as soon as possible because we do not know how long the Gilmans will honor the proposal."

The town meeting is scheduled to begin at 8 p.m. at the town elementary school.

Opinion

the Chronicle

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Editorials

Lake Williams

The time has come to end the controversy over Lake Williams in Lebanon. For more than ten years, Lebanon residents living in and around the lake have been subjected to many problems and pressures not because of who they were but because of where they live. Now there is an excellent chance the ring of trouble that encircles the lake has been broken. Early next week, residents of the town will gather at a town meeting to hear of a plan for the state and the town to jointly purchase the lake. The matter will then be brought to a town referendum.

Negotiators for the state and town have decided the cost of the lake will be \$640,000 with the town being responsible for two-thirds of the cost and the state the remainder. The state will also provide funds for the maintenance and repair of the dam. Parts of the lake, once it is brought back to normal level, will be open to general recreational activities and a boat ramp is also planned.

Many people, citizens, elected town and state officials and others, have worked long and hard to put the fate of the lake back into the hands of the people of the town where it belongs.

The town meeting will be held July 19 at the Lebanon Elementary School. The referendum that will follow within 15 days on the joint purchase of the lake should be approved.

Lebanon digest

● Lake referendum date set for Aug. 2

If the proposal passes through town meeting July 19, residents will be able to have the final say on whether the town agrees to pay its \$426,667 share of the Lake Williams settlement during an Aug. 2 referendum.

According to the proposal, the town would pay two-thirds of a \$640,000 purchase price agreed upon by the state Department of Environmental Protection and lake owner Gilman Brothers of Bozrah. In addition, the state would assume responsibility for repairing the dam, at an estimated cost of up to \$400,000, and acquire 11 acres of land for dam maintenance and a public boat launch and picnic area.

Controversy has erupted over the state's rejection of a proposed beach area; DEP officials assert the lake could not support a swimming area without seriously affecting water quality, and the cost to develop such a beach would be prohibitive.

But many residents and town officials argue, however, that without a beach area, voters would "get nothing" in return for the one-time 4.6 mill supplementary tax each would have to contribute.

An alternate proposal, which would assess lakeside owners a special tax levied according to the value of their property, and assess all taxpayers for the remainder of the town's share, was rejected by both members of the Lake Williams Beach

Association and the Flood and Erosion Control Board.

If voters reject the one-time tax deal, town officials will have to find an alternate means to pay for the lake settlement or risk watching the state-Gilman deal collapse altogether.

Local news



Drained and desolate state of Lake Williams is shown in the aerial photo taken last August. meeting Tuesday at 8 p.m. at the Lebanon Elementary school, to be adjourned referendum Aug. 2.

Regional Reporter

July 4, 1988

• Voters to decide lake tax proposal July 19

Voters will decide whether to approve or reject a proposed one-time 4.6 mill tax assessment to purchase Lake Williams during a town meeting July 19.

If approved, the supplementary tax will pay for the town's \$426,667 two-thirds share of the \$640,000 proposed purchase price for the lake. The remaining one-third will be paid by the state. As part of the deal, the state Department of Environmental Protection will also cover the cost of necessary dam repairs and purchase up to 11 acres of land for maintenance, a boat launch and park area, bringing the state's total expenditure to \$748,000.

Some officials and residents have expressed doubt that taxpayers will agree to divide the purchase price equally among themselves. The DEP's decision not to provide funds for a public beach area may cause those not living near the lake to reject the deal, they say.

But others, notably members of the Flood and Erosion Control Board and Lake Williams Beach Association, argue that the establishment of a special tax district, whereby lakeside property

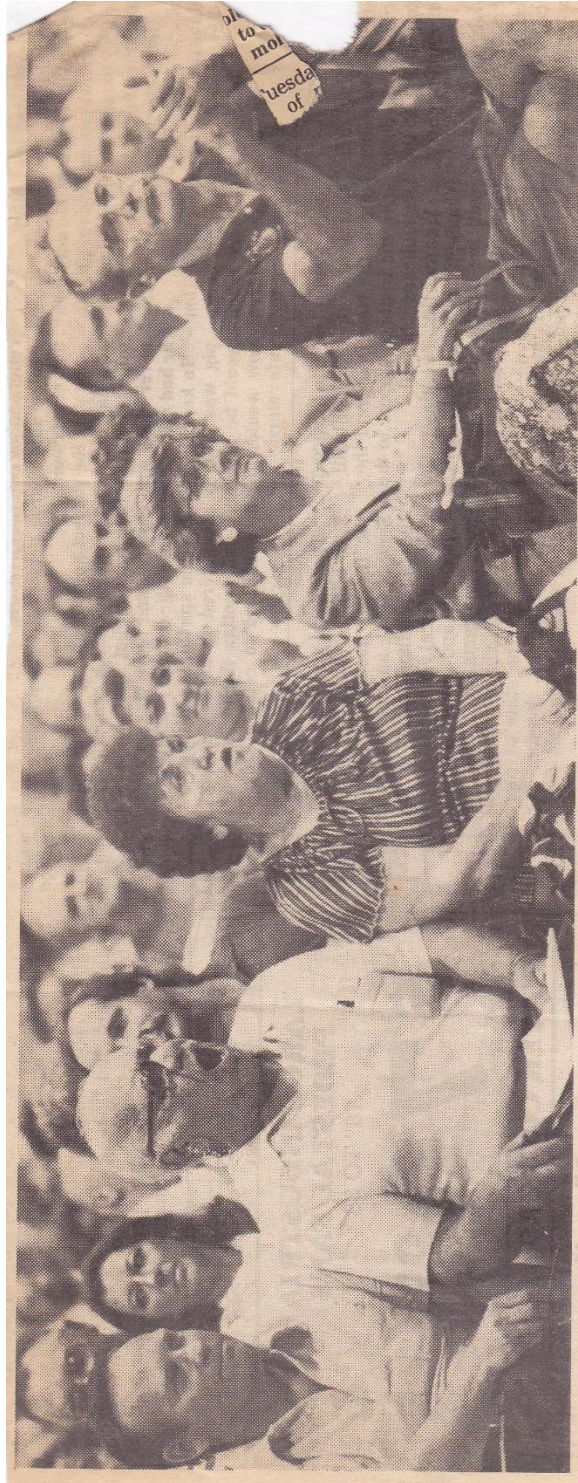
owners would contribute an extra share toward the settlement, would be unfair.

Earlier this month, 31 residents, primarily LWBA members, petitioned the Board of Selectmen to hold a town meeting and referendum on the equal tax split proposal. If the measure fails to gain voter approval, town officials will pursue alternative methods of settling the 10-year lake dilemma. One possibility, according to First Selectman Richard Bauwens, would be a one-time special assessment - similar to a sewer assessment - against lakeside property owners based on the amount of lake frontage they own. That method would not require action by the flood and erosion panel, nor would the amount be determined by property values.

If the equal split proposal is rejected at the upcoming town meeting or referendum, then officials may decide to levy that special assessment and schedule another referendum to ask all town taxpayers to pick up the remainder of the tab.

The July 19 town meeting is scheduled to begin at 8 p.m. in the elementary school gymnasium. The date for the subsequent referendum will be announced at that meeting as part of the motion to adjourn.

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The reaction to Sol Kiotic's speech against the Lake Williams proposal is seen on the faces of Kent Sleath, left, president of the Lake Williams Association, Philip Godeck Sr., second from left, and Art Young, right.

Fran Funk

The battle of Lake Williams rages on

By JEANNE A. DUNCAN
Staff Writer

LEBANON — "Water has become a very valuable resource. ... If Lake Williams goes, Lake Williams goes and that will be it," warned state Rep. Edith Prague (D-8th) to the 300 citizens who turned out at last night's hearing to consider the town's \$426,000 appropriation proposal towards the state's purchase of the lake.

Many residents, however, were vocally opposed to the purchase, despite pleas from lakefront neighbors to save the lake. Opponents of the two-hour

the town is willing to appropriate \$426,000 for acquisition costs, First Selectman Richard Bauwens said.

Negating public opinion that it is the DEP's responsibility to force the Gilmans to repair the dam, Clifford said that the state can only require that the Gilmans repair or breach the dam and that the choice lies with the Gilmans.

Resident Sol Kiotic spoke vehemently against the purchase proposal, and said that the lake association had instigated "pro-

paganda" in the form of aerial photographs of the lake and by posting pleas to save the salmon and red herring.

Despite hearty public applause to Kiotic's "why we should not buy the lake" speech, several Lake Williams residents came forward to express their sorrow that the town was not backing them.

"I'm shocked that everyone is laughing at us," one Lake Williams

(Lake Williams, Page 4)

cont

