

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN  
TUESDAY, APRIL 21, 2015  
TOWN OFFICE BUILDING - 5:30 P.M.

Call to Order: First Selectman Leo Paul, Jr. called the meeting to order at 5:33 p.m. with Selectmen Diane Knox, Paul Parsons and Jonathan Tarrant also present. Jeffrey Zullo was away on business.

Approval of Minutes: **Motion:** J. Tarrant moved to approve the regular meeting minutes of 4/7/15, and D. Knox seconded. All voted aye and the motion carried.

Public Requests/Comments: Chase Jespersen, owner of Jespersen's Landscaping, Torrington, spoke about his not receiving the mowing bid this time due to complaints in the past. He asked to obtain any complaints and photos regarding these complaints that are on file and he will follow up. He asked that the Town be sure its vendor is compliant with employee background checks, uniforms, ID tags, and State-compliant truck numbers.

Selectmen's Requests: **Motion:** J. Tarrant moved to add to Transfers b) Transfer #4, and D. Knox seconded. All voted aye and the motion carried. Mr. Paul said he has been active in Hartford recently, working on the car tax bill and on moving to a regional approach with the COGs distributing funds on some special taxes. He is still fighting paying 100% of the resident trooper cost. There are now talks going on with the possibility of regionalizing the police, and he has a meeting on this tomorrow with Torrington and Harwinton to explore. Budget work is on track with the Boards of Education and Finance.

Interviews, Appointments & Reappointments

a) Interview Lance Beckley for Conservation Commission, alternate member, term 12/2015: Mr. Beckley was not present for the interview. **Motion:** P. Parsons moved to table this item until the next meeting, and J. Tarrant seconded. All voted aye and the motion carried.

Liaison Reports/Commission-Committee Minutes: 4/13/15 Boar of Finance minutes; 4/9/15 WPCA minutes; 1/6/15 ZBA minutes; 4/7/15 Safety & Health Committee minutes; 3/19/15 Sandy Beach Commission; 4/8/15 Inland Wetlands Commission minutes; 2/5/15 and 3/5/15 Design Review Advisory Committee minutes; 4/1/15 Board of Education minutes (draft)

Vacancies: The list of current appointed vacancies with term expirations is as follows:

Beautification Commission: 6 regular members: three 2/2016, one 2/2017, two 2/2018; 2 alternates 2/2016  
Conservation Commission: 2 alternate members 12/2015  
Economic Development Commission: 2 alternate members 6/2016  
Litchfield Prevention Council: 3 alternate members: one 6/17, two 6/2016  
Milton Historic District Commission: 1 regular member 1/2020; 3 alternate members 1/2015, 1/2015, 1/2019  
Park & Recreation: 2 alternate members: 6/2017, 6/2018  
Recycling Committee: 5 members: two 2/2016, one 2/2017, two 2/2018  
Town Hall Building Committee: 1 member, 3/2018; one alternate 3/2018  
Veteran's Advisory Committee: 2 regular members 8/2016, 8/2015; 2 alternate members 8/2015  
Water Pollution Control Authority: 1 alternate member 1/2015  
Zoning Board of Appeals: 2 alternate member 3/2015

Transfers

a) **Transfer #3 - \$9,000 from Contingency to Paramedic Intercept Fund 4201-54123:** Mr. Paul said there is a gap in realizing savings until July 1<sup>st</sup> as the Bantam Ambulance goes to a billing system. P. Parsons added that when the money does start coming in, it will be put in the bank to pay the bill. **Motion:** J. Tarrant moved to approve Transfer #3 to take \$9,000 from Contingency and put it into the Paramedic Intercept Fund 4201-54123. P. Parsons seconded. All voted aye and the motion carried.

b) **Transfer #4 - \$350 from Contingency to Risk Management Services:** L. Paul explained that this is with our insurer, CIRMA, and under liability, auto and property. Because of adjustments with owning newer vehicles we have a shortfall in the amount to pay CIRMA. **Motion:** J. Tarrant moved to approve Transfer #4 to move \$350 from Contingency to Risk Management Services, and D. Knox seconded. P. Parsons noted the Contingency, assuming approval of Transfer #3, would now be \$56,650. Upon voting, all voted aye and the motion carried.

### Old Business

a) **Region 6 Discussion:** Mr. Paul said he met with the Region 6 First Selectmen to discuss ways to work together for the benefit of both districts. They did not want to lose any of the three elementary schools. Considering regionalization of the middle and high schools was discussed, and each one will go back to his/her board to determine if this is worth pursuing. He does not want to push anyone, but merely wants to be able to gain some forward movement in order to tell the Litchfield residents whether or not we are pursuing a merger. We cannot make any infrastructure changes in Town without knowing where we are heading. D. Knox commended Mr. Paul in being proactive. Mr. Paul said the Board of Education has supported going to the next level to create a study. He would like to do the referendum and see what the communities have to say. If one says no, it's all over. If they all say yes, we will move forward and create a study committee. J. Tarrant also support Mr. Paul's efforts and understands that none of the towns want to lose an elementary school, but he felt consolidating one or more of the elementary schools would be the greatest savings. P. Parsons said continuing discussions with the other selectmen is very good to find common ground and momentum.

### New Business

a) **Award Bid for Asphalt Pavement Crack Sealing:** **Motion:** J. Tarrant moved to award the bid to low bidder Sealcoating Inc. per recommendation of Public Works Director Jack Healy. P. Parsons seconded, all voted aye and the motion carried.

b) **Award Bid for Scrap Metal:** **Motion:** J. Tarrant moved to award the bid to high bidder Liberty Recycling per J. Healy's recommendation, and P. Parsons seconded. This is more than we are getting now, according to Mr. Healy. He said we have not used Liberty before, but for \$15 - \$20 more per ton, we should try them. Upon voting all voted aye and the motion carried.

c) **Adopt Resolution for Wheelchair-Accessible Motor Vehicle Grant:** Mr. Paul read the resolution. **Motion:** D. Knox moved to adopt the resolution as read. J. Tarrant seconded. Mr. Paul explained that we applied for a grant to replace the senior bus. Non-bonded money in the amount of \$12,400 had been transferred last year to capital non-recurring. The grant is worth \$49,600 and we will pay 20% of the cost of the vehicle, \$57,302. Once the resolution is done and the agreement signed, we can go out to bid. Upon voting all voted aye and the motion carried. The resolution reads as follows:

RESOLVED: That the First Selectman, Leo Paul, Jr., be, and hereby is, authorized to negotiate, sign and execute agreements/contracts along with all necessary agreement/contractual documents and forms on behalf of the Town of Litchfield with the Department of Transportation of the State of Connecticut.

d) Adopt Resolution Entitled:

RESOLUTION APPROPRIATING \$5,360,000 FOR THE TOWN OF LITCHFIELD 2015-2016 CAPITAL IMPROVEMENT PROGRAM, INCLUDING SCHOOL, PUBLIC SAFETY AND PUBLIC WORKS IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$5,360,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Leo Paul introduced and read the following resolution:

RESOLVED: That the resolution entitled "RESOLUTION APPROPRIATING \$5,360,000 FOR THE TOWN OF LITCHFIELD 2015-2016 CAPITAL IMPROVEMENT PROGRAM, INCLUDING SCHOOL, PUBLIC SAFETY AND PUBLIC WORKS IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$5,360,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE," is hereby approved and recommended for adoption by the Town.

**Motion:** Jonathan Tarrant moved to waive the reading of the entitled resolution and incorporate its full text into the minutes of the meeting. Diane Knox seconded the motion. In discussion Mr. Paul said the amount to be bonded will be about \$3.8 million, less than this figure. The \$5,360,000 is the total of all the revenue associated with capital expenditures. The Town must approve this entire amount to incorporate it into Capital. Paul Parsons asked why the proposed total cost on the resolution's last page is different from this total.

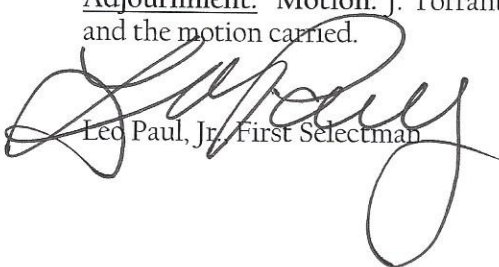
**Motion:** Jonathan Tarrant moved to recess the meeting at 6:20 p.m. for the purpose of placing a call to the bonding attorney for clarification on the figures, and Diane Knox seconded. All voted aye and the motion carried. Back from recess at 6:29 p.m. No contact was made with the attorney.

Upon voting on the motion to waive the reading of the entitled resolution, Jonathan Tarrant, Diane Knox, Paul Parsons and Leo Paul, Jr. all voted aye. Leo Paul, Jr. thereupon declared the motion carried.

**Motion:** Jonathan Tarrant moved that said resolution be adopted as introduced, and the motion was seconded by Diane Knox. There was no discussion. Upon voting Paul Parsons, Diane Knox, Jonathan Tarrant and Leo Paul, Jr. voted aye. Leo Paul, Jr. thereupon declared the motion carried and the resolution adopted. The resolution in its entirety appears in these minutes as Attachment I.

e) **Sign Call for Annual Budget Meeting for May 13, 2015:** **Motion:** Jonathan Tarrant moved that a town meeting be warned and held on May 13, 2015, at 7:00 o'clock p.m. at the Litchfield Intermediate School Auditorium, to consider and act on the 2015-2016 CIP Bond Resolution. Paul Parsons seconded the motion. There was no discussion. Upon voting Paul Parsons, Diane Knox, Jonathan Tarrant and Leo Paul, Jr. voted aye. Leo Paul, Jr. thereupon declared the motion carried. The Board then signed the call.

**Adjournment:** **Motion:** J. Tarrant moved to adjourn at 6:31 p.m. and D. Knox seconded. All voted aye and the motion carried.

  
Leo Paul, Jr. First Selectman

RESOLUTION APPROPRIATING \$5,360,000 FOR THE TOWN OF LITCHFIELD 2015-2016 CAPITAL IMPROVEMENT PROGRAM, INCLUDING SCHOOL, PUBLIC SAFETY AND PUBLIC WORKS IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$5,360,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$5,360,000 is appropriated for the planning, acquisition and construction of the Town of Litchfield Capital Improvement Plan 2015-2016, as adopted and amended by the Board of Selectmen from time to time, and including: (i) Board of Education; (ii) Board of Fire Commissioners and EMS; (iii) Police (iv) Sandy Beach Commission; (v) Public Works Department; (vi) Land Use; and (vii) debt administration, and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom. The Board of Selectmen may by resolution transfer funding herein authorized among projects within the 2015-2016 CIP. See Attachment A.

Section 2. The total estimated cost of the 2015-2016 CIP Improvement Plan to be authorized to be financed with debt is \$5,360,000, an estimated \$2,035,960 of which is expected to be paid from grants, for a net town expected cost of \$3,324,040.

Section 3. To meet said appropriation \$5,360,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and Treasurer, and the amount of bonds of each series to be issued shall be fixed by the First Selectman and Treasurer, in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Treasurer bear, the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the First Selectman and Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the First Selectman and Treasurer, and be approved as to their legality by Murtha Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the First Selectman and Treasurer. The bonds shall be general obligations of the Town and each of the bonds shall recite

that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the First Selectman and Treasurer, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 4. Said bonds shall be sold by the First Selectman and Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of the purchase agreement shall be subject to approval of the Board of Selectmen.

Section 5. The First Selectman and Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Treasurer, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the First Selectman and Treasurer, be approved as to their legality by Bond Counsel, and be certified by a bank or trust company designated by the First Selectman and Treasurer, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this

date. The Finance Director or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The First Selectman and Treasurer are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 8. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The First Selectman and Treasurer, are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to law, including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit Versions.

**ATTACHMENT A  
TOWN OF LITCHFIELD - CAPITAL BUDGET 2015/2016**

		BOARD OF SELECTMEN MARCH 17, 2015 RECOMMENDATION				
Dept.	Project Description	Proposed Total Cost	Less Grant/Other Funding	Net Town Cost	Pay As You Go/Fund Balance	Debt
<b>BOARD OF EDUCATION</b>						
	Signage	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ 25,000
	LHS Gym Window Drapery	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ 15,000
<b>Total</b>	<b>BOARD OF EDUCATION</b>	<b>\$ 40,000</b>	<b>\$ -</b>	<b>\$ 40,000</b>	<b>\$ -</b>	<b>\$ 40,000</b>
<b>BOARD OF FIRE COMMISSIONERS &amp; EMS</b>						
	Bantam Siding	\$ 27,500	\$ -	\$ 27,500	\$ -	\$ 27,500
	Bantam Tanker Truck	\$ 399,000	\$ -	\$ 399,000	\$ -	\$ 399,000
	East Litchfield Building Improvement	\$ 97,000	\$ -	\$ 97,000	\$ -	\$ 97,000
	Townwide Airpack Replacement (SCBA)	\$ -	\$ -	\$ -	\$ -	\$ -
	Fire Ponds	\$ 2,500	\$ -	\$ 2,500	\$ -	\$ 2,500
	Litchfield Handicapped Bathroom Upgrade	\$ 45,000	\$ -	\$ 45,000	\$ -	\$ 45,000
<b>Total</b>	<b>BOARD OF FIRE COMMISSIONERS &amp; EMS</b>	<b>\$ 571,000</b>	<b>\$ -</b>	<b>\$ 571,000</b>	<b>\$ -</b>	<b>\$ 571,000</b>
<b>POLICE</b>						
	Replace Radio System	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ 25,000
	<b>Total Police</b>	<b>\$ 25,000</b>	<b>\$ -</b>	<b>\$ 25,000</b>	<b>\$ -</b>	<b>\$ 25,000</b>
<b>SANDY BEACH COMMISSION</b>						
	Facility Restoration	\$ 55,598	\$ -	\$ 55,598	\$ -	\$ 55,598
	<b>Total Park and Recreation</b>	<b>\$ 55,598</b>	<b>\$ -</b>	<b>\$ 55,598</b>	<b>\$ -</b>	<b>\$ 55,598</b>
<b>DEPARTMENT OF PUBLIC WORKS</b>						
	Bridge Program-Clark Road Bridge	\$ 2,744,950	\$ 2,035,960	\$ 708,990	\$ -	\$ 708,990
	Vehicles & Equipment	\$ 221,000	\$ -	\$ 221,000	\$ -	\$ 221,000
	Town Aid Grant Funding	\$ 385,613	\$ 385,613	\$ -	\$ -	\$ -
	Major Road Projects	\$ 1,173,466	\$ -	\$ 1,173,466	\$ -	\$ 1,173,466
	Public Facilities	\$ 435,000	\$ -	\$ 435,000	\$ -	\$ 435,000
	<b>Total Department of Public Works</b>	<b>\$ 4,960,029</b>	<b>\$ 2,421,573</b>	<b>\$ 2,538,456</b>	<b>\$ -</b>	<b>\$ 2,538,456</b>
<b>LAND USE</b>						
	Plan of Conservation and Development	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ 50,000
	<b>Total Land Use</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ 50,000</b>
<b>DEBT ADMINISTRATION</b>						
	<b>TOTAL CAPITAL PROJECT REQUESTS</b>	<b>\$ 5,701,627</b>	<b>\$ 2,421,573</b>	<b>\$ 3,280,054</b>	<b>\$ -</b>	<b>\$ 3,324,040</b>