

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN  
TUESDAY, DECEMBER 16, 2014  
TOWN OFFICE BUILDING - 5:30 P.M.

Call to Order: First Selectman Leo Paul, Jr. called the meeting to order at 5:30 p.m. All Selectmen were present: Jeffrey Zullo, Paul Parsons, Diane Knox and Jonathan Tarrant.

Approval of Minutes: Motion: J. Tarrant moved to approve the regular November 18, 2014 meeting minutes and D. Knox seconded. All voted aye and the motion carried.

Public Requests/Comments: None

Selectmen's Requests: Mr. Paul said he was at a legislative meeting with CCM today. Discussion included more mandates for Tier 2 towns regarding MS4 Stormwater Runoff, including leaf pickups, catch basin cleaning frequency, etc. Concerns were discussed among the towns. He will be in Hartford to monitor the DEEP hearing tomorrow. There will be representatives from the local government councils to speak in opposition to these ominous mandates.

Motion: J. Zullo moved to add to Correspondence a) "Letter from Lori FitzGerald Re Retirement Review." P. Parsons seconded, all voted aye and the motion carried. He then asked about the Board of Finance's handling of the bonding/pay-as-you go, and J. Tarrant said it was in their minutes.

Interviews, Appointments & Reappointments

a) Interview Nicholas Fitzgerald for Litchfield Prevention Council, alternate 6/2017: Mr. Fitzgerald said he's been a resident for 2-1/2 years and is the Program Director at High Watch Recovery Center in Kent. He thought he could also be helpful in the prevention of addictions. Mr. Paul said he has asked the Prevention Council to present in January, as they have requested funding in the upcoming budget. Motion: J. Tarrant moved to appoint Nicholas Fitzgerald to the Litchfield Prevention Council, alternate member, with term ending June, 2017. J. Zullo seconded. He and J. Tarrant thanked him for sharing his talents with the Town. All voted aye and the motion carried.

b) Interview Heather Boesch-Wages for Economic Development Commission, alternate 6/2017: Ms Boesch-Wages said she has lived here since 1996 and has three children in the school system. She and her husband have a printing and marketing business in Middlebury, Sir Speedy. She loves business and marketing and thought she could be a good fit with the EDC. She said we need to see what brings people to this jewel of a town and plan accordingly with businesses that would serve a large variety of people. Motion: J. Zullo moved to appoint Ms Boesch-Wages to the Economic Development Commission as an alternate member for term ending June, 2017. J. Tarrant seconded, all voted aye and the motion carried. P. Parsons said he welcomed her enthusiasm and experience. J. Zullo said having insight into issues we face, and being a resident with business expertise will be valuable to the Commission. Upon voting all voted aye and the motion carried.

c) Reappoint David R. Wilson to WPCA, term 1/2020: Motion: J. Zullo moved to reappoint David R. Wilson to the WPCA, with term expiration of 1/2020. D. Knox seconded, all voted aye and the motion carried.

d) Reappoint Cleve Fuessenich to Conservation Commission until 12/2017: Motion: J. Zullo moved to reappoint Cleve Fuessenich to the Conservation Commission until 12/2017 and D. Knox seconded. All voted aye and the motion carried.

**Declining Reappointment:** Edward J. Weik from Milton Historic District Commission: received and noted.

**Liaison Reports/Commission-Committee Minutes:** included in packets

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

Beautification Commission: 2 regular members 2/2015, 2/2016; 2 alternates 2/2016

Conservation Commission: 1 regular member 12/2016; 2 alternate members 12/2015

Economic Development Commission: 2 alternate members 6/2016

Litchfield Prevention Council: 3 alternate members, two 6/2016, 6/2017

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: 4 members, 2/2015, two 2/2016, 2/2017

Town Hall Building Committee: 1 member, 3/2015

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 regular members 3/2015, 3/2018

**Tax Refunds:** **Motion:** P. Parsons moved to approve the nine tax refunds for a total of \$853.04 as recommended by the Tax Collector. J. Torrant seconded, all voted aye and the motion carried.

#### **Transfers**

a) **Transfer #1 - \$24,000 from Contingency to P&Z (\$9,000) and ZBA (\$15,000) Legal Services:** Mr. Paul explained the transfer. **Motion:** J. Torrant moved to approve Transfer #1 as above and D. Knox seconded. All voted aye and the motion carried.

b) **Transfer #2 - \$1,763 from E911 Service Annual Fee to Torrington Area Health Annual Fee:** L. Paul explained that an adjustment must be made because the annual fee increased after our budget was set. **Motion:** P. Parsons moved to approve Transfer #2 as above and D. Knox seconded. All voted aye and the motion carried.

#### **Old Business**

a) **Approve Employee Contributions to the Defined Benefit Pension Plan (tabled from 11/18/14):** Mr. Paul gave each a copy of the labor contract that addresses adjustments that were made through the labor contract negotiations. He then explained how it works and who is eligible. J. Zullo asked why this has to be approved if it is a contract in place. Mr. Paul explained they have to go to a Town Meeting to change the language in the overall defined benefit plan that addresses the contribution piece, which was never done, and would cover all employees, not just contractual.

b) **Approve Establishment of a Defined Contribution Pension Plan for Eligible Employees Hired On or After July 1, 21012 (tabled from 11/18/14):** L. Paul explained that we need to go to Town Meeting to get approval to implement a defined contribution plan, which is already implemented for the contractual employees, but this will cover the non-contractual employees. Thus far they have followed past practice, following the contracts for non-contract employees. J. Zullo said past practice means nothing by law until it is confirmed at Town Meeting. L. Paul disagreed and said they are just trying to close the loophole. Mr. Zullo wanted the language changed to "eligible employees not covered by the collective bargaining agreement." After Mr. Paul explained, he agreed to support the language the attorneys had presented.

**Motion:** J. Torrant moved to approve the employee contributions to the defined benefit pension plan as well as approve the establishment of the defined contribution pension plan for eligible employees hired on or after July 1, 2012 in accordance with Paragraph 4 of the Town Meeting Call to be held on 1/13/15. J.Zullo seconded, all voted aye and the motion carried.

#### New Business

**a) Adopt Proclamation for Visiting Nurse Association of Litchfield's 100<sup>th</sup> Anniversary:** **Motion:** J. Torrant moved to waive the reading of the entire proclamation, and D. Knox seconded. All voted aye and the motion carried. **Motion:** D. Knox moved to approve the proclamation for the Visiting Nurse Association of Litchfield's 100<sup>th</sup> anniversary, and J. Torrant seconded. All voted aye and the motion carried. Mr. Paul said the signing and presentation will take place Thursday afternoon.

**b) Letter from T. Cook re Regionalization with Shepaug:** Mr. Paul said he would like to discuss this with the Board before responding to Mr. Cook. He said he has not received any correspondence from anyone in Region 6, but he thinks from conversations and newspaper articles that the talks are over. J. Zullo said he thought Jonathan Costa did a valuable study, and he was disappointed that it has not gone any further. J. Torrant suggested talking to the Board of Education about exploring a merger with Shepaug. He would like Mr. Paul to reach out to Shepaug, and D. Knox asked him to reach out to our Board of Education and our new Superintendent. Mr. Paul said he would talk to the Chairman of the Board of Education and the new Superintendent as well before speaking to the Chief Elected Officials in the region's communities, Washington, Roxbury, and Bridgewater.

**c) Approve Use of Roads for Milton Resolution Road Race – 1-1-15:** **Motion:** J. Zullo moved to approve the use of roads for the Milton Resolution Road Race on January 1, 2015. J. Torrant seconded, all voted aye and the motion carried.

**d) Adopt Resolution for West Morris Road over Hill Brook Bridge No. 073011:** **Motion:** J. Torrant moved to dispense with the reading of the resolution and D. Knox seconded. All voted aye and the motion carried. **Motion:** J. Zullo moved to adopt the resolution for West Morris Road over Hill Brook, Bridge No. 073011, and J. Torrant seconded. All voted aye and the motion carried. The resolution reads as follows:

#### RESOLUTION

Be it RESOLVED, that Leo Paul, Jr., First Selectman, of the Town of Litchfield is authorized to sign the agreement "GRANT AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF LITCHFIELD UNDER THE LOCAL BRIDGE PROGRAM For West Morris Road over Hill Brook, Bridge No. 073011."

**e) Supplemental Appropriations from Unassigned Fund Balance:** Mr. Paul explained that these are two of the items acted on at the last Board of Finance meeting, using fund balance of \$1,237,272, and transferring \$987,272 to the Capital projects (pay-as-you-go items) and also \$250,000 to the municipal pension. The allotment for Capital includes \$2,500 for the 2013-14 Capital Improvement Plan (01-9501-58101), \$484,772 for the 2014-15 CIP (01-9501-58101), and a one-time oil tank replacement (01-9501-58101). J. Zullo asked about the estimates for the oil tanks and why we did not anticipate the replacement. Mr. Paul explained they were going to place the expense in Capital incrementally, but the insurance is lapsing July 1<sup>st</sup> and because of the age of the tanks, they cannot find re-insurers. They feel the tanks should be replaced before the insurance lapses. J. Zullo noted this expense is out of plan, out of process and is an emergency. Mr. Paul said the Town has more than the recommended in fund balance. All financial advisors said there should be no problem with this as the fund balance will still be healthy. P. Parsons asked for a list of the pay-as-you-go items. David T. Wilson arrived at this point and listed the

items as repointing/resealing (\$60,000), exterior/interior door replacements (\$30,000), ADA & restroom upgrades (\$50,000), window replacement (\$10,000), gym upgrades (\$95,000), exterior concrete stairs & walkways (\$40,000), Recycling Center facility (\$80,000) and Public Works facility (salt shed - \$200,000).

**Motion:** P. Parsons moved to approve the supplemental appropriations from unassigned fund balance as identified in the letter from the Director of Finance totaling \$1,237,272. D. Knox seconded the motion. All voted aye except J. Zullo who voted nay, and the motion carried.

f) **Set Time and Place for Annual Town Meeting – January 13, 2015:** Mr. Paul summarized the four items for the call and set the time and place for 7:00 p.m. at the Litchfield Intermediate School Auditorium. **Motion:** P. Parsons moved to hold the Annual Town Meeting on January 13, 2015 at 7:00 p.m. at the Litchfield Intermediate School Auditorium. J. Tarrant seconded, all voted aye and the motion carried.

### Correspondence

a) **Letter from Lori FitzGerald Re Retirement Review:** Reviewing the letter sent to the Board of Selectmen, J. Zullo asked if it was true that the majority of the Town employees have surpassed more than 25 years of service. Mr. Paul said he has not considered or verified that, but said she is looking for a retirement package. He referred to the retirement package that was offered last time, but said we are not ready to offer another one yet. He offered to go into executive session to explain why, but said the last package was for employees who had completed a certain amount of years of service with an age limit attached who would be eligible to remain on the medical plan until they were Medicare eligible. He did not think she would be eligible for a similar package. D. Knox said she did not receive the letter from Ms FitzGerald. **Motion:** J. Tarrant moved to go into executive session at 6:55 p.m. to discuss this personnel matter, and J. Zullo seconded. All voted aye and the motion carried. They came out of executive session at 7:12 p.m. with no action taken.

**Adjournment:** **Motion:** J. Tarrant moved to adjourn at 7:12 p.m. and J. Zullo seconded. All voted aye and the motion carried.

Leo Paul, Jr., First Selectman