

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN  
TUESDAY, JUNE 7, 2016  
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. with Selectmen John Tarrant, Jeffrey Zullo, and Diane Knox present. Selectman Paul Parsons was absent.

Approval of Minutes

a) Regular 5/17/16: Motion: J. Tarrant moved to approve the regular meeting minutes of 5/17/16, and D. Knox seconded. All voted aye and the motion carried.

b) Special 5/24/16: Motion: J. Tarrant moved to approve the special meeting minutes of 5/24/16, and D. Knox seconded. All voted aye and the motion carried.

Public Requests/Comments: Lynn Stone, Bantam, spoke in support of the sally port project at LIS, saying there was grant money because the funds for the Center School sally port came from the Capital budget.

Selectmen's Requests

Motion: J. Tarrant moved to add to Resignations Item d) "Dana Moore from Prevention Council, alternate member, effective 6/1/16." D. Knox seconded, all voted aye and the motion carried.

Motion: J. Tarrant moved to add under Interview and Appointments Item c) "Appoint Nicholas S. Fitzgerald to Prevention Council, alternate member, term 6/2017" and Item d) "Appoint Dana Moore to Prevention Council, regular member, term 6/2019." J. Zullo seconded, all voted aye and the motion carried.

Mr. Paul then referred to the LIS sally port project, saying there is no grant available. There was no grant submitted for that project. The Grant money identified for the sally port was thought to be from grant money provided subsequent to the payment of installing uninterrupted phone support, IP cameras, door controls and electronic door accesses at schools. We have to apply to the State for reimbursement for our portion, about \$35,000. There is no grant money for the LIS sally port. He said he tried to find the funding source for the sally port and found the Board of Education planned to fund it through its operating budget. He advised them that the process calls for them to go through the capital process.

Resignations

a) Jack Healy from Inland Wetlands Commission, alternate member, effective 6/2/16: received and noted

b) Kevin Tieman from Litchfield Prevention Council, effective 6/1/16: received and noted

c) Nicholas S. Fitzgerald from Litchfield Prevention Council, effective 5/11/16: received and noted

d) Dana Moore from Prevention Council, alternate member, effective 6/1/16: received and noted

Interviews, Appointments & Reappointments

a) Appoint Jack Healy to Inland Wetlands Commission, regular member, term 6/2019: Motion: J. Tarrant moved to appoint Jack Healy to the Inland Wetlands Commission as a regular member, term 6/2019. D. Knox seconded, all voted aye and the motion carried.

b) Interview Thomas I. McClintock for Torrington Area Health District's Board of Health, Litchfield Rep, term expiration 12/2018: Mr. McClintock said he volunteers on the Social Services Board and the Litchfield Housing Authority. He has lived in Litchfield since 1989 and is retired.

**Motion:** J. Zullo moved to appoint Thomas I. McClintock to the Torrington Area Health District's Board of Health as our Litchfield representative, with term expiration of 12/2018. D. Knox seconded, all voted aye and the motion carried.

c) **Appoint Nicholas S. Fitzgerald to Prevention Council, alternate member, term 6/2017:** Motion: J. Zullo moved to appoint Nicholas S. Fitzgerald to the Prevention Council for term 6/2017 as an alternate member. J. Torrant seconded, all voted aye and the motion carried.

d) **Appoint Dana Moore to Prevention Council, regular member, term 6/2019:** Motion: J. Zullo moved to appoint Dana Moore to the Prevention Council for term 6/2019 as a regular member. J. Torrant seconded, all voted aye and the motion carried.

**Liaison Reports/Commission-Committee Minutes:** 5/19/16 Board of Finance minutes; 3/22/16 & 5/24/16 Conservation Commission minutes; 5/19/16 Sandy Beach Commission minutes; 5/12/16 WPCA minutes; 4/27/16 & 5/25/16 EDC minutes; 5/19/16 Milton HDC minutes; 4/14/16 Fire Commissioners minutes; 5/11/16 Inland Wetlands minutes

**Green Team Update:** No report

**Town Facilities Committee Update:** There was a meeting at the end of May, and they are waiting for the report from the architects. The joint meeting with the Board of Education planned for June 15<sup>th</sup> to review the report has been canceled and will be rescheduled.

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

Bantam Lake Authority: 1 member 12/2016  
Beautification Commission: 2 alternates 2/2019  
Board of Ethics: 2 alternate members 6/2017, 6/2019  
Cable TV Advisory Council: 1 member 6/2017  
Capital Improvements Committee: 1 PW Dir, 2 citizens at large  
Conservation Commission: 1 regular members 12/2016; 2 alternate members 12/2018  
Economic Development Commission: 1 regular member 6/2019; 2 alt. members 6/2019, 6/2018  
Inland Wetlands: 1 alternate member 6/2017  
Interlocal Advisory Board (Jambs): PW Dir/Eng./Construction, and 1 BLA member  
Litchfield Prevention Council: 2 regular members 6/2017, 6/2018  
Milton Historic District Commission: 3 alternate members 1/2018, 1/2018, 1/2019  
Northwest CT Convention & Visitors Bureau: 1 member 9/2018  
Park & Recreation: 1 regular member; 2 alternate members: 6/2017, 6/2018  
Pension Commission: 1 alternate member 3/2019  
Recycling Committee: 5 members: two 2/2016, one 2/2017, two 2/2018  
Veteran's Advisory Committee: 2 regular members 8/2016, 8/2018; 2 alternate members 8/2018  
Water Pollution Control Authority: 1 alternate member 1/2016  
Zoning Board of Appeals: 1 regular member 3/2021; 2 alternate members 3/2020

**Tax Refunds:** Motion: J. Torrant moved to approve the two tax refunds for a total of \$390.32, and D. Knox seconded. All voted aye and the motion carried.

**Old Business:** None

**New Business**

a) **Greenskies Energy Presentation – Meagan Ochiogrosso:** Meagan Ochiogrosso, representing Greenskies Renewable Energy, an engineering firm and solar developer in Middletown, presented layouts of the Water Treatment Plant and the High School and discussed preliminary proposals for both with a 20-year commitment, using the lucrative medium ZREC (zero renewable energy credit) program for each location. This program expires June 16, 2016 with one more year left on the program. She would like the Town to sign a power purchase agreement to hold our place. There is no commitment and the Town is free to go out to bid for another developer. J. Zullo would like to see a re-analysis of the high school without the cost of a new roof factored in. J. Tarrant and D. Knox were interested but felt rushed time-wise. J. Zullo was in favor as long as there was no binding commitment.

**Motion:** J. Tarrant moved to authorize the First Selectman to sign the Eversource documents requesting ZREC credits through Greenskies, provided Ms Ochiogrosso provides updated numbers without replacing the High School roof and with the Town Attorney's approval to move forward with this. D. Knox seconded, all voted aye and the motion carried.

b) **Award Bid for LMS Window Film:** **Motion:** J. Zullo moved to approve the LMS Window Film bid award in the amount of \$11,178 to low bidder Millard Enterprises. J. Tarrant seconded, all voted aye and the motion carried.

c) **Award Bid for Sidewalk Replacement at LIS and LMS:** **Motion:** J. Zullo moved to approve the bid for sidewalk replacement at LIS and LMS in the amount of \$51,825 to low bidder CT Sealcoating LLC. D. Knox seconded. Raz Alexe said he requested samples and they were not perfect, but were acceptable. The condition of the sidewalk will be greatly improved. Upon voting all voted aye and the motion carried.

d) **Select Firm for Revision of Plan of Conservation and Development:** Land Use Administrator Dennis Tobin said the P&Z Commission met and chose Fitzgerald & Halliday, Inc. by a vote of 4-2. **Motion:** J. Zullo moved to approve the selection of low bidder Fitzgerald & Halliday, Inc. for the 2016-17 POCAD revision in the amount of \$49,922. J. Tarrant seconded the motion. Mr. Paul noted that although this expense is in Capital, the payments will be made on a pay-as-you-go basis. This decision was made by the Board of Finance. Upon voting all voted aye and the motion passed.

e) **Park & Recreation Request Re Sportsmen's of Litchfield Use of Town Beach on 6/18/16:** L. Paul cautioned the Board that if they approve the Park & Rec's request to allow Sportsmen's of Litchfield use of the Town Beach for a paddleboard and kayak demo day on June 18<sup>th</sup>, they may be opening Pandora's box, as any business outside Litchfield may not be restricted from marketing their products at this site.

**Motion:** J. Zullo moved to approve the Park & Recreation Commission's request to use the Litchfield Town Beach for a paddleboard and kayak demo day. J. Tarrant seconded. D. Knox asked for clarification on some of the conditions of their request and J. Zullo said the Selectmen are merely approving Park & Rec's request. Upon voting all voted aye and the motion carried.

f) **Authorize First Selectman to Sign LCD Service Agreement 7/1/16 - 6/30/17:** **Motion:** J. Zullo moved to authorize First Selectman Leo Paul to sign the LCD Service Agreement for period 7/1/16 through 6/30/17. J. Tarrant seconded, all voted aye and the motion carried.

g) **Adopt Resolution Entitled:**

RESOLUTION APPROPRIATING \$2,903,528 FOR THE TOWN OF LITCHFIELD 2016-2017 CAPITAL IMPROVEMENT PROGRAM, INCLUDING SCHOOL, PUBLIC SAFETY AND PUBLIC WORKS IMPROVEMENTS AND AUTHORIZING THE ISSUE OF

**\$2,903,528 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE**

Leo Paul, Jr. introduced and read the following resolution:

RESOLVED: That the resolution entitled: "RESOLUTION APPROPRIATING \$2,903,528 FOR THE TOWN OF LITCHFIELD 2016-2017 CAPITAL IMPROVEMENT PROGRAM, INCLUDING SCHOOL, PUBLIC SAFETY AND PUBLIC WORKS IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,903,528 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.

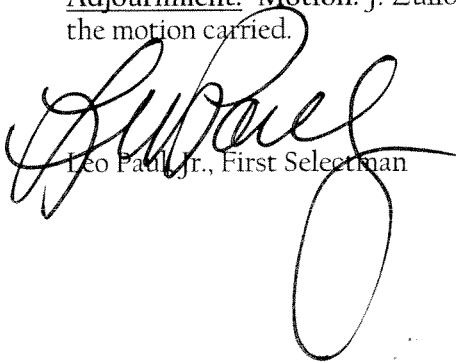
**Motion:** Jeffrey Zullo moved to waive the reading of the entitled resolution and incorporate its full text into the minutes of the meeting. Jonathan Tarrant seconded. There was no discussion. Upon voting Jonathan Tarrant, Diane Knox, Jeffrey Zullo and Leo Paul, Jr. voted aye, and Leo Paul, Jr. declared the motion carried.

**Motion:** Jeffrey Zullo moved to adopt the resolution as read. Diane Knox seconded. There was no discussion. Upon voting, Jonathan Tarrant, Diane Knox, Jeffrey Zullo and Leo Paul, Jr. voted aye, and Leo Paul, Jr. declared the motion carried. The resolution in its entirety appears in these minutes at Attachment I.

**Motion:** Jonathan Tarrant moved that a special town meeting be warned and held on June 27, 2016 at 7:00 o'clock p.m. at the Litchfield Intermediate School to consider and act upon the 2016-17 CIP bond resolution. D. Knox seconded the motion. There was no discussion. Upon voting, Jonathan Tarrant, Diane Knox, Jeffrey Zullo and Leo Paul, Jr. voted aye, and Leo Paul, Jr. declared the motion carried.

**h) Sign Town Meeting Call:** **Motion:** J. Tarrant moved to sign the special town meeting call for June 27, 2016 at 7:00 p.m. at the Litchfield Intermediate School, and D. Knox seconded. All voted aye and the motion carried.

Adjournment: **Motion:** J. Zullo moved to adjourn at 6:41 p.m. and D. Knox seconded. All voted aye and the motion carried.



Leo Paul, Jr., First Selectman

RESOLUTION APPROPRIATING \$2,903,528 FOR THE TOWN OF LITCHFIELD 2016-2017 CAPITAL IMPROVEMENT PROGRAM, INCLUDING SCHOOL, PUBLIC SAFETY AND PUBLIC WORKS IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,903,528 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 \$2,903,528 is appropriated for the planning, acquisition and construction of the Town of Litchfield Capital Improvement Plan 2016-2017, 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) Public Works Department; and (vi) 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 2016-2017 CIP. See Attachment A.

Section 2. The total estimated cost of the 2016-2017 CIP Improvement Plan to be authorized to be financed with debt is \$2,903,528, an estimated \$383,644 of which is expected to be paid from grants, for a net town expected cost of \$2,569,884.

Section 3. To meet said appropriation \$2,903,528 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 Joseph Fasi LLC, Attorneys-at-law, Bond Counsel of Hartford. 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.

		BOARD OF SELECTMEN JANUARY 19, 2016 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>						
	School Safety and Security	\$ 27,500	\$ -	\$ 27,500	\$ -	\$ 27,500
			\$ -	\$ -	\$ -	\$ -
<b>Total</b>	<b>BOARD OF EDUCATION</b>	<b>\$ 27,500</b>	<b>\$ -</b>	<b>\$ 27,500</b>	<b>\$ -</b>	<b>\$ 27,500</b>
<b>BOARD OF FIRE COMMISSIONERS &amp; EMS</b>						
	Litchfield Roof and Air Conditioning Imprv	\$ 110,000	\$ -	\$ 110,000	\$ -	\$ 110,000
	Townwide -Air Pack (SCBA)Replacement 16-17 Manditory	\$ 420,000	\$ -	\$ 420,000	\$ -	\$ 420,000
	Litchfield Handicapped Bathroom Upgrade	\$ 120,000	\$ -	\$ 120,000	\$ -	\$ 120,000
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
<b>Total</b>	<b>BOARD OF FIRE COMMISSIONERS &amp; EMS</b>	<b>\$ 650,000</b>	<b>\$ -</b>	<b>\$ 650,000</b>	<b>\$ -</b>	<b>\$ 650,000</b>
<b>POLICE</b>						
	Replace 2011 Cruiser	\$ 37,000	\$ -	\$ 37,000	\$ -	\$ 37,000
	<b>Total Police</b>	<b>\$ 37,000</b>	<b>\$ -</b>	<b>\$ 37,000</b>	<b>\$ -</b>	<b>\$ 37,000</b>
<b>DEPARTMENT OF PUBLIC WORKS</b>						
	Bridge Program	\$ 486,315		\$ 486,315	\$ -	\$ 486,315
	Vehicle & Equipment Replacement	\$ 280,000		\$ 280,000	\$ -	\$ 280,000
	Town Aid Road Funing(16-17)	\$ 383,644	\$ 383,644	\$ -	\$ -	\$ -
	Major Road Projects	\$ 378,069		\$ 378,069	\$ -	\$ 378,069
	Public Facilites	\$ 661,000	\$ -	\$ 661,000	\$ -	\$ 661,000
	<b>Total Department of Public Works</b>	<b>\$ 2,189,028</b>	<b>\$ 383,644</b>	<b>\$ 1,805,384</b>	<b>\$ -</b>	<b>\$ 1,805,384</b>
<b>LAND USE</b>						
	Plan of Conservation and Development		\$ -		\$ -	
	<b>Total Land Use</b>		<b>\$ -</b>		<b>\$ -</b>	
	<b>TOTAL CAPITAL PROJECT REQUESTS</b>	<b>\$ 2,903,528</b>	<b>\$ 383,644</b>	<b>\$ 2,519,884</b>	<b># \$ -</b>	<b>\$ 2,519,884</b>