

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN  
TUESDAY, MARCH 21, 2017  
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 all Selectmen present: Jeffrey Zullo, Diane Knox, Paul Parsons and Jonathan Tarrant.

Approval of Minutes: **Motion:** J. Tarrant moved to approve the regular meeting minutes of March 7, 2017, and D. Knox seconded. Upon voting, J. Tarrant, L. Paul and D. Knox voted aye, and J. Zullo and P. Parsons abstained because of absence. Mr. Paul announced the motion carried.

Public Requests/Comments: Gerald Gault, Litchfield resident, read his prepared document concerning reality checks for Town financial matters. Listing items of reduced income expected from the State as well as items of increased expenses, he presented a total of \$2,450,750 in additional funds needed to balance the Town budget. He said the impact would be a 2.5 mill rate increase. Then he added the cost of a new town hall and Capital spending bond issue, projecting a total capital borrowing amount of \$11.3 million.

Selectmen's Requests: **Motion:** J. Zullo moved to add to the agenda under New Business e) "Approve Road Closure for Jr. Women's Club Road Race 5/7/17." J. Tarrant seconded, all voted aye and the motion carried. Mr. Paul said he was in Washington DC last week for a CCM Conference and met with our two senators and had a personal meeting with Congresswoman Esty to talk about getting help with Bantam Annex and Town Hall issues. She will do research and let him know if there might be some funding available.

Jeff Zullo thanked Gerry Gault for the information he presented that underlined what he has been saying that these kinds of increases are unsustainable and we need to start cutting back.

Resignations: None

Interviews, Appointments & Reappointments

a) Confirm Fire Commission's Appointment of Samuel Kinkade as Fire Marshal, effective 3/10/17: **Motion:** J. Zullo moved to confirm the Fire Commission's appointment of Samuel Kinkade as the Town's permanent Fire Marshal, effective 3/10/17. D. Knox seconded, all voted aye and the motion carried.

b) Reappoint Gary Shuhi, Jr. to Fire & EMS Commission, Litchfield Fire Co. Rep, term 4/2018

c) Reappoint Douglas Hatstat to Fire & EMS Commission, East Litchfield Rep, term 4/2018

**Motion:** J. Tarrant moved to reappoint Gary Shuhi, Jr. and Douglas Hatstat to the Fire & EMS Commission as above, both for terms ending in 4/2018. D. Knox seconded, all voted aye and the motion carried.

d) Appoint/Reappoint BOS Liaison to Fire & EMS Commission, term 4/2018: **Motion:** J. Tarrant moved to nominate Paul Parsons to the Fire & EMS Commission as the Board of Selectmen's liaison until April of 2018. D. Knox seconded. **Motion:** J. Tarrant moved to close nominations and D. Knox seconded. All voted aye and the motion carried. **Motion:** J. Tarrant moved to reappoint Paul Parsons to the Fire & EMS Commission as the Board of Selectmen's liaison until 4/2018 and D. Knox seconded. All voted aye and the motion carried.

Liaison Reports/Commission-Committee Minutes: 3/13/17 Board of Finance minutes; 1/12/17 Fire & EMS minutes; 12/6/16 ZBA minutes

**Green Team Update:** J. Zullo said there has not been a meeting since the last BOS meeting. He noted that Litchfield has been nominated by Eversource and the Energize CT group for a Green Circle Award for energy efficient projects undertaken, specifically the lighting projects. We should know if we won in April.

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

Bantam Lake Authority: 1 member 12/2016  
Beautification Commission: 1 regular member 2/2017; 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 citizen at large  
Conservation Commission: 1 regular members 12/2016; 2 alternate members 12/2018  
Economic Development Commission: 1 alternate member 6/2017  
Inland Wetlands: 1 regular member 2017; 2 alternate members 6/2017  
Litchfield Prevention Council: 2 alternate members 6/2017, 6/2019  
Milton Historic District Commission: 2 alternate members 1/2018, 1/2018  
Northwest CT Convention & Visitors Bureau: 1 member 9/2018  
Park & Recreation: 2 alternate members: 6/2017, 6/2018  
Pension Commission: 1 alternate member 3/2019  
Recycling Committee: 1 regular member 2/2018; two alternates 2/2017, 2/2018  
Social Services Board: 1 member 2/2017  
Veteran's Advisory Committee: 2 regular members 8/2016, 8/2018; 2 alternate members 8/2018  
Water Pollution Control Authority: 1 alternate member 1/2021  
Zoning Board of Appeals: 1 regular member 3/2021; 2 alternate members 3/2020

**Tax Refunds:** Motion: J. Torrant moved to approve the single tax refund of \$460.84, as submitted by Tax Collector Nancy Southard. D. Knox seconded, all voted aye and the motion carried.

### **Old Business**

a) **POCAD Review – Fitzgerald & Halliday:** Francisco Gomes of Fitzgerald & Halliday referred to the draft Plan of Conservation and Development and reviewed it with the Board and asked for comments. He would like to get the plan approved by May 1, 2017 at a public hearing. The report's primary concern was about sustainability. With school enrollments falling while the cost of education/pupil is rising, this cannot go on forever, and they recommend exploring regionalization. The Town also needs to have more flexibility in addressing economic development, whether by zoning changes, ordinance changes, etc. They recommended the Town continue to work in the riverfront commerce area for development. In response to a question by J. Zullo, they did not do a comparison on tax burden compared to other communities facing the same challenges. P. Parsons asked if the zoning is restricting economic development. They suggested more housing choices such as residential development in a commercial zone, such as in the area of the current Stop & Shop on the corner of Route 202 and Constitution Way. J. Torrant said he was preaching to the choir, that other groups need to change their thinking. Mr. Paul thanked Mr. Gomes for the presentation and said this will be on a Selectmen's agenda within the next month to compile feedback and comments for Fitzgerald & Halliday.

### **New Business**

a) **Award Bid for Energy Management Software (EMS) Upgrades:** Raz Alexe said this has to do with the existing hardware implemented at the schools eight years ago, and the hardware is due for an upgrade in order to benefit from the energy management software. This software will permit them to improve efficiency in controlling boiler boards remotely, both at the schools and the Town garage. The contract to

maintain these boilers will also net a savings of \$9,000/yr. It should pay for itself in five years. **Motion:** J. Zullo moved to approve the Energy Management Software upgrades and award the contract to Environmental Systems Corp. in the amount of \$47,135.00. J. Torrant seconded. J. Zullo, after doing the energy audit, stressed how important this system is in maintaining efficiency. R. Alexe confirmed this is for both software and hardware. Upon voting all voted aye and the motion carried.

**b) Award Bid for Center School Window Film:** R. Alexe said there is \$16,000 in the budget. Because there was a wide discrepancy in the two bids, they sat down with Millard to make sure they understood the scope, and they did. **Motion:** J. Zullo moved to award the bid for Center School window film to low bidder Millard Enterprises in the amount of \$9,326.00. D. Knox seconded, all voted aye and the motion carried.

**c) Presentation on Transfer of Custodians and Buildings & Grounds to Board of Education-** R. Alexe: Mr. Paul said the custodial transfer is set to happen on May 7<sup>th</sup>. He sent them a copy of the email he sent to BOE Chairman Frank Simone in February with the proposed addendum he asked them to review, and they replied that they were not interested in it. He also said he and Paul Parsons were happy to talk to them if there were any questions, but they declined. Mr. Paul said he is working with the attorneys to see if they can make this effective on June 30<sup>th</sup> to avoid a transfer before fiscal year end. He would like to transfer all the maintenance function, including buildings and grounds, back to the schools, as there is a synergy that is needed between the custodians and maintenance staff to work effectively. By statute the schools have the responsibility of maintaining the buildings and the Town takes care of their capital needs.

Raz Alexe explained the amount to be transferred for custodial services including salary of Facilities Manager Len Fasano is \$1,082,206, and increase of \$32,000 from last year, mostly FICA and benefits, and an increase of 3% for custodians. Mr. Paul said the total of what was transferred when we got the custodians in 2012 was \$1,060,000, a \$22,000 increase in the last four years. The second part of this transfer is for buildings and grounds maintenance in the amount of \$120,500. Mitch Bodnar's salary is not included, as he is a Public Works employee.

Mr. Zullo confirmed that the Board of Ed will not have to buy plows and tractors and other equipment, as it would be handled by contractors. Mr. Alexe explained the breakdown of vendors/products and services for Buildings and Grounds. The Town will continue to support the above and underground storage tanks, parking lot sweeping if time permits, maintenance of catch basins and pavement markings. He also presented a detailed scheduling checklist for school building maintenance that is currently working well for Public Works at a cost of \$120,500.

Mr. Alexe said that Public Works will offer transitional support for three months, as necessary, for Buildings and Grounds maintenance. P. Parsons said that since Len Fasano has been responsible for this, his expertise should be valuable to them. Per question by Mr. Zullo, total staff transferred will include 9 FT custodians, 1 FT vacancy, 4 PT custodians, 1 PT custodian pending, 1 substitute PT custodian, and 1 Facilities Manager.

J. Zullo asked if the budgets should be adjusted now to include the transfer of funds. Attorney Rybak said that July 1<sup>st</sup> is the optimum time to do this. Statutorily they should have the care and maintenance of the buildings and grounds in addition to taking back the custodians. Mr. Paul will work with Labor Attorney Nick Zaino to have the BOE work with the Board of Finance for a temporary budget and Town meeting to approve it if they don't go with July 1<sup>st</sup>. Mr. Rybak also cautioned about unemployment benefit laws. Mr. Zullo said he was concerned about confusing the public with the budgets that have already been passed by the Selectmen and Board of Finance. P. Parsons said by keeping it in the Selectmen's budget, it will be easy to see when the clean transfer comes. The Board of Finance will reduce the Selectmen's budget and increase the Board of Ed's budget by the same amount, hopefully effective June 30, 2017. J. Torrant said

there are probably only about 15 people in this town that are concerned with this issue. Very few even know about the history and reasons for the Town taking over the maintenance and custodial functions, and they are on the Board of Selectmen and Finance. He suggested presenting it to the public in a way they will understand. He also stressed the need for photos of the condition of the schools when the Town gives up the maintenance responsibility so they can be compared to 3 or 4 years down the road. J. Zullo said that the Building Committee said that after spending \$33 million on renovation, they could not let the maintenance go downhill again. Thus the Town then took over the maintenance to keep the schools maintained to a good standard. Attorney Rybak added that there is a big difference between Town and School budgeting. The Town has to go to the Board of Finance to transfer between line items and a town meeting for over \$20,000. The Schools can transfer up and down their budgets, so you never know how much is in the maintenance account that is safely being used for maintenance. J. Torrant also reminded that the Board of Ed has lost sight of the fact that we took these functions also so that they could focus only on education to make it the best it could be for the children. D. Knox agreed and thought the transfer should come at the end of the fiscal year, because it could be very confusing for the public to understand the Board of Ed's current budget and then see a windfall added to it. She said she is extremely disappointed because she thought the management by the Town was working and money was being saved. It was a joint venture that showed good faith on the Town's part. Once we transfer the money to them we do not have any way of knowing where it is going. She found that frustrating and hard to deal with. J. Zullo said the cost/pupil is now going up from \$17,200 (State at \$16,200) to \$18,000+/student. So we went from 6% higher than the State average to about 15% higher. Pulling the maintenance out masked a little of the impact of the declining student population, but it will only get worse. He lamented the Board of Ed did not pick up on some the communication offers the Selectmen made in the fall on issues that were raised. This will revert to less effective and efficient maintenance. J. Torrant thought the Board of Ed said the non-educational costs were removed from the cost/pupil figure. J. Zullo said that for a taxpayer, the cost/student is taken from the total educational spending divided by the number of students. P. Parsons said he believes Raz and Len Fasano have been doing a good job maintaining the schools and has seen the documentation of meetings and changes made as a result of discussions. He saw no evidence that the Board of Ed found this work unacceptable. He agrees that it makes sense to have all the work done in one place. Mr. Paul said the Town does maintenance on roads and facilities, and they know how to do their job.

**Motion:** J. Zullo moved that the Board of Selectmen agrees to transfer the custodial services and building and grounds maintenance from the current Board of Selectmen's budget to the Board of Education budget with an implementation date of June 30, 2017, in the amount of \$1,082,206 for custodial services and \$120,500 for buildings and grounds maintenance, total amount of \$1,202,706, including custodial staff of 10 FT, 5 PT plus one substitute, and one Facilities Manager.

**Second:** D. Knox

**Discussion:** Mr. Paul said he would talk to Labor Attorney Nick Zaino, who will talk to Fred Dorsey, Labor Attorney, or he would have Mike Rybak talk to Fred Dorsey. He will write a letter to the Superintendent and Chairman of the Board of Education relaying the Selectmen's action and will also communicate with the Chairman of the Board of Finance, requesting this change take place at the end of the budget year.

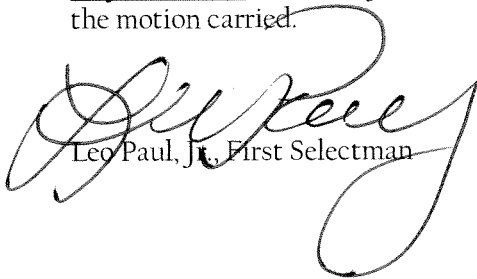
**Vote:** Upon voting on the motion, all voted aye and the motion carried.

**d) Approve Use of Roads for Rev3 Triathlon 6/4/17:** **Motion:** J. Zullo moved to approve the use of roads for the Rev3 Triathlon on 6/4/17 as outlined in the DOT application. J. Torrant seconded, all voted aye and the motion carried.

e) Approve Road Closure for Jr. Women's Club Road Race 5/7/17: Motion: J. Zullo moved to approve the closure of North Shore Road from 11:45 a.m. to 1:00 p.m. on Sunday, 5/7/17, for the Jr. Women's Club's *Girls Just Wanna Run* 5K footrace. J. Tarrant seconded, all voted aye and the motion carried.

Correspondence: None

Adjournment: Motion: J. Zullo moved to adjourn at 6:57 p.m. and J. Tarrant seconded. All voted aye and the motion carried.



Leo Paul, Jr., First Selectman