

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, MAY 16, 2017
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. Selectmen Paul Parsons, Jeffrey Zullo and Jonathan Tarrant were present, and Diane Knox was absent.

Approval of Minutes: Motion: J. Tarrant moved and P. Parsons seconded a motion to approve the regular May 2, 2017 meeting minutes. All voted aye and the motion carried.

Public Requests/Comments: None

Selectmen's Requests: Mr. Paul said he has not yet heard from Democrats or Republicans on the Governor's budget that just came out. There is motion on the movement of the courthouses to Torrington. The State has notified us that they will be turning the keys over to the superior courthouse building which is privately owned, c/o Attorney Michael Rybak. He is asking for an opinion from the Attorney General. Mr. Paul said that when the courthouse moves into Torrington, the guaranteed money, \$500,000 that was supposed to be for ADA upgrades, is gone. The \$5 million that was to stay for building improvements when the State was to convert usage to low level cases is also gone, since they will no longer have any presence at the building. There should still be PILOT money for 14 years, however, split between Torrington and Litchfield.

Motion: Per Paul Parsons' request J. Zullo moved to add to New Business q) "LVA Update on Morris Medical Support." J. Tarrant seconded, all voted aye and the motion carried.

Interviews, Appointments & Reappointments

a) Reappoint Kathy Brown to Assessor, term 6/2021: Motion: J. Zullo moved to reappoint Kathy Brown as Assessor, with term expiration of 6/2021. J. Tarrant seconded, all voted aye and the motion carried.

b) Reappoint Heather Karpa to Northwest Regional Mental Health Board, term 5/2019: Motion: J. Zullo moved to reappoint Heather Karpa as above, with term expiration of 5/2019. J. Tarrant seconded, all voted aye and the motion carried.

c) Reappoint Jill Johnson to Litchfield Prevention Council, term 6/2020: Motion: J. Zullo moved to reappoint Jill Johnson to the Prevention Council, with term expiration of 6/2020. J. Tarrant seconded, all voted aye and the motion carried.

d) Reappoint Robert T. Blazek to Inland Wetlands Commission, term 6/2020

e) Reappoint Frederick Minck to Inland Wetlands Commission, term 6/2020

Motion: J. Zullo moved to reappoint both Robert T. Blazek and Frederick Minck to the Inland Wetlands Commission, with term expirations of 6/2020. J. Tarrant seconded, all voted aye and the motion carried.

f) Reappoint Peter Losee to Board of Ethics, term 6/2020

g) Reappoint Francis Gorman to Board of Ethics, term 6/2020

Motion: J. Zullo moved to reappoint both Peter Losee and Francis Gorman to the Board of Ethics, with term expirations of 6/2020. J. Tarrant seconded, all voted aye and the motion carried.

h) **Reappoint Betty Eisenhaure to Beautification Commission, term 2/2020:** Motion: J. Zullo moved to reappoint Betty Eisenhaure to the Beautification Commission, with term expiration of 2/2020. J. Torrant seconded, all voted aye and the motion carried.

Declining Reappointments: received and noted

- a) Douglass A. Parker from Economic Development Commission
- b) Kay Carroll from Economic Development Commission
- c) J. Bryan Simmons from Board of Ethics

Liaison Reports/Commission-Committee Minutes: 5/8/17 Board of Finance minutes; 5/8/17 Litchfield Main Street Initiative Committee minutes; 4/25/17 Conservation Commission minutes; 4/20/17 Sandy Beach Commission minutes; 3/9/17 Board of Fire Commissioners and EMS minutes; 5/3/17 Board of Education minutes

Green Team Update: No report

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

Bantam Lake Authority: 1 member 12/2019
Beautification Commission: 1 regular member 2/2020; 2 alternates 2/2019
Board of Ethics: 1 regular member 6/2020; 2 alternate members 6/2019, 6/2020
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 regular member 6/2020; 2 alternate members 6/2020
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
Northwest CT Transit District: 1 member 5/2018
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

Old Business

a) **Stillman House LLC:** Robert D'Andrea explained the revised map that shows the property to be transferred from the Town to Stillman House LLC and from Stillman House LLC to the Town. The Public Works Director has reviewed it and is satisfied. P. Parsons confirmed there would be no cost to the Town. Motion: J. Zullo moved to approve the Stillman House LLC land transfer as proposed on drawing dated 5/2/17 showing proposed land transfer prepared for Stillman House LLC. J. Torrant seconded. Mr. Paul said this must go to P&Z and Town meeting. Upon voting all voted aye and the motion carried.

b) **Attorney Rybak Letter Re Bantam Annex Building:** Motion: J. Zullo moved to include this disclosure letter from Attorney Rybak as part of the May 2nd Selectmen's meeting discussion. J. Torrant seconded, all voted aye and the motion carried.

New Business

a) **ESA Phase I on Bantam Annex Property – Quotes and Bantam Borough Request:** Mr. Paul noted research done by Raz Alexe and a note from Dick Sheldon, Bantam Borough, saying the Board of Warden and Burgesses will be voting June 14th on the allocation of an amount not to exceed \$15,000 to partner with the Town of Litchfield to investigate the feasibility and design of the old Bantam School property as affordable housing. Mr. Paul said that should be half the estimated amount needed.

Motion: J. Zullo moved to approve the Bantam Annex Environmental Site Assessment (ESA) Phase I as recommended by Public Works Director Raz Alexe awarded to Eagle Environmental, Inc. in the amount of \$1,800.

Second: J. Tarrant

Discussion: J. Zullo clarified that the process will have Litchfield initiate these contracts and Bantam will reimburse Litchfield 50%. The estimate could be \$30,000, so half will be supplied by each.

Amended Motion: J. Zullo amended the motion to add... "budgeting this expense from Professional Services Line Item 3103-52111. J. Tarrant seconded this amendment. Mr. Alexe said available funds now are \$3,500. The ESA covers the building and the property with a sub-surface investigation. He said the results will be available within three weeks of the signed proposal. They will contact Mr. Berto to work out details. The Housing Trust has chosen Bill Krosky of Hartford, who does a lot of work with the State Housing Authorities and is a specialist with remediation and preservation.

Vote: Voting on the amendment, all voted aye and the amendment carried. Voting on the original motion as amended, all voted aye and the motion carried. Raz Alexe will meet on June 20th for the Licensed Environmental Professional to present the findings.

b) **Change Bid Policy to \$20,000 Ceiling Limit for Sealed Bids – Raz Alexe:** Mr. Paul explained with this change they will be able to get three competitive quotes without a sealed bid. Attorney Rybak thought the \$10,000 limit is out of date, and the \$20,000 brings it to State Statute level. Since this is a policy change, we will just let the BOE and BOF know.

Motion: J. Zullo moved to approve revising the Town Purchasing Policy changing the threshold from \$10,000 projects to \$20,000 as detailed in the policy. J. Tarrant seconded.

Amended Motion: J. Zullo amended his motion to add... "with an effectivity date of 6/1/17." J. Tarrant seconded the amendment.

Vote: Voting on the amendment, all voted aye and the amendment carried. Voting on the original motion as amended, all voted aye and the motion carried.

c) **Turnaround Easement/Construction – 66 Donahue Road Ext:** L. Paul explained that the neighbor's access is now on the driveway. Mike Rybak said that Raz Alexe designed the turnaround on Town property and then it becomes a reserved easement in the deed when the property is sold. Raz Alexe explained the 25'X25' easement will allow for a three-point turn by the Town trucks. This work will be done before the property can be put out to bid. **Motion:** J. Zullo moved to approve the construction of a turnaround easement on Town property on Donahue Road Ext. J. Tarrant seconded, all voted aye and the motion carried.

d) **Award Catch Basins Cleaning Bid:** **Motion:** Raz Alexe said this is a turnkey operation with everything included for \$50/catch basin. J. Zullo moved to award the 700 catch basin cleaning bid to Fred A. Cook, Jr. Inc. in the amount of \$35,000, to come from Acct. 01-03-3103-51411 in the Public Works FY 17/18 budget. J. Tarrant seconded, all voted aye and the motion carried.

e) **Award Mowing & Grounds Maintenance Bid - Town Properties:** L. Paul said that previously the Town and School bids were combined in one. **Motion:** J. Zullo moved to award the Mowing & Grounds Maintenance bid for Town properties to Village & Mapleridge (V&M) in the amount of \$26,401.00, coming from FY 17/18 Acct. 3105-52203. J. Tarrant seconded. Raz explained they went with a set price

instead of per cut for a better price overall. Although this company is not the lowest bidder on the Town bid, they are by far the lowest bidder on the schools. Overall they are the lowest bidder combined with a savings of \$9,000 - \$10,000, and the schools will benefit from this. **Vote:** Upon voting all voted aye and the motion carried.

f) Award Mowing & Grounds Maintenance Bid – Schools: Motion:J. Zullo asked whether the Board of Education should make this commitment, since it will be in their budget effective July 1st. L. Paul said the budget approved by the Town includes these numbers. The School Business Manager knows about these bids. **Motion:** J. Zullo moved to award the Mowing & Grounds Maintenance bid for Litchfield Schools in the amount of \$34,236.00 to Village & Mapleridge, and coming from Board of Ed budget FY 17/18, Acct. 9101-52203-03.

g) Award Snow Removal Bid – Schools: Motion: J. Zullo moved to award the Litchfield Schools snow removal bid to Towne & Aurell, Inc. in the amount of \$58,750.00, coming from Board of Ed budget FY 17/18, Acct. 9101-52203-03. J. Torrant seconded, all voted aye and the motion carried.

i) Award Bid for Jefferson Hill Road South Drainage Remediation: Raz Alexe said this had been on the January agenda, but the bid could not be awarded until the capital 17/18 budget was passed. Kyle Towne of Towne & Aurell, the contractor, said he could start the project within a month. Raz said DPW will pave the road themselves.

Motion: J. Zullo moved to award the bid for Jefferson Hill Road South Drainage Remediation in the amount of \$46,500 to Towne & Aurell, with funds to come from the 2017/18 capital budget. J. Torrant seconded, all voted aye and the motion carried.

j) Award LCS Vinyl Floor Replacement Bid: Motion: J. Zullo moved to approve the LCS vinyl floors in four classrooms plus the reading room to Union Flooring Installations, in the amount of \$40,789.00, coming from capital 2017/18. J. Torrant seconded, all voted aye and the motion carried.

k) Award LCS Window Replacement Bid: Motion: J. Zullo moved to approve the bid for LCS 44-window replacement in the amount of \$35,200.00 to Rich Donegan Home Craftsman, from Board of Ed FY 2017/18 budget. J. Torrant seconded, all voted aye and the motion carried.

l) Award LCS Asbestos Abatement Bid: Motion: J. Zullo moved to approve the bid for LCS four-classroom abatement plus the reading room to Abatement Industries Group, in the amount of \$27,600.00. J. Torrant seconded. Mr. Alexe said the project came in under budget. All voted aye and the motion carried.

m) Public Works Week Proclamation: Motion: J. Torrant moved to waive the reading of the Official Statement from the Governor, and J. Zullo seconded. All voted aye and the motion carried. **Motion:** J. Torrant moved to endorse the Official Statement from the Governor regarding Public Works Week, May 21 – 27, 2017. J. Zullo seconded, all voted aye and the motion carried.

n) Jail Building Progress Presentation – Russ Barton: Mr. Barton, Harriet Saltzmann and Susan Stone presented drawings that were approved by the Historic District Commission. There are three units on both the first and second floors, all retail, and three apartments on the third floor. Each of the two lower floor units have one window with bars and one door. It is very dark. His revised preferred plan shows the two windows with a door in between for more light and a symmetrical appearance. He showed it to Gregory Farmer of the CT Trust for Historic Preservation, who was wholeheartedly in favor of the plan. He appealed to the Selectmen to assist in their bid to the HDC. Mr. Paul said he suggested the Selectmen approve of him sending a letter of support to the HDC. Cleve Fuessenich said the EDC meets at the end of the month and could address this as well. He also invited Mr. Barton to attend the next Litchfield Main St. Initiative Committee that will meet on Wednesday, June 7th, 7:00 p.m., at the Town Hall. Mr. Barton is

hoping for the coffee shop to be open by mid-July. He invited the Selectmen to join them with the HDC Thursday evening at 6:30 p.m. at the old jail and then will attend the HDC meeting after. They will also be at the old jail Wednesday morning at 9:00 a.m. for a tour of the building.

Motion: J. Zullo moved that the Board of Selectmen endorse the improvement of this plan by adding access points as shown. J. Tarrant seconded. All voted aye and the motion carried.

o) Board of Ethics Report: Mr. Paul said there were two ethics complaints directed toward Frank Simone and the Board of Education. The Statutes require the Board of Ethics to report to the Board of Selectmen if there was no finding. Peter Losee, Board of Ethics Chairman, explained the process. Both complaints were dismissed, and he let both parties know.

p) Adopt Fair Housing Resolution: Mr. Paul said this has to be done every year. **Motion:** P. Parsons moved to dispense with the reading of the resolution, and J. Tarrant seconded. All voted aye and the motion carried. **Motion:** P. Parsons moved to authorize the First Selectman to sign the Fair Housing Resolution, adopted today, May 16, 2017. J. Tarrant seconded the motion, but pointed out the word “Resolved” was spelled incorrectly. All voted aye with the correction except J. Zullo, who abstained because he is a Housing Trust member, and the motion carried. The corrected resolution reads as follows:

EXHIBIT 6.1

**TOWN OF LITCHFIELD
FAIR HOUSING RESOLUTION**

Whereas, All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

Whereas, Federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, The Town of Litchfield is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW THEREFORE, BE IT RESOLVED, That the Town of Litchfield hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

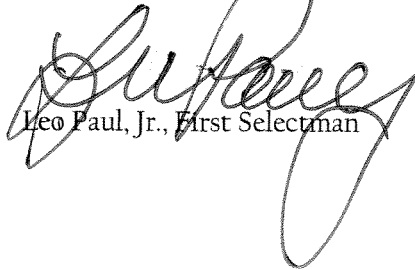
BE IT FURTHER RESOLVED, That the chief executive officer of the Town of Litchfield or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Litchfield and for advising such person of the right to file a complaint with the State of

Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

q) **LVA Update on Morris Medical Support:** Mr. Paul explained that the agreement between Morris and the LVA needs attention. He is meeting with Tom Weik Tuesday about this process. P. Parsons said LVA is part of the Fire Commission and they always work together. Morris lost the ability from the State to provide EMS response, so it came to Litchfield as a mutual aid company. But this is beyond a mutual aid situation. Morris needed to devise an agreement and came to LVA for help. LVA signed a PSA agreement to accept responsibility through September. Mr. Parsons did not know any details of the agreement, as they did not consult with the Town or the Fire Commission. The Selectmen agreed that if Morris needs help they should first come to the Board of Selectmen. Mr. Paul said he and John Campbell are meeting with Tom Weik on Tuesday. Funding, insurance, liability, workers' comp, pension, housing of their ambulance, etc. are all concerns.

Correspondence: None

Adjournment: **Motion:** J. Torrant moved to adjourn at 7:22 p.m. and P. Parsons seconded. All voted aye and the motion carried.



Leo Paul, Jr., First Selectman