

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, NOVEMBER 5, 2013
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. Also present were Diane Knox, Jeffrey Zullo and Jonathan Tarrant. Paul Parsons was unable to attend.

Approval of Minutes: Motion: J. Zullo moved to adopt the regular meeting minutes of October 15, 2013 and J. Tarrant seconded. All voted aye and the motion carried.

Public Requests/Comments: Bill Moorhead, 486 Torrington Road, spoke about the Schwartz parcel and the letter sent to the Selectmen and Board of Finance where they outlined how the Town violated State law in the transfer of the property to the Litchfield Housing Trust. It included 169 signatures on the letter asking that the parcel be returned to the Town. They have since learned of the State of Connecticut's Validation Act, which validated the method of transfer of the parcel. They have since written another letter to State officials asking to repeal the act because it is flawed. He then asked for the Town to reclaim the deed to the parcel.

Albert Saunders, 477 Torrington Road, lives adjacent to the Housing Trust property and said the regulations had been changed pertaining to city water. He thought the Town was not looking out for the best interests of its residents and thought the regulation was changed to pursue this housing development.

Selectmen's Requests: Mr. Paul said the above Housing Trust property matter will be on the agenda November 19th with the Town Attorney doing a presentation, and Mr. Paul will ask the Housing Trust to attend and participate with an update.

Interviews, Appointments & Reappointments

- a) Reappoint Frank J. Simone to Capital Improvements Committee, term 11/2015
- b) Reappoint Joann M. Brogis to Capital Improvements Committee, term 11/2015
- c) Reappoint David T. Wilson to Capital Improvements Committee, term 11/2015
- d) Reappoint David W. Wilson to Capital Improvements Committee, term 11/2015
- e) Reappoint James Koser to Capital Improvements Committee, term 11/2015
- f) Reappoint Edwin J. Evers to Capital Improvements Committee, term 11/2015
- g) Reappoint Leo Paul, Jr. to Capital Improvements Committee, term 11/2015
- h) Reappoint Jack Healy to Capital Improvements Committee, term 11/2015

Declined Reappointment: William J. Buckley, Jr. from Capital Improvements Committee

Motion: J. Tarrant moved to reappoint Items a, b, c, d, e, f, and h above to another term on the Capital Improvements Committee with term expiration of 11/2015. D. Knox seconded for purposes of discussion. She then said there seems to be many more republicans and unaffiliated members than democrats, and asked to table the appointments to ask the Democratic Town Committee to propose a democrat to replace William Buckley, who has declined reappointment. Mr. Paul said he would rather not table these appointments as their work will be starting soon.

Amendment: J. Tarrant amended his motion to eliminate the reappointment of Item a) Frank Simone at this time, pending the outcome of the election, as he is the Board of Education representative. J. Zullo seconded. Voting on the amendment, all voted aye and the motion carried. Voting on the original motion as amended, all voted aye and the motion carried.

Motion: J. Zullo moved to appoint Leo Paul, Jr. to the Capital Improvements Committee with term expiration of 11/2015, and D. Knox seconded. All voted aye, except Mr. Paul who abstained, and the

motion carried. J. Zullo and D. Knox will ask the Democratic Town Committee for suggestions to fill the vacancy.

Liaison Reports/Commission-Committee Minutes: 10/21/13 Board of Finance minutes; 10/22/13 and 9/24/13 Conservation Commission minutes (drafts); 10/15/13, 10/16/13 & 10/24/13 BOE meeting minutes (drafts)

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

Capital Improvements Committee: 1 regular member (citizen at large)
Beautification Commission: 3 regular members 2/2015, 2/2014, 2/16; 2 alternates 2/2016
Conservation Commission: 1 member 12/2013; 2 alternate members 12/2015
Economic Development Commission: One regular member 6/2016; 1 alternate 6/2016
Inland Wetlands Commission: 1 alternate member 6/2014
Milton Historic District Commission: 3 alternate members 1/2015, 1/2015, 1/2014
Northwest Regional Mental Health Board, Catchment Area Council #22, at-large member 5/2015
Park & Recreation: 2 alternate members: 6/2017, 6/2014
Recycling Committee: 4 members, 2/2015, two 2/2016, 2/2014
Sandy Beach Commission: 1 regular member 12/2015
Social Services Board: 1 member, 2/2015
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 regular member 1/2018; 1 alternate member 1/2015

Tax Refunds: Motion: J. Tarrant moved to approve the six tax refunds, totaling \$2,200.06. D. Knox seconded, all voted aye and the motion carried.

Old Business

a) **Proposed Telecommunications Facility at 469 Bantam Road:** Leo Paul said that per the letter of 10/16/13 from Robinson & Cole LLP, Cellco has abandoned its proposal for a cellular tower at 469 Bantam Road due to abutting property owner White Memorial Foundation's opposition. However, Troop L is willing to talk about constructing a new tower at its location, which Cellco and Robinson & Cole will pursue.

b) **Bantam Lake Advisory Committee Update – Jon Tarrant:** J. Tarrant reported attending a meeting on Oct. 23rd. Members were also present from the DEEP, Bantam Lake Protective Association, and Bantam Lake Authority, They discussed improvements to and concerns with the boat launch at the former Beverly's. The next meeting will be April 23, 2014.

New Business

a) **Approve Capital Project Expenditure for BOE Smart Boards:** Jason Lathrop, Business Manager for the Board of Education, was present and said that the Board of Education awarded the bid erroneously instead of first going to the Board of Selectmen for approval. The price difference between the two bids was about \$1,000. The bid was awarded to CT Business Systems for \$94,582.00 with a budget of \$95,000. Mr. Paul said this is the last time approval will be granted after the fact.

Motion: J. Zullo moved to approve the expenditure of capital project for the smart boards to CT Business Systems LLC in the amount of \$94,582.00. J. Tarrant seconded, all voted aye and the motion carried.

b) **Approve Capital Project Expenditure for BOE Copiers:** Jason Lathrop said there were four bids and is recommending A&A Office as the vendor. There is \$100,000 in this year's budget for bond counsel and

\$110,000 budgeted for copiers, leaving a balance of \$290,000 for computers, adequately budgeted. L. Paul asked for confirmation that there would be enough to cover the bonding, and Mr. Lathrop said there would be. J. Tarrant confirmed the number of copies made per year at 3,200,000.

Motion: J. Tarrant moved to award the bid for 14 copiers to A&A Office for a cost of not to exceed \$110,905.62. D. Knox seconded, all voted aye and the motion carried.

c) **Adopt 2014 Selectmen's Meeting Schedule:** **Motion:** J. Zullo moved to approve the 2014 meeting schedule as presented and J. Tarrant seconded. All voted aye and the motion carried.

d) **Sign Town Meeting Call for 11/20/13:** Mr. Paul read the call containing one item, the approval of the Interlocal Agreement for the Bantam River jams. **Motion:** J. Tarrant moved to approve and sign the Town Meeting Call for 11/20/13 and J. Zullo seconded. All voted aye and the motion carried. All present signed the call.

e) **Approve Bid for Case Road Drainage Improvements:** L. Paul explained there is drainage onto several residents' properties that has to be corrected. J. Healy said he has been working with the owners to get easements in place. He said Kyle Schultz has assured him the roadwork will be done in two weeks, and then they will work on the drainage down the hill. Mr. Healy will stay on top of it. **Motion:** D. Knox moved to award the bid to Schultz Corporation in the amount of \$45,000, and J. Tarrant seconded. J. Tarrant questioned the low bid and Mr. Healy said Schultz has done the bridge on West Morris Road and has done excellent work. Upon voting all voted aye and the motion carried.

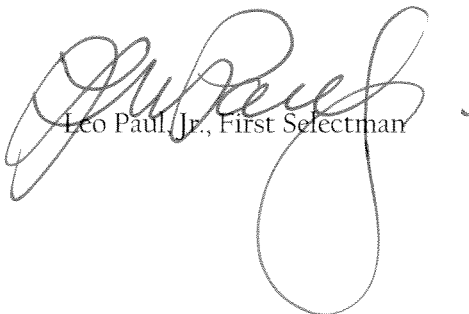
f) **Approve Easement and Access Agreement for Murray Property, 2 West Chestnut Hill Road:** L. Paul said the Murray's well water has increased in sodium which fluctuates with the seasons. J. Healy says it is from melting plowed snow. They have come up with an agreement with an easement, and the cost of a new well will be paid 1/3 each by the Town, State and the property owner. **Motion:** J. Zullo moved to approve the Easement and Access Agreement between the Murrays, CT Department of Transportation and the Town of Litchfield for the expenditure of not to exceed \$6,000 to be funded from the Public Works roadwork account. D. Knox seconded, all voted aye and the motion carried.

Correspondence

a) **Letters Dated 10/25/13 and 10/26/13 Re Open Burning at 342 Bantam Road:** L. Paul summarized the cease and desist letter from Land Use and Inland Wetlands regarding open burning at 342 Bantam Road. The owner exceeded his permit issued from Inland Wetlands. He will appear for a permit review before the Commission on Nov. 13th. There is also a letter from Jane McMahon listing problems with the burning.

b) **Letter Dated 10/9/13 Re New Commanding Officer of Troop L:** Mr. Paul informed the Board of the new Commanding Officer now at Troop L, Lieut. Stavros (Steve) Mellekas. He met with him last week.

Motion: J. Tarrant moved to adjourn at 6:30 p.m. and D. Knox seconded. All voted aye and the motion carried.



Leo Paul, Jr., First Selectman