

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN  
TUESDAY, JUNE 4, 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. with Selectmen Paul Parsons and Diane Knox in attendance. Jeffrey Zullo and Jonathan Tarrant were away. Also present was Town Counsel Michael D. Rybak and Public Works Director Jack Healy.

**Approval of Minutes:** **Motion:** D. Knox moved to approve the regular meeting minutes of May 21, 2013 and P. Parsons seconded. All voted aye and the motion carried.

**Public Requests/Comments:** None

**Selectmen's Requests:** Mr. Paul asked the Board's cooperation for an expeditious meeting, as he had a commitment at the school.

**Resignations**

**Declining Reappointment: Bill Neller from Board of Ethics, term expires 6/2013:** Mr. Paul explained that Mr. Neller's reason for declining reappointment is that he has a new job where he has to work evenings and felt he may not be able to make the meetings.

**Interviews, Appointments & Reappointments**

**a) Reappoint Diane Knox to Cable Television Advisory Council, term 6/2016: Motion:** P. Parsons moved to reappoint Diane Knox to the Cable Television Advisory Council, and L. Paul seconded. Upon voting P. Parsons and L. Paul voted aye, D. Knox abstained from voting, and the motion carried.

**b) Reappoint L. Cleveland Fuessenich to Economic Development Commission, term 6/2016: Motion:** P. Parsons moved to reappoint L. Cleveland Fuessenich to the Economic Development Commission, and D. Knox seconded. All voted aye and the motion carried.

**Liaison Reports/Commission-Committee Minutes:** 5/28/13 Board of Finance minutes; 5/16/13 Sandy Beach Commission minutes; 5/6/13 P&Z minutes; 5/15/13 BOE minutes (draft); 5/22/13 Special BOE minutes (draft)

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

Beautification Commission: 4 regular members 2/2015, 2/2014, 2/16, 2/16; 2 alternates 2/2016  
Capital Improvements Committee: 1 member 11/2013  
Conservation Commission: 1 regular member 12/2014, 2 for 12/2013; 2 alternate members 12/2015  
Economic Development Commission: One regular member 6/2013; 1 alternate 6/2013  
Board of Ethics: One member 6/2016  
Inland Wetlands Commission: 2 alternate members 6/2013  
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  
Park & Recreation: 2 alternate members: 6/2013, 6/2014  
Recycling Committee: 4 members, 2/2015, two 2/2013, 2/2014  
Social Services Board: 1 member, 2/2015  
Town Hall Building Committee: 1 member, 3/2015  
Veteran's Advisory Committee: 2 regular member 8/2013, 8/2015; 2 alternate members 8/2015  
Water Pollution Control Authority: 1 regular member 1/2018; 1 alternate member 1/2015

Old Business: None

New Business

a) **Award Bid (Quote) for Refuse Removal:** J. Healy explained that although approval is not required, he would like the Selectmen to see the bids and asked for approval. **Motion:** P. Parsons moved to accept the recommendation of Jack Healy to award the bid to USA Hauling for refuse and recyclables pick-up. D. Knox seconded, all voted aye and the motion carried.

b) **Award Bid for Custodial Services 2013-2015:** J. Healy explained that Champion was the lower bid, but they are a newer company and he had concerns about a mistake in their bid, although they said they would hold the price. Preferred Building Maintenance has been with us for a long time, and he felt they do a good job overall. **Motion:** P. Parsons moved to award the custodial bid to Preferred Building Maintenance, and D. Knox seconded. All voted aye and the motion carried.

c) **Award Bid for Center School Hot Water Heater:** J. Healy said Gardella does the majority of our boiler work and other work for the Town that has been good. He was not familiar with the low bidder, but the difference was only \$200. **Motion:** P. Parsons moved to award the Center School hot water heater bid to Gardella Mechanical for \$16,100.00. D. Knox seconded, all voted aye and motion carried.

d) **Award Bid for Center School Vinyl Floor Replacement:** J. Healy said Union Flooring Installations was the only bidder and the price was reasonable. **Motion:** P. Parsons moved to award the Center School vinyl floor replacement bid to sole bidder Union Flooring Installations for \$35,604.00. D. Knox seconded, all voted aye and the motion carried.

e) **Waiver of Building Fees for Center School Entrance Renovations:** J. Healy said the fees amount to about \$1,000, and the work is being done by Bill Deacon. **Motion:** P. Parsons moved to waive building fees for the Center School door project, and D. Knox seconded. All voted aye and the motion carried.

f) **Agreement for Regional Animal Control Program and Facility:** L. Paul explained that the LHCEO has received money for a feasibility study for a regional animal control facility to be built in Torrington. This facility will have Regional Animal Control Officer coverage for Torrington, Litchfield, and Goshen, and possibly Harwinton and Norfolk if they wish. The ACO for Litchfield/Goshen is resigning as of the first of July, so Mr. Paul said it was a good time to move forward with this. He has been working with Torrington on this regional opportunity for a few months. He has put enough money in the budget (slight increase) and the operating expenses will be shared by Torrington (75.6%), Litchfield (17.7%) and Goshen (6.7%). They may have other expenses such as purchase of a regional car and some capital expenses. If the feasibility study from the State is positive, they may be able to work with the Simon Foundation to create a new facility, which will reduce other costs. The feasibility study will also investigate pricing in order to apply for a grant for the facility. He said he thought this is the right approach and an opportunity to save money, following the State's lead in regionalizing other agencies such as the creation of five metropolitan planning regions. This agreement is a one-year pilot. He is looking for approval from the Selectmen on the Agreement, then it will go to the Board of Finance and on to Town Meeting on June 13<sup>th</sup>.

**Motion:** P. Parsons moved to enter into the *Agreement Establishing a Regional Animal Control Program and Facility*, with the understanding that this is a one-year pilot as described in the Agreement. D. Knox seconded, all voted aye and the motion carried.

g) **Authorize First Selectman to Sign ICMA Administrative Services Agreement:** L. Paul explained that this agreement is the implementation of the defined contribution plan. They have negotiated with

four of the five unions and are now negotiating with Public Works. They are proposing that any new employees hired after July 1, 2012 will go into the defined contribution plan, and they will no longer be eligible for the defined benefit plan. After working a year they are eligible for a 3% contribution from the Town to their defined contribution plan. They can also contribute to it, or they can voluntarily contribute to the 457 plan. D. Knox felt the Town is moving in the right direction. **Motion:** D. Knox moved to authorize the First Selectman to sign the ICMA Administrative Services Agreement, and P. Parsons seconded. All voted aye and the motion carried.

**h) Adopt Resolution for DOT Master Municipal Agreement for Construction Projects:** L. Paul explained that this agreement is the State Dept. of Transportation's way of simplifying and streamlining the contracts entered into with the Towns for any type of construction road work, including bridges. Atty. Rybak said the difference between this approach and the current is that there will be one master ten-year agreement between the DOT and the municipality, with a short project approval agreement for each project (PAL), rather than a separate contract for each project. This new approach makes the town responsible for the contractors and subcontractors' compliance with the terms. It causes the town, in effect, to become the local branch of the DOT for the purpose of administering the contract, bidding, inspecting and keeping the records for audit. If the DOT has to step in to help, they will charge the town. He felt it will be a reverse revenue stream on a lot of jobs for the DOT. J. Healy said that because the towns will have more administrative work to do, the idea was that the town would pay a lesser percent of the cost. Every selection that is made would have to be justified to the State, not just for the engineering firm and contractor. Every inspection would have to be justified, and the paperwork would increase, also increasing the risk that something is not done correctly and subject to fine by the DOT. L. Paul added that the DOT is not reducing its manpower; it is shifting work to the towns. M. Rybak said he has been following the municipal attorney's website, and this Agreement is not negotiable. If anything changes, it will come out in a supplement or revision a year from now. This Agreement represents a whole new system.

L. Paul then read the resolution. **Motion:** D. Knox moved to adopt the resolution for the DOT Master Municipal Agreement for Construction Projects. P. Parsons seconded the motion, all voted aye and the motion carried. The resolution reads as follows:

#### RESOLUTION

RESOLVED, that the Honorable Leo Paul, Jr., First Selectman, is hereby authorized to sign the Agreement entitled, "Master Municipal Agreement for Construction Projects."

**i) Sign Town Meeting Call for 6/13/13:** **Motion:** Mr. Paul said this special town meeting is to adopt the *Agreement Establishing a Regional Animal Control Program and Facility*. P. Parsons moved to waive the reading of the call, and D. Knox seconded. All voted aye and the motion carried. **Motion:** P. Parsons moved to set the Special Town Meeting for June 13, 2013 at 7:00 p.m. at the Litchfield Firehouse. D. Knox seconded, all voted aye and the motion carried. All Selectmen present signed the call.

Correspondence: None

**Motion:** D. Knox moved and P. Parsons seconded a motion to adjourn at 6:23 p.m. All voted aye and the motion carried.

Leo Paul, Jr., First Selectman