

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, APRIL 1, 2014
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 Paul Parsons, Jeffrey Zullo and Jonathan Tarrant in attendance. Diane Knox was unable to attend.

Approval of Minutes: Motion: J. Tarrant moved to approve the regular March 4, 2014 meeting minutes and P. Parsons seconded. All voted aye and the motion carried.

Public Requests/Comments: None

Selectmen's Requests: Mr. Paul reminded the Board that Jason Lathrop will present a more detailed Board of Education computer and technology plan at the 4/15/14 meeting. Mr. Paul said he is also composing a letter to the Region 6 First Selectmen per the Board of Education's request letter of March 5th letting them know the Board of Selectmen endorses moving forward with a regionalization plan and asking them to meet with him on how to approach this and seriously commit to moving forward. J. Zullo questioned whether the Selectmen ever formally endorsed the concept. He asked that the Board see the study report from Jonathan Costa, review it and formally endorse it before going forward. Mr. Paul agreed, and they planned to discuss it at the next meeting.

Resignations: a) Denise Bozzuto from Litchfield Prevention Council, effective 3/16/14: received and noted

b) Mitchell S. Fishman from Economic Development Commission, alternate member, effective 3/27/14: Mr. Paul explained that he is resigning as an alternate member in order to be considered as a regular member.

Interviews, Appointments & Reappointments

- a) Reappoint Francine Spencer to Board of Fire & EMS, LVA Rep., term 4/2015
- b) Reappoint John Campbell to Board of Fire & EMS, Bantam Rep., term 4/2015
- c) Reappoint Aaron Lanthier to Board of Fire & EMS, Litchfield Rep., term 4/2015
- d) Reappoint Teresa Berry to Board of Fire & EMS, Northfield Rep., term 4/2015
- e) Reappoint Douglas Hatstat to Board of Fire & EMS, East Litchfield Rep., term 4/2015

Motion: J. Tarrant moved to reappoint a) through e) above to the Board of Fire & EMS, with terms to expire in 4/2015. P. Parsons seconded and said they all work hard on the Commission. Upon voting all voted aye and the motion carried.

f) Appoint/Reappoint BOS Rep. to Board of Fire & EMS, term 4/2015: Motion: J. Tarrant moved to nominate Paul Parsons for BOS representative to the Board of Fire & EMS until 4/2015. J. Zullo seconded. J. Tarrant moved nominations be closed and J. Zullo seconded. All voted aye and the motion carried. Voting on Paul Parsons for the BOS representative to the Board of Fire & EMS, all voted aye and the motion carried.

g) Reappoint Roxanne Carroll to Local Emergency Preparedness Committee, term 4/2016: Motion: J. Tarrant moved to reappoint Roxanne Carroll to the LEPC as above for term 4/2016, and P. Parsons seconded. All voted aye and the motion carried.

h) Appoint Mitchell S. Fishman to Economic Development Commission, regular member, term 6/2016: Motion: J. Tarrant moved to appoint Mr. Fishman to the regular board of the EDC with term 6/2016 and P. Parsons seconded. All voted aye and the motion carried. Mr. Fishman said he would like to increase the tax base without changing the character of the town.

Liaison Reports/Commission-Committee Minutes: 3/10/14 Regular and 3/17/14 Special Board of Finance minutes; 3/12/14 Inland Wetlands Commission minutes; 3/13/14 WPCA minutes; 2/25/14 & 3/25/14 Conservation Commission minutes (draft); 2/20/14 Sandy Beach Commission minutes; 3/5/14 Board of Education minutes (draft); 1/29/14 and 2/26/14 Economic Development Commission minutes (draft)

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

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: Three alternate members 6/2014, 6/2015, 6/2016
Inland Wetlands Commission: 1 alternate member 6/2014
Litchfield Prevention Council: 1 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
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 alternate member 1/2015
Zoning Board of Appeals: 1 regular member 3/2015

Tax Refunds: **Motion:** J. Torrant moved to approve the two refunds for a total of \$2,728.64 as submitted by the Tax Collector. P. Parsons seconded. J. Zullo questioned the large overpayment. All voted aye and the motion carried.

Transfers: a) Transfer #4 - \$10,000 from Contingency 01-1903-51703 to Paramedic Intercept Fund 01-4201-54123: **Motion:** P. Parsons moved to approve budget transfer #4 for \$10,000, taking money from Contingency for the Paramedic Intercept Fund, and J. Torrant seconded. P. Parsons explained this is for Bantam Ambulance until they make the change to billing for services. J. Zullo said it seemed to be much more than would be needed. After discussion, Mr. Zullo said the surplus would come back to fund balance in the end; however, he asked that initial budgeting be more accurate in the future. Upon voting all voted aye and the motion carried.

Old Business

a) **School Building Project Update – J. Healy:** Mr. Healy said he has not heard anything back from P. Perusse.

New Business

a) **Request for Road Closure for May 24th “Reverberations” Event (Battle of Cold Harbor):** Mr. Paul explained they would like people to be able to cross between the west and center greens during this event. **Motion:** J. Zullo moved to approve the request for closure of the road between west and center green on May 24th between 7:00 p.m. and 10:00 p.m. for the “Reverberations” Event (Battle of Cold Harbor). J. Torrant seconded, all voted aye and the motion carried.

b) **Award Bid for Blue Swamp Road Bridge Construction Project:** J. Healy explained the history of the work on this bridge. They would like to award the bid to low bidder NJR Construction Co. for \$749,717.00. They are well under budget. He would like to start work immediately and be done in November. **Motion:** J. Zullo moved to approve the bid award for the Blue Swamp Road Bridge construction project to NJR Construction in the amount of \$749,717.00. J. Torrant seconded the motion. Mr. Parsons noted that the bid detail page shows the bid at \$749,117.00 and Mr. Healy confirmed that to be correct. **Amendment:** J. Zullo moved to amend the motion to \$749,117.00, and J. Torrant seconded. All

voted aye on the amendment and the motion carried. Upon voting on the original motion as amended, all voted aye and the motion carried.

c) Readopt Fair Housing Resolution: Motion: P. Parsons moved to waive the reading of the four resolution/statements c) through f). J. Tarrant seconded, all voted aye and the motion carried. **Motion:** J. Tarrant moved to approve readoption of the Fair Housing Resolution and P. Parsons seconded. Upon voting all voted aye, except J. Zullo who abstained, and the motion carried. The resolution reads as follows:

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, State and 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, 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 and 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 any illegal discriminatory housing practices 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.

d) Readopt Fair Housing Policy Statement: Motion: J. Tarrant moved to readopt the Fair Housing Policy Statement on behalf of the Town of Litchfield and P. Parsons seconded. All voted aye, except J. Zullo who abstained, and the motion carried.

e) Readopt Title VI Equal Opportunity Statement: Motion: J. Tarrant moved to readopt compliance with Title VI of the Civil Rights Act of 1964, and P. Parsons seconded. All voted aye, except J. Zullo who abstained, and the motion carried.

f) **Readopt Affirmative Action Policy Statement:** Motion: J. Tarrant moved to readopt the Affirmative Action Policy Statement and P. Parsons seconded. All voted aye and the motion carried.

g) **Adopt Resolution Entitled: "Resolution Appropriating \$3,095,000 for the Litchfield Capital Improvement Plan 2014-2015 and Authorizing the Issue of \$3,020,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose"**

Mr. Paul introduced and read the following:

RESOLVED: That the resolution entitled: "Resolution Appropriating \$3,095,000 for the Litchfield Capital Improvement Plan 2014-2015 and Authorizing the Issue of \$3,020,000 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: Paul Parsons moved to waive the reading of the entitled resolution and incorporate its full text into the minutes of the meeting. Jonathan Tarrant seconded the motion. There was no discussion. Upon voting Jeffrey Zullo, Paul Parsons, Jonathan Tarrant and Leo Paul, Jr. all voted aye, and the motion passed.

Motion: Jonathan Tarrant moved to adopt the resolution, and Paul Parsons seconded.

Discussion: In discussion Mr. Parsons clarified that even though the Town may not bond the entire amount, the motion and resolution must be for 100 percent funding of the projects, even though we know the State will pay some and the Town will pay-as-you-go instead of bonding it all. Jeffrey Zullo said that the Board of Selectmen had approved the net town capital costs less than the \$2,613,863 (reduced by \$30,000). If this document is part of the resolution, it is incorrect. They agreed the total cost was correct, and went back to review the capital items. After a thorough study they determined the reasoning for the numbers and confirmed the report correct as presented.

Vote: Upon a roll call vote, Jeffrey Zullo voted nay, and Paul Parsons, Jonathan Tarrant and Leo Paul, Jr. voted aye. Mr. Paul declared the resolution adopted. The entire resolution is attached to these minutes as Attachment I.

Motion: Jonathan Tarrant moved that a town meeting be warned and held on May 7, 2014, at 7:00 o'clock p.m. at the Litchfield Intermediate School Auditorium to consider and act upon the 2014-2015 CIP bond resolution. Paul Parsons seconded the motion. There was no discussion. Upon a roll call vote, Jeffrey Zullo voted nay, and Paul Parsons, Jonathan Tarrant and Leo Paul, Jr. voted aye. Mr. Paul declared the motion adopted.

Motion: P. Parsons moved to adjourn at 6:22 p.m. and J. Tarrant seconded the motion. All voted aye and the motion carried.


Leo Paul, Jr., First Selectman

RESOLUTION APPROPRIATING \$3,095,000 FOR THE LITCHFIELD CAPITAL IMPROVEMENT PLAN 2014-2015 AND AUTHORIZING THE ISSUE OF \$3,020,000 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 \$3,095,000 is appropriated for the planning, acquisition and construction of the Town of Litchfield Capital Improvement Plan 2014-2015, 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) Parks and Recreation; (v) Public Works Department; (vi) Land Use; and (vii) 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 2014-2015 CIP. See Attachment A.

Section 2. LOCIP and other grant funds received and expended on the above purposes shall be included in and applied against this appropriation and bond authorization. It is expected that Grant funding will be received in the amount of \$481,137, other funds \$75,000, and bonds of the Town will finance \$2,538,863.

Section 3. To meet said appropriation \$3,020,000 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 the Treasurer (hereafter the Town Officials), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount 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. Capital project revenues, including bid premiums and investment income derived from investment of bond proceeds (and net investment income derived from note proceeds) are authorized to be credited by the Director of Finance to the project account and expended to pay project expenses customarily paid therefrom. The remaining appropriation and bond authorization shall be reduced by the amount of capital project revenues so credited. 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 Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, 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 Town Officials. 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 Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Town Officials, 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 purchase agreement shall be subject to approval of the Town Council.

Section 5. The Town Officials, 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 Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Joseph Fasi LLC, Attorneys-at-law, Bond Counsel, of Hartford, and be certified by a bank or trust company designated by the Town Officials, 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 Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Town Officials, are hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices 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 ordinance.

Section 8. It is hereby found and determined that it is in the public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town authorized to be issued herein 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 Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal government pursuant to law, including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit Versions.

Attachment A
TOWN OF LITCHFIELD - CAPITAL BUDGET 2014/2015

as of April, 2014

		BOARD OF SELECTMEN FEBRUARY 25, 2014 RECOMMENDATION			
Dept.	Project Description	Proposed Total Cost	Less Grant/Other Funding	Net Town Cost	Bond Authorization
BOARD OF EDUCATION					
	Security Camera/DVR Expansion	\$ 30,000	\$ -	\$ 30,000	\$ 30,000
	LCS - Phone System	\$ 30,000	\$ -	\$ 30,000	\$ 30,000
	Total Board of Education	\$ 60,000	\$ -	\$ 60,000	\$ 60,000
BOARD OF FIRE COMMISSIONERS & EMS					
	Bantam Roof Replacement Add'l. Funding	\$ 110,000	\$ -	\$ 110,000	\$ 110,000
	Apparatus Sinking Fund	\$ 264,000	\$ -	\$ 264,000	\$ 264,000
	East Litchfield Building Improvement	\$ 75,000	\$ -	\$ 75,000	\$ 75,000
	Townwide Airpack Replacement (SCBA)	\$ 100,000	\$ -	\$ 100,000	\$ 100,000
	Fire Ponds	\$ 2,500	\$ -	\$ 2,500	\$ 2,500
	Total Board of Fire Commissioners & EMS	\$ 551,500	\$ -	\$ 551,500	\$ 551,500
POLICE					
	Replace 2002 Cruiser	\$ 32,000	\$ -	\$ 32,000	\$ 32,000
	Total Police	\$ 32,000	\$ -	\$ 32,000	\$ 32,000
PARK AND RECREATION					
	Community Field Upgrades (drainage, bleachers)	\$ 65,000	\$ -	\$ 65,000	\$ 65,000
	Total Park and Recreation	\$ 65,000	\$ -	\$ 65,000	\$ 65,000
DEPARTMENT OF PUBLIC WORKS					
	Bridge Program-Clark Road Bridge	\$ 150,000	\$ -	\$ 150,000	\$ 150,000
	Vehicles & Equipment	\$ 380,000	\$ -	\$ 380,000	\$ 380,000
	Town Aid Grant Funding	\$ 382,097	\$ 382,097	\$ -	\$ 382,097
	Major Road Projects	\$ 748,606	\$ 99,040	\$ 649,566	\$ 748,606
	Public Facilities	\$ 585,000	\$ -	\$ 585,000	\$ 585,000
	Public Works Software	\$ 42,000	\$ -	\$ 42,000	\$ 42,000
	Total Department of Public Works	\$ 2,287,703	\$ 481,137	\$ 1,806,566	\$ 2,287,703
LAND USE					
	Revision of Regulations	\$ 75,000	\$ -	\$ 75,000	\$ -
	Total Land Use	\$ 75,000	\$ -	\$ 75,000	\$ -
DEBT ADMINISTRATION					
		\$ 23,797		\$ 23,797	\$ 23,797
	TOTAL CAPITAL PROJECT REQUESTS	\$ 3,095,000	\$ 481,137	\$ 2,613,863	\$ 3,020,000