

REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, FEBRUARY 2, 2016
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 the following Selectmen attending: Paul Parsons, Diane Knox and Jeffrey Zullo. Jonathan Torrant was absent.

Approval of Minutes: Motion: P. Parsons moved to approve the regular minutes of January 19, 2016, and D. Knox seconded. All voted aye and the motion carried.

Selectmen's Requests: Motion: J. Zullo moved, upon Mr. Paul's request, to add to the agenda under Old Business, "Discussion of Capital Budget 2016/17." D. Knox seconded, all voted aye and the motion carried. Mr. Paul heard that the State is planning a 5.5% cut of State aid to the communities.

J. Zullo mentioned an opening on the Town Facilities Committee, and Mr. Paul said the vacancy on the regular board is being considered by the alternates, and one of them will take it. Once that person resigns from the alternate board, there will be a vacancy open there. There is plenty of time to fill vacancies since the next Facilities meeting is not until after the next Selectmen's meeting.

D. Knox asked about follow up to the Foothills Trader distribution problem, as she feels it has not been resolved. Mr. Paul said there was a meeting in the [Torrington] Mayor's office with four Chief Elected Officials attending, and it was decided with the company that the Foothills Trader would go back to delivering papers in the mail. In the interim, Mr. Paul spoke with the President of the company about continuing problems, and was told they should be back in the mail by the end of the month.

Public Requests/Comments: Gary Waugh spoke on behalf of Lynn Stone, candidate for Facilities Committee, saying she is a strong advocate for education and attends all the BOE meetings and some committee meetings. She has been the head of the PTO, and since there is no member on the committee with children in the school system, he asked for the Selectmen's support of her appointment.

Lynne Stone, 160 Old Mount Tom Road, Bantam, said she felt the process through the Selectmen's office was misleading, as she never heard directly from the office, but rather from another parent about the vacancy, and whether it was available, as it said "vacancy" on an office document.

Resignations

a) Jack Healy from Town Facilities Committee, effective 1/29/16

b) Rick Bongiolatti from Bantam Lake Authority, effective 1/29/16

Declined Reappointment: Timothy J. Egan from Milton Historic District Commission

Declined Reappointment: Jack Healy from Tree Warden

Interviews, Appointments & Reappointments

a) **Interview Cindy Birkins for Beautification Commission (term 2/2019):** Cindy Birkins said she is a life-long resident and would like to continue the tradition of keeping the Town beautiful. The Commission had mentioned her as a possible member. Motion: J. Zullo moved to appoint Cindy Birkins to the Beautification Commission for term ending 2/2019, and D. Knox seconded. All voted aye and the motion carried.

b) **Interview Mark Heilshorn for Milton Historic District Commission, regular member 1/2021:** Mr. Heilshorn, 32 Headquarters Road, said he was asked by Ed Weik to serve. The intent is to have him move into the chairmanship of the Commission. He wants to make sure the aesthetics of the historic district

are preserved in its residents' homes and buildings. **Motion:** J. Zullo moved to appoint Mark Heilshorn to the Milton Historic District Commission, regular member, for term ending 1/2021. D. Knox seconded, all voted aye and the motion carried.

c) **Appoint George Humphrey to Tree Warden until 2/2017:** Mr. Paul explained that George Humphrey has completed the Tree Warden training. **Motion:** J. Zullo moved to appoint George Humphrey to Tree Warden until 2/2017. D. Knox seconded. There was a question whether the Tree Warden should be the DPW Director. Mr. Paul thought Mr. Humphrey was allowed to serve in that capacity. Upon voting, all voted aye and the motion carried.

Liaison Reports/Commission-Committee Minutes: 1/13/16 Inland Wetlands Commission minutes; 1/21/16 Sandy Beach Commission minutes; 1/6/16 & 1/20/16 Board of Education minutes (draft); 11/24/15 & 1/23/16 Conservation Commission minutes (drafts); 12/10/15 Board of Fire Commissioners & EMS minutes; 1/14/16 WPCA minutes

Green Team Update: J. Zullo passed out information from yesterday's meeting. They have been having meetings with potential providers of lighting upgrades for the Town buildings. They are still waiting for the proposal from Earthlight following the audit they did. Len Fasano contacted the Greenleaf representative, who came to yesterday's meeting and presented results of an audit of the high/middle school and center school and a proposal. As an alternative to SBEA, the Energies Opportunity Program may be less paperwork and the way to go to work with the same methodology as SBEA for doing reimbursement from Eversource and for the loan. There is also not the \$100,000 per project limitation that SBEA has. They will come Thursday to do an audit of the Intermediate School as well. He then reviewed the numbers in the proposal showing the utility incentive yielding a higher rebate. The payback on the loan would be accomplished in three years. Cost will drop by \$10,000/month after payback. Already, now, the savings is \$2,000/month. They are looking at Greenleaf possibly doing this conversion in the summer. Their payment is built into the contract. Authorization will have to come from Town Meeting because it is a project over three years. There will be more detail at the next Selectmen's meeting. He commended Len Fasano for his contacting Greenleaf and for his work with them. We may, in the future, look at the Borough buildings for conversion as well.

Town Facilities Committee Update: Mr. Paul said the RFQ has gone out to the newspaper. J. Zullo asked that the Superintendent spread the word to people she knows as well. The Committee would like to have a contract placed by the end of March. They will need funding once they get an idea of what is needed for the consultant.

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

Bantam Lake Authority: 2 members 12/2016, 12/2018
Beautification Commission: 1 regular member 2/2019; 2 alternates 2/2016
Cable TV Advisory Council: 1 member 6/2017
Capital Improvements Committee: 1 PW Dir, 2 citizens at large
Conservation Commission: 2 regular members 12/2016, 12/2018; 2 alternate members 12/2015
Economic Development Commission: 2 alternate members 6/2016
Interlocal Advisory Board (Jambs): PW Dir/Eng./Construction, and 2 BLA members
Litchfield Prevention Council: 3 alternate members: one 6/17, two 6/2016
Milton Historic District Commission: 3 alternate members 1/2018, 1/2018, 1/2019
Northwest CT Convention & Visitors Bureau: 1 member 9/2018
Park & Recreation: 1 regular member; 2 alternate members: 6/2017, 6/2018
Recycling Committee: 5 members: two 2/2016, one 2/2017, two 2/2018
Torrington Area Health District: 1 member 12/2018 (resident)

Town Facilities Committee: 1 regular member

Veteran's Advisory Committee: 2 regular members 8/2016, 8/2015; 2 alternate members 8/2015

Water Pollution Control Authority: 1 alternate member 1/2016

Zoning Board of Appeals: 2 alternate member 3/2015

Tax Refunds: **Motion:** P. Parsons moved to approve the Tax Collector's recommendation of 15 tax refunds for a total of \$651,04. D. Knox seconded, all voted aye and the motion carried.

Old Business

a) **Discussion of Capital Budget 2016/17:** Len Fasano spoke about the Public Works Department facilities, specifically the old heating fuel tank remediation at the highway garage. When it was removed there was some seepage into the ground, and remediation was put off. This figure of \$150,000 does not include funds for a test well after remediation. There was concern about any other possible unforeseen costs that might be associated with this huge oil tank project. Mr. Paul said he is still meeting with Finance and Public Works to analyze what cash would be available in addition to fund balance that could be used for projects. J. Zullo said they could allocate some of the fund balance to be designated for pay-as-you-go for a future year. He then said the out years are too high and we need to change the way we do things with creative thinking to lower both operating and capital costs. L. Paul said we are using regional resources. He added that contracted jobs should be done start to finish by the contractor so that our Public Works Department can focus on maintenance.

Motion: P. Parsons moved to approve the recommended Capital Committee's 2016/17 budget of \$2,569,884, and D. Knox seconded. All voted aye and the motion carried.

New Business

a) **Update on Donahue Road Ext. Property:** Mr. Paul reported obtaining approval from the Town to sell the property in a sealed bid. The property was surveyed, and they found that the adjacent property owners have a right of way on their deed located differently from the recent survey. Town Counsel Mike Rybak and he have a meeting with the owners on Thursday. There is an old Town road called Buck Road that converges with an old wood road that is the neighbor's right-of-way. Mr. Rybak said they would like to have an agreement with the neighbor to pick up the easement and put it on Buck Road where the driveway now exists. The second issue is a second public highway and a strip of land (Buck Road) owned by the Town. Questions need to be settled with agreement of the neighbor, as they need easement access. The Board agreed to follow the best solution for both the Town and the abutting property owner. In the meeting Thursday, they will propose keeping property lines where they are, discontinue Buck Road and provide an easement in perpetuity over the driveway.

b) **Update on Fracking Waste:** L. Paul reminded the Board of Lynn Fulkerson's visit explaining her group's concern with the potential of fracking waste being dumped in Litchfield and desire for an ordinance to be created. Mr. Paul said he believes there is no need for an ordinance, as there is already a moratorium issued by the State that prevents any waste being dumped anywhere in the State. That prohibition is in perpetuity or until 2017/18, when the State can choose to create a regulation. Mr. Rybak concurred and said the OLR reports available to the Selectmen are the same ones the Legislature is reading.

c) **Update on C-PACE Program:** Mr. Paul said they are meeting with representatives of CT Green Bank, M. Rybak, the Tax Assessor and Collector tomorrow at 3:00 p.m. This is the program where businesses in communities can get a low-interest loan for energy assistance projects. The local Tax Collector and Assessor would have to manage getting the bills out for payback of loans. In the case of a default, the funds would be paid off to C-PACE even ahead of our sewer bills. Mr. Rybak said the CT Green Bank wants to make energy assistance loans where 1) the business's mortgage lender agrees, and 2) if the

municipality chooses to participate. Town participation would involve Town Meeting approval, with a detailed agreement that tracks the statute, with the Town Assessor serving as the loan servicer. The Tax Collector would collect the payments for the lender who financed the solar panels. The lenders and the CT Green Bank are now lobbying the local selectmen and encouraging the local businesses to lobby the selectmen to join the program. He says the legislation was poorly drafted and disadvantages the towns and sewer users. J. Zullo said we are not becoming a financing loan agent. L. Paul will forward Jeff Zullo the agreement and resolution with M. Rybak's comments, as well as the OLR report. Mr. Zullo would like to attend, but may not be back in town in time. M. Rybak suggested taking this to the Board of Finance and WPCA before a Town meeting. Mr. Paul said he would first be interested in what the Tax Collector and Assessor have to say.

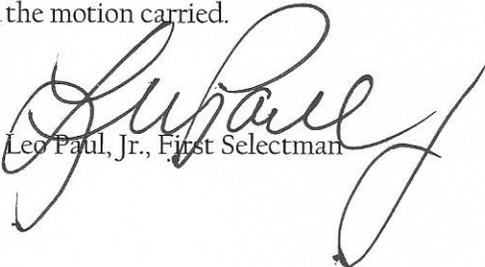
d) Adopt Resolution for FY 2015 Homeland Security Grant Program: Motion: J. Zullo moved to adopt the resolution for the 2015 Homeland Security Grant Program. D. Knox seconded, all voted aye and the motion carried. The resolution reads as follows:

RESOLVED, that the Board of Selectmen may enter into with and deliver to the State of Connecticut Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection, any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Leo Paul, Jr., as First Selectman of the Town of Litchfield, is authorized and directed to execute and deliver any and all documents on behalf of the Town of Litchfield and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

e) 2015 Grand List – Assessor: Kathy Brown, Assessor, explained the grand list. Personal property accounts went up, and motor vehicle accounts went down by 216. There is an issue with the motor vehicle list this year with glitches in the DMV's software's coding. Real estate added one account, but it was up by \$3.4 million. There is a .3% increase over the 2014 grand list. With the addition of a data entry omission, there is a potential for a .6% increase in the grand list.

Adjournment: Motion: J. Zullo moved to adjourn at 7:01 pm. and D. Knox seconded. All voted aye and the motion carried.


Leo Paul, Jr., First Selectman