

BOARD OF SELECTMEN –JANUARY 14, 2020, MEETING MINUTES:

Meeting called to order at 7:06 PM. Present were First Selectman Don Stein and Selectmen Ray Pech and Nick Lukiwsky.

DELEGATIONS: No delegations were present.

PUBLIC COMMENT: No public comments were made.

MOTION: A motion was made by, Ray Pech seconded by Nick Lukiwsky, and passed unanimously to approve the minutes of the December 16, 2019, special meeting.

MOTION: A motion was made by Ray Pech, seconded by Nick Lukiwsky, and passed unanimously to approve the following tax refunds:

\$114.04	Todd and Janis Newell	credit
\$ 42.36	James Stevens	refund
\$ 53.54	Justin Lorentzen	refund
\$193.03	Toyota Lease Trust	refund
\$344.99	John and Irene Rebick	credit

DISCUSSION: Don Stein provided the latest update on the 2019/20 budget actuals through 12/31/19. All of the accounts were in line with the expected first 6 months of expenditures, with the exception of the Town Counsel line item. It is currently over budget by \$22,000 due to 4 on-going lawsuits. As we get closer to the end of the year, the Selectmen will request that the Board of Finance and the Town Meeting transfer additional funds into the line item, if necessary,. However, every effort will be made to reduce expenditures in other areas to help with this overrun. Relative to the capital budgets for FY'19/'20, the expenditures are under budget and once the State has reimbursed the Town for the project to replace the school heating oil tank, there should be approximately \$120,000 to125,000 that will be returned to the Capital Fund. At that point, this money can be used for next year's capital projects or returned to the General Fund by the Town Meeting.

DISCUSSION: Relative to the FY '20/'21 budget, Don Stein informed the other Selectmen that the cost of health insurance from Connecticare will increase by just under 10% due to the group's claims performance to-date. This is much higher than previous years, and may be a little lower if the claims in January improve, but it is not expected to drop significantly. Don Stein also stated that the union contract for the Town employees (road crew and Building Department assistant) is up for negotiations, and, as in the past, there is likely to be a modest pay and benefit increase for the employees. A

preliminary budget will be presented in February to the Board of Finance. The Selectmen also discussed a preliminary capital budget for FY '20/'21, which had been considered by the Capital Committee. That will be refined by the BOE and the Committee and presented to the BOS for approval prior to its submittal to the BOF.

DISCUSSION: Don Stein reported that the Regional 7 Board of Education voted down the initial proposal to run sewer lines from behind Mallory Brook Plaza to the Regional 7 sewer manhole and lateral and did not reconsider this situation in their January meeting. He is working to try to reverse this decision and if he is not successful, he will be working with the developer and the Winsted sewer commission on alternate strategies.

DISCUSSION: Don Stein informed the Selectmen that he has started conversations with Granby and Hartland about sharing animal control responsibilities with their Officer, since little progress has been made with the proposal to combine with Winsted, Harwinton and New Hartford. These conversations are very preliminary and the Selectmen will be kept in the loop as more information is available.

MOTION: A motion was made by Ray Pech, seconded by Nick Lukiwsky, and passed unanimously to approve the attached agenda for a Special Town Meeting to be held on Tuesday, January 28, 2020. Note that the proposed ordinance that would disallow bear feeding is attached to the minutes.

MOTION: A motion was made by Ray Pech, seconded by Nick Lukiwsky, and passed unanimously to appoint the attached list of individuals to the volunteer boards.

DISCUSSION: Don Stein informed the Selectmen that he had received a quote from Civic Lift, a small local web hosting and design company. This quotation would save the town about \$750 per year and the cost of designing a new town website and moving the data from our current website hosted by Civic Plus would be done at no additional charge. The current contract is paid through June 30, 2020, so there is time to make a seamless transition. Don Stein will make a formal proposal for this change to the BOS at a later meeting.

DISCUSSION: Don Stein reported that he had attended a presentation by Kim Brown, who is a “gold fellow” of the Hidden Heroes initiative and the director of Resilience Growth, a non-profit currently operating through the Farmington Valley Health District. Her program helps military families who are in need of support for those who have family members dealing with PTSD and other stress issues resulting from their military service. She is looking for local community support and Don stated that he would like to invite her to a future BOS meeting to discuss how the Town might participate in this initiative. The other Selectmen felt this would be a good topic for them to hear more about.

MOTION: A motion was made by Nick Lukiwsky, seconded by Ray Pech, and passed unanimously to approve the attached Resolution for the Construction of the Litchfield Hills Animal Shelter Facility.

MOTION: A motion was made by Nick Lukiwsky, seconded by Ray Pech, and passed unanimously to approve the attached Resolution for the Construction of the Regional Produce Processing Service.

MOTION: A motion was made by Ray Pech, seconded by Nick Lukiwsky, and passed unanimously to fully exempt from property taxation all horses and ponies of any value stabled in the Town per Ordinance 178-35

The meeting was adjourned at 8:20 PM.

Respectfully submitted,

Donald S. Stein
First Selectman

NOTE: Due to the Special Town Meeting to be held on January 28 at 7:00PM, the Board of Selectmen meeting scheduled for that date will be held at 5:30PM as a Special Meeting

W A R N I N G

**SPECIAL TOWN MEETING
TOWN OF BARKHAMSTED
TUESDAY, JANUARY 28, 2020
7:00 P.M.**

All electors and persons qualified to vote in town meetings of the Town of Barkhamsted (the "Town") are hereby notified that the Board of Selectmen of the Town are convening a Special Town Meeting to be held at Barkhamsted Elementary School, 65 Ripley Hill Road, Barkhamsted, Connecticut on January 28, 2020 at 7:00 p.m. for the following purposes.

1. To consider, discuss, and vote upon appointments to Stanclift Cove Authority for the term from 01/30/2020 to 12/31/2023 and for the term from 01/30/2020 to 12/31/22.
2. To consider and act on a transfer of \$ 54,666.46 to the School Roof project
3. To consider and act on a proposed ordinance regarding anti-bear feeding.

Dated at Barkhamsted, Connecticut this 14th day of January, 2020.

Donald S. Stein
First Selectman

Nick Lukiwsky
Selectman

Raymond P. Pech
Selectman

Regional Performance Incentive (RPI) Program

Resolution of Endorsement and Authorization

(To be completed by the City or Town Clerk)

The Legislative Body* of the Town of Barkhamsted convened on Tuesday, January 14, 2020 and adopted the resolution below by the vote of 3 to 0 which endorsed the **Regional Performance Incentive Program** proposal listed below, referenced in Connecticut General Statutes Section 4-124s, (2014 Supplement).

Construction of the Litchfield Hills Animal Shelter Facility

Attested to by:

Name: Holly P. Krouse

Title: Town Clerk, Town of Barkhamsted

Date: _____

*NOTE: For the purposes of the **Regional Performance Incentive (RPI) Program**, "legislative body" means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the mayor and burgesses of a municipality.

RPI-2015/16

Resolution acted upon by the Board of Selectmen/City Council:

RESOLVED, that the Legislative Body* of the Town of Barkhamsted endorses the proposal for the project entitled "***Construction of Litchfield Hills Animal Shelter Facility***" under the Regional Performance Incentive Program referenced in Connecticut General Statutes Section 4-124s, (2014 supplement).

*NOTE: For the purposes of the **Regional Performance Incentive (RPI) Program**, "legislative body" means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the mayor and burgesses of a municipality.

Regional Performance Incentive (RPI) Program

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Regional Produce Processing Service

Attested to by:

Name: Holly P. Krouse

Title: Town Clerk, Town of Barkhamsted

Date: _____

*NOTE: For the purposes of the **Regional Performance Incentive (RPI) Program**, “legislative body” means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the mayor and burgesses of a municipality.

RPI-2015/16

Resolution acted upon by the Board of Selectmen/City Council:

RESOLVED, that the Legislative Body* of the Town of Barkhamsted endorses the proposal for the project entitled “**Regional Produce Processing Service**” under the Regional Performance Incentive Program referenced in Connecticut General Statutes Section 4-124s, (2014 supplement).

*NOTE: For the purposes of the **Regional Performance Incentive (RPI) Program**, “legislative body” means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the mayor and burgesses of a municipality.

APPOINTMENTS

Linda Ganem	Inland Wetlands Commission	1/1/20-12/31/21
Jonathan Simon	Inland Wetlands Commission	1/1/20-12/31/21
Jim Hafford	Inland Wetlands Commission	1/1/20-12/31/21
Linda Pulford	Conservation Commission	1/1/20-12/31/21
Lydia Gibb	Conservation Commission	1/1/20-12/31/21

PURSUANT TO SECTION 7-148(b) OF THE CONNECTICUT GENERAL STATUTES REGARDING THE ORDINANCE POWERS GRANTED TO A MUNICIPALITY;

In recognition that black bears and other wildlife that pose potential risk to humans are wild animals and should be left alone for the welfare and safety of both the animals and our residents and guests, it is hereby enacted by the town of Barkhamsted.

Feeding of bears

1. No person shall:
 - A. Feed, give, place, expose, deposit, distribute or scatter any edible material or other attractant with the intention of feeding, attracting or enticing a bear; or store any pet food, including birdseed, garbage or other bear attractants in a manner that will result in bear feeding or baiting (“attracting”).
 - B. Subsection (A) above shall not apply in the case of unintentional attraction of a bear. “Unintentional attraction” means using or placing any material for a purpose other than to attract or entice bears, but which results in the attraction or enticement of a bear;
 - a. However, if a person is unintentionally attracting bears and is notified by town officials to cease activities that are attracting bears, such unintentional feeding will thereafter be reclassified as intentional attraction.
 - b. Growing of agricultural products, for example, but not limited to vegetables, berries and fruit trees, for farming or personal use, shall be considered an exception to this subsection, and shall not be considered to be intentional attracting under this ordinance.
2. Any person who violates the provisions of Section 1.A. of this ordinance shall be liable to a civil penalty of up to \$100 for each offense, which will increase incrementally by \$25 per offense thereafter, if the feeding does not stop. No person shall be assessed a civil penalty pursuant to Section 2 unless the person has first been issued a prior written warning for a violation of Section 1.A.
3. The town of Barkhamsted Board of Selectmen is hereby authorized and empowered to mitigate a claim for a penalty under Section 2 in such amount, which in the sole discretion of the Board of Selectmen, may appear appropriate and equitable after consideration of the circumstances;
4. The provisions of this ordinance shall be enforced by the Barkhamsted Citation Hearing Officer, Barkhamsted Animal Control Officer, the Connecticut State Police Troop “B” (Resident State Trooper), other duly authorized police officers, and enforcement officers with the Department of Energy and Environmental Protection (DEEP), as allowed by State Statute.
5. Nothing in this ordinance shall be construed to restrict in any way the attraction, capture or taking of bears, by or at the direction of DEEP for management, population control or research purposes. As

appropriate, or in the event that the State allows bear hunting or bear baiting for hunting or control purposes, the revised State regulations shall override the provisions of this ordinance.

6. The town may institute a civil action in a court of competent jurisdiction to enforce the provisions of this ordinance against any person who violates said provisions, including an action to collect any civil penalties imposed hereunder and an action for injunctive relief to prohibit and prevent a violation of this ordinance.

The provisions of this ordinance shall apply to all persons except those with a valid permit issued by the State of Connecticut, Department of Environmental Protection.