REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, MARCH 2, 2021 ~ 5:30 P.M.
REMOTE MEETING BY LIVE INTERNET VIDEO STREAM AND TELEPHONE

Call to Order: First Selectman Denise Raap called the remote meeting to order at 5:31 p.m.

Approval of Minutes
a) Regular 2/16/21: Motion: J. Zullo moved to approve the regular meeting minutes of 2/16/21, and J. Torrant seconded. All voted in favor, and the motion carried.

b) Special 2/22/21: Motion: J. Zullo moved to approve the special meeting minutes of 2/22/21, and J. Torrant seconded. All voted in favor, and the motion carried.

c) Special 2/23/21: Motion: J. Zullo moved to approve the special meeting minutes of 2/23/21, and J. Torrant seconded. All voted in favor, and the motion carried.

Public Requests/Comments: Park and Recreation Commission member Helen Bunnell said the Commission voted to ask the Selectmen to reinstate the following into its proposed 2021/22 budget: $10,000 for special events, $1,000 for senior programs and $2,000 for Professional-Other (portable restrooms and minimal maintenance for Community Field). She added the proposed budget amounts to an 81% budget cut. Other Park and Rec Commissioners spoke in favor of reinstating the funds, saying there are many new programs the new Coordinator would like to initiate and they need the money. Park and Recreation Coordinator Colleen Kinkade named some of the plans and supported the comments.

Selectmen's Requests: J. Torrant asked J. Zullo for the status of the charging stations for electric vehicles, and Mr. Zullo said the State program is still being finalized. Sustainable Litchfield is looking into installing a used charger in the Municipal Lot as a demo unit, and would be responsible for funding the installation. J. Torrant then asked about the Town Facilities Committee's survey. J. Zullo said there have been some holdups, and D. Raap said they plan to mail it out this Friday. J. Torrant asked when the new website will be active, and D. Raap said they began the switch-over this past weekend, but there was some confusion from our IT people, as Bob Leigh was away. The new website is populating now, but it can take up to two days.

First Selectman's Update Report: D. Raap said there were 200 power outages with the wind storm, and she was working on getting power restored at Wells Run. She was happy to report it was restored at 5:20 this afternoon. She then polled the group about opening Town Hall and going back to in-person meetings at the Litchfield Firehouse. All Selectmen were in favor of opening Town Hall April 1st and going back to live meetings, as long as they can be held safely. D. Raap said they would continue to offer the Zoom option as well. Next, she said the Litchfield Hills Road Race would like to hold its race this year on June 13th earlier in the morning and begin and end on Plumb Hill. There would be a limit of 500 runners allowed and no prize money, no sponsors and no programs. J. Tenney encouraged a message of mask wearing and safety among spectators. J. Zullo asked that we check to see if there might be State guidelines for this type of event. J. Tenney asked about the Junior Women's Club bringing back the Gallery on the Green, and J. Torrant said that it stopped because of the Borough's insurance requirement for every crafter exhibiting. Therefore, we would have to wait to see how the Borough feels about it.

D. Raap said that there was a resignation from Karen Terhaar as alternate on the Conservation Commission, and she wished to be appointed to fill a regular vacancy. J. Torrant hesitated to add it to the agenda as he was unsure if the Chairman agreed with this change, and preferred to wait until the next meeting.

Motion: J. Tenney moved to add to Interviews c) "Interview Kristen Orr for Social Services Board, term 2/2022." J. Torrant seconded, all voted aye and the motion carried.

Resignations: None

Interviews, Appointments & Reappointments

a) Interview Burke Gibney for Zoning Board of Appeals, alternate member, term 3/2025: Mr. Gibney explained that D. Raap had approached him earlier about ZBA, but at the time he thought it would require more time than he had to give, but he now has the time and would like to serve. **Motion:** J. Zullo moved to appoint Burke Gibney to the Zoning Board of Appeals, alternate member, for term ending 3/2025. J. Torrant seconded, all voted aye and the motion carried.

b) Interview Christine Harding for Economic Development Commission, alternate member, term 6/2023: Ms Harding explained she is the owner of Toast & Co. in town and is also a swim coach; however, since she will no longer coach, she has time to devote to the community and would like to serve. **Motion:** J. Zullo moved to appoint Christine Harding to the EDC as an alternate member for a term ending 6/2023. J. Torrant seconded, but was concerned that three recently-appointed members of the EDC have all resigned. Ms Harding said she had spoken to some of the members and felt there might be a disconnect between what Litchfield once was and where it might want to go now. She feels she can contribute a new energy and input and can help them meet in the middle. She said she is not a quitter, and will stick with it. J. Zullo and J. Tenney said they both know her and felt she could be a great asset to the EDC. Upon voting all voted aye and the motion carried.

c) Interview Kristen Orr for Social Services Board, term 2/2022: Kristen Orr said she lives in Milton and has always tried to help her neighbor and those in need. She felt she could be useful to a wider community in this role. **Motion:** J. Zullo moved to appoint Kristen Orr to the Social Services Board for a term ending 2/2022. J. Torrant seconded, all voted aye and the motion carried.

Liaison Reports/Commission-Committee Minutes: 10/27/20 Conservation Commission; 2/10/21 Inland Wetlands Commission

Sustainable Litchfield Update: J. Zullo said they met today and are submitting for the Bronze certification on April 6th. They are working on the equity project, an energy campaign among affordable housing with survey. They will be hosting a Zoom webinar for residents on March 18th to help them with energy savings.

WPCA Liaison Update - Tom Waterhouse: T. Waterhouse said that Superintendent Ted Donoghue will report in conjunction with his 2020 Annual Report later.

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

Beautification Commission: 1 regular member; 2 alternate members 2/2022
Cable TV Advisory Council: 1 BOE members 6/2021
Conservation Commission: 1 regular 12/22; 1 alternate member 12/2021
Inland Wetlands: 1 alternate member 6/2021
Litchfield Prevention Council: 2 reg. members 6/21, 6/23; 4 alt. members: 2-6/22, 2-6/23
Milton Historic District Commission: 1 regular 1/2023; 3 alternates; 2-1/2024, 1-1/2022
Northwestern CT Transit District: 1 member 5/2022
Pension Commission: 1 regular member 2/23; 1 alternate member 3/2022
Social Services Board: one regular member 2/2022

SMART Task Force: One alternate 2/2024
Traffic Safety Community Action Group: 2 alt. members 1/2023
Veteran's Advisory Committee: 1 alternate member 8/2021
Western CT Coalition, CAC #22 (formerly NW Regional Mental Health Board): 1 member 5/2021
Zoning Board of Appeals: 1 alternate member 3/2025

Tax Refunds: **Motion:** J. Torrant moved to approve the 5 tax refunds, as submitted by the Tax Collector, in the total amount of $3,629.37. J. Zullo seconded, all voted in favor and the motion passed.

Old Business

a) Robinson + Cole Letter Re SR Litchfield, LLC Solar Project (tabled from 2/16/21): J. Zullo said he reviewed the entire submittal to the CT Siting Council and found the letter of support from the previous board sent in August of 2019. Because of this he felt they should table any action on sending a letter. J. Torrant and J. Tenney felt the same. D. Raap said that Planning and Zoning is going to send a letter. J. Zullo said they have to be mindful of all the citizens of Litchfield, but in the end the Siting Council rules. **Motion:** J. Zullo moved to table action on the Robinson + Cole letter, and J. Torrant seconded. All voted aye and the motion carried.

b) Budget 2021/22 Discussion (tabled from 2/16/21): D. Raap summarized proposed changes. Tipping fees budgeted as $95/ton went to $105/ton, necessitating the need for cutting another $55,000. So they have proposed:

1. Reduce DPW intern position by $5,000 (to $10,000)
2. Reduce Social Services Coord. Position by 5 hr. (to 35) saves $6,437.94
3. Increase revenue to $12,000 for demo at Recycling Center
4. Increase revenue by $20,000 (to $220,000) for conveyance fees
5. Increase revenue by $1,500 for Fire Marshal educational use inspections

They then discussed the pros and cons of pay-as-you-throw as a way to reduce solid waste. Town Counsel M. Rybak said it merits study, but has negatives and could encourage illegal dumping.

Regarding the Park and Recreation budget, D. Raap said the Town Auditor had recommended not keeping such a high fund balance and high balances in other areas, as it could be a detriment to us and we could be overlooked for funding from the State. Therefore, $13,000 was moved out of special events, senior programs and professional-other, and put into Fund 22 - Programs. J. Torrant did not think our auditor should make that decision, as it should be up to the department. A. Obi said the auditor recommended shifting $10,000 to Fund 22 to help the budget remain flat, but the funds will still be available in Fund 22 if needed. The goal is to use the money we have and not overtax the taxpayers. J. Zullo said the accrued money in the account is Town money, not Park and Recreation's. He did not believe the Park and Rec programs would suffer by taking the $10,000 line item out. If Park and Rec runs into a need for money, the Town will be able to help, as they want them to grow and succeed. J. Tenney fully supported this move, as long as the money would be available if needed. Commissioner Helen Bunnell said this accumulated money is from program revenue from user dollars and not from taxpayer dollars. She would like the Coordinator to spend the money down carefully with a plan rather than take it out of the line item. She contended that the budget would be thinner next year and they would never get the programs put back in the operating budget if they get eliminated now. Both D. Raap and J. Zullo corrected Ms Bunnell that those monies are Litchfield taxpayer dollars. It doesn't matter where the dollars came from, but once they are in the Town, they are Litchfield taxpayer funds to be used by Litchfield taxpayers to operate our Town. When asked what they would do with the money, C. Kinkade listed many ideas of equipment and improvements they would make to enhance their programs and would show residents what they are doing with the revenue. A. Obi suggested they leave $50,000 and use the remaining $27,000 to make a plan and use it this year with a review next year. C. Kinkade said she has much to do and would like a fighting

chance to use the money. Park & Rec Chairman Jim Keller said he was most concerned that once the money is taken away it will not be put back and may be used for things that are not program related. He felt this is not the year to take it away. D. Raap reiterated that she is totally committed to the success of Park and Rec and will have money available for necessary uses if needed.

Motion: J. Torrant moved to restore $10,000 to the special events section of their budget. T. Waterhouse seconded. Upon voting J. Torrant and T. Waterhouse voted aye and J. Zullo, J. Tenney and D. Raap voted nay; motion failed.

In reviewing the budget, with $20,000 more taken from the Tree budget ($140,000) the mill rate would be 27.74, or a flat budget. With input from the Assessor, it was determined that a rough estimate of $130,000 in grand list growth can be expected.

Motion: J. Zullo moved that the Board of Selectmen approve the 2021/22 Selectmen's budget in the amount of $8,567,575.00. J. Tenney seconded the motion. All voted aye except J. Torrant, who voted nay, and the motion carried.

Motion: J. Zullo moved that the Board of Selectmen approve debt service in the amount of $4,298,304.00. J. Tenney seconded, and all voted aye except J. Torrant, who voted nay, and the motion carried.

c) Regional Animal Control Facility Discussion: D. Raap said that currently Torrington is proposing a new facility be built with a cost share from Litchfield of $340,000. She felt she would rather enter into a lease agreement with Torrington where we also pay part of the operating costs. She mentioned the former Tail Waggers in Litchfield as a possible facility for us, and J. Tenney said we have so many unused buildings. J. Zullo asked that they table this item and discuss alternatives or stay with the lease agreement with Torrington, and all agreed.

New Business

a) Hawkers & Peddlers Licenses: D. Raap said that we denied a permit to Trinity Solar for door-to-door sales, thinking it would not be wise during the COVID-19 pandemic. We then received a letter from StoneMandia. L.L.C., a law firm representing Trinity Solar, asking that the permit be issued to an essential business. Mike Rybak, Jr. then offered his opinion. He said under the Statute we have the right to regulate these dealers in a normal time. Under the Executive Orders he could find nothing that directly addressed the peddlers issue. There is, however, a local health and civil preparedness emergency declaration. He noticed they talked about themselves as an essential business as part of the Homeland Security energy sector, but they are not involved with the construction and maintenance, but rather in the disconnected selling of solar power. It seems they are trying to become essential by association with the general solar industry. Therefore he felt there could be a limited prevention of peddlers on the local level. J. Zullo agreed that this business is sales and is not an essential business in that sense. J. Tenney agreed. M. Rybak, Jr. said he would draft up a resolution to suspend all door-to-door peddlers on a temporary basis, to be enacted by the Board of Selectmen. Then later on, he advised adding to the ordinance an emergency provision for temporary suspension of peddlers. He will come back with the resolution for the next meeting to be discussed under Old Business.

b) Transfer of LPS District Office Space at Intermediate School: D. Raap said we received a formal email from Litchfield Public Schools, and she and J. Torrant toured the space. J. Torrant said it is very nice and can be handicap-accessible for $80,000. He said he could envision splitting the Annex employees between there and the current Town Hall. He'd be interested in what the results of the Facilities Review Committee's survey says, though. J. Zullo thought that would be a good short-term fix,

or it could be used by some non-profits. He will bring it to the Facilities Review Committee for its consideration.

c) 10/1/20 Grand List - Assessor K. Brown: K. Brown asked if there were questions on the new assessments. The Board of Assessment Appeals is waiting until March 23rd to make its decisions on changes, so they cannot be factored in. After being out from August through early December with a broken ankle, she got all the new houses up and tried her best to get caught up with the rest. The .5% growth was about the same as last year, but there were a lot of businesses closing. There are still many houses yet to be built, so they predict further growth.

d) WPCA 2020 Annual Report: Ted Donoghue explained the highlights of the 2020 Annual Report. They are finishing up negotiations with the Torrington Intermunicipal Agreement. They are reducing their reserve capacity from 150,000 gal/day to 50,000 gal/day, which will reduce our share of capital costs by two thirds. Talks with Woodridge Lake Sewer District are put on hold until further notice. Five firms will be interviewed for engineering services, one selected and scope discussed, with the standalone facility plan coming first. Less precipitation, controlling aeration that has helped reduce the nitrogen load, and reducing inflow and infiltration has contributed to a more successful year.

Correspondence

a) 2/24/21 Letter from Ron Viola Re SR Litchfield, LLC Solar Project: J. Zullo concurred with Ron Viola's letter that Silicon Ranch has not reached out to us. J. Tenney asked if a letter would be in order to ask them to update us, and Mike Rybak stated we could ask the Siting Council to schedule a public informational meeting. He recommended it, as there were questions that were not answered previously. D. Raap also asked if a decommissioning bond should be required in the letter. J. Zullo thought that was something to consider, and they should check with Dennis Tobin. D. Raap will write a letter before the March 8th deadline.

Adjournment: Motion: J. Torrant moved to adjourn at 8:21 p.m. and J. Zullo seconded. All voted aye and the motion passed.

Denise Raap

Denise Raap, First Selectman