

**REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN  
TUESDAY, AUGUST 3, 2021 ~ 5:30 P.M.  
IN-PERSON AT LITCHFIELD FIREHOUSE, 258 WEST ST.**

**Call to Order:** First Selectman Denise Raap called the meeting to order at 5:30 p.m. Selectmen present were Jonathan Tarrant, Jeffrey Zullo, Jodiann Tenney and Thomas Waterhouse.

**Approval of Minutes**

**a) 7/14/21 Special Minutes: Motion:** J. Tenney moved and J. Zullo seconded a motion to approve the special meeting minutes of 7/14/21. J. Tarrant, J. Zullo and D. Raap voted aye. J. Tenney and T. Waterhouse abstained, and the motion carried.

**b) 7/20/21 Regular Minutes: Motion:** J. Zullo moved to approve the regular meeting minutes of 7/20/21 and J. Tarrant seconded. All voted aye and the motion carried.

**Public Requests/Comments:** Frank Simone questioned the source of funds for a job posting and said the posting was discriminatory. D. Raap said they are amending the job description in the posting to update outdated language that was unchanged since 1998. The funding transfer will only be \$9,000 for the remainder of the budget year, as the position will be less than 20 hours per week at \$16/hr.

**Selectmen's Requests:** J. Tenney updated the group on the traffic committee. The subcommittee is looking at the road safety report and will present it to the Board of Selectmen when it is finalized. They are kicking off their "slow down and enjoy our town" campaign to deter speeding.

**Motion:** J. Zullo moved to add under Sustainable Litchfield Update, a) EV Demo Charger. J. Tarrant seconded, all voted aye and the motion passed.

J. Tarrant asked if Denise would be willing to ask the Police to run radar in the school zone, and she said she will continue to monitor all the streets as she has been doing.

**First Selectman's Update Report:** D. Raap reported that the jams project is moving forward with going out to bid for the work. In doing an archeological survey on the parking lots for the connectivity grant, they found artifacts from 1200 years ago. We can still use the property but must tag the property with the State Historic Preservation sign, and invest another \$33,300 for that work. Raz Alexe will report back on the funding. D. Raap said the Building Official, John Worthington, reported 20/21 had the most building permits he's ever seen in 30 years at a value of over \$28 million.

**Resignations:** None

**Interviews, Appointments & Reappointments**

**a) Litchfield Arts Council Interviews:** The Board interviewed the following candidates for the new Litchfield Arts Council: Thomasina Levy, Michele Murelli, Charlie Dumais, Priscilla Jeffery, Eric Hahn, Jessica Russell and Frances Clem. Jennifer Terzian was away but was also considered.

**Motion:** J. Zullo moved to appoint to the Litchfield Arts Council as regular members Thomasina Levy, Jennifer Terzian, Charlie Dumais, Priscilla Jeffery, Eric Hahn, Jessica Russell and Frances Clem; and as an alternate member, Michele Murelli, all for a 3-year term from 8/2021 through 7/2024. J. Tarrant seconded. J. Zullo expressed his pleasure in this accomplished group of people willing to serve, and J. Tenney thanked the first-time committee members for jumping in. The Mission Statement was summarized for the new members, and it was noted that this is an outgrowth of a Sustainable Litchfield

Committee action required for silver certification, with the benefit of ongoing arts promotion for the town. Upon voting, all voted aye and the motion passed. D. Raap said she will set up an organizational meeting soon for the group.

**Liaison Reports/Commission-Committee Minutes:** 7/14/21 Inland Wetlands Commission; 3/23/21 Conservation Commission

**Sustainable Litchfield Update:** J. Zullo said they met today and feel they are on task for the points necessary for silver certification.

**a) Electric Vehicle Demo Charger:** J. Zullo summarized the plan for a two-plug charger to be installed in the municipal lot near the restrooms. It would be on license from a company named *Charj* as a demo. We are not buying anything, but licensing the use. Revenue depends on frequency of usage. He is asking to take 11% from the revenue, and the Town keeps the rest. We would need to spend not to exceed \$10,000 to trench and run wire from the compactor to the charging unit. **Motion:** J. Zullo moved that the BOS endorse moving forward with an EV demo charger located next to the restrooms in the municipal lot and for Litchfield to fund the preparation cost of not to exceed \$10,000. J. Tenney seconded. Upon question by J. Torrant, the funds would come possibly from the Public Works budget or from the ARPA funds. All voted aye and the motion carried.

**WPCA Liaison Update - Tom Waterhouse:** There has been no progress on the WPCA report. The DEEP report that came out recently indicated pollution infiltrating through the tributary system into Bantam Lake from Woodridge Lake. They said there would be a 16% pollution reduction of Bantam Lake if Woodridge Lake were connected to our system.

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

Beautification Commission: 3 alternate members 2/2022  
Broadband Commission: 1 alternate member 1/2023  
Cable TV Advisory Council: 1 BOE members 6/2023  
Conservation Commission: 2 alternate members 12/2021  
Economic Development Commission: 1 alternate member 6/2023  
Litchfield Arts Council: 1 alternate member 8/2024  
Litchfield Prevention Council: 2 reg. members 6/23, 6/24; 4 alt. members: 2-6/22, 2-6/23  
Milton Historic District Commission: 3 alternates; 2-1/2024, 1-1/2022  
Northwestern CT Transit District: 2 members, both 5/2022  
Pension Commission: 1 regular member 2/23; 1 alternate member 3/2022  
Social Services Board: one regular member 2/2022  
Sustainable Litchfield Committee: 1 alternate 3/2022  
Traffic Safety Community Action Group: 2 alt. members 1/2023  
Veteran's Advisory Committee: 1 regular member 8/2023; 1 alternate member 8/2021  
Western CT Coalition, CAC #22 (formerly NW Regional Mental Health Board): 1 member 5/2023  
Zoning Board of Appeals: 2 regular members 3/2023, 3/2025; 1 alternate member 3/2025

**Tax Refunds:** None

### **Old Business**

**a) Discussion of Ordinance Amendment to Include Food Trucks: Motion:** J. Tenney moved to approve the Ordinance Amending the Code of Ordinance of the Town of Litchfield, Chapter 8 "Licenses and Miscellaneous Business Regulations", Article II "Peddlers, Hawkers and Solicitors" to include food trucks. J. Zullo seconded the motion. J. Tenney mentioned festivals, and Mr. Rybak said they could add

language to limit events to 3 days with frequency at the First Selectman's discretion. **Motion:** J. Zullo moved to amend the ordinance to include the issuance of a permit for a maximum of three days and no more than four times per year on any one property, and also to add under Sec. 8-31(b)(1) at the end, to reference the exemption in (h). J. Tarrant seconded, all voted aye and the motion carried. This will go on to Town Meeting in early September.

**b) Revision of the LVA, Town of Litchfield and BOE Lease:** C. Leone made some small changes based on advice from his attorney, so the lease is now back to the Selectmen for approval. **Motion:** J. Zullo moved to approve the revisions to the LVA/Town of Litchfield/BOE Lease. J. Tenney seconded, all voted aye and the motion carried. C. Leone will now sign the lease agreement, and it will be complete.

### New Business

**a) Broadband Commission Report - John Morosani:** J. Morosani noted that the broadband survey was able to be included with the facilities survey and netted 750 responses. He described the work of the Broadband Commission to evaluate the broadband network, determine what the Town's future requirements might be and determine the best options to have access to broadband. Results of the survey showed 85% of respondents are Optimum, 7% are Frontier, 3% are wireless or hot spots, and 4% have no access. Most (47%) are happy with their service but wish it cost less, and 12% said it is slower than they want, 30% are unhappy about service and price, and 5% are happy with their service. One solution is to have the Town form a municipal utility. Responses were split on 43% yes and 49% needing more information, with 7% saying no. Regarding upload and download speeds, 95% of our people technically have broadband by definition, but the benchmark numbers will be rising. With cable companies not going farther than 200 ft. into a driveway, many residents cannot afford to pay the difference for underground line. Frontier runs on the telephone lines and would be more affordable in this case for long driveways. Questions were then answered by Mr. Morosani, with much discussion on fiber.

**b) Municipal Fleet Management Plan - Raz Alexe:** J. Zullo said this is prompted by a Sustainable Litchfield action, and Raz Alexe has prepared a report on his management plan and strategy. It will also be good for our Capital planning. **Motion:** J. Zullo moved to approve the Municipal Fleet Management Plan as submitted by our Public Works Director to implement. T. Waterhouse seconded. Board members thought it was a good plan. Upon voting all voted aye and the motion carried.

**c) Regionalization Question on November Ballot - Michael Rybak, Town Counsel:** D. Raap said that at the last Selectmen's meeting, J. Zullo questioned whether the Board of Ed could call the question to ballot, so D. Raap sent the question to Town Counsel, Mike Rybak. J. Zullo offered some history where Jonathan Costa led a group to study regionalization in 2015 and outlined the process to be followed. This recent presentation by Superintendent Chris Leone did not follow that statutory process and prompted questions. Town Counsel Mike Rybak said he has sent the Statutes, Sec. 10-39 through 10-45 and an Office of Legislative Research (OLR) Report from 2006 that is still accurate. First step should be to consult with Counsel. All steps are outlined in the OLR and were clarified by Mr. Rybak. Required steps include establishment of a regional school district study committee and appointment of members from each of the participating towns, appointment of a consultant by the education commissioner, submittal of the report and recommendations to the State Board of Ed and Clerk of each town, the State then certifying its approval back to the Clerks, the committee holding a public meeting in each town to present the report, after which must be scheduled simultaneous referenda in each town. In view of the many detailed steps necessary, it is not possible to expect all towns to be able to vote on the question of forming a new regional district by November, 2021, as outlined in the timeline presented in the *Workgroup on Collaboration - Recommendation* presented to the Board of Selectmen on 7/20/21. We need to slow down and follow the process. What was done so far was done by a preliminary committee. M. Rybak agreed and said there is a list of nine items that must be included in the report that comes from the regional school study committee and goes to the State. J. Zullo asked that the Board of Ed Chairman explain this

and why the preliminary workgroup's report has been already submitted to the State. Mr. Rybak said it is extremely important to follow the statutes for regionalization because we are creating a new legal entity with legal consequences that is going to own the real estate that Litchfield developed for its schools and Region 6 developed for its schools, bonds will be sold, and Bond Counsel will have to give an unqualified opinion that the region was properly constituted. Any kind of certification or dispensation coming from the State Education Dept. cannot waive what is a clear requirement of the Statutes, as the Statutes are supreme. He could not advise the Board of Selectmen or the Town Clerk to certify this question to regionalize for the November ballot. J. Zullo suggested inviting the Superintendent and Board of Ed Chairman to the next meeting to discuss.

**d) Litchfield Marketing Campaign - D. Clement and L. Turner:** Lindsey Turner said she is the Vice Chair of the Economic Development Commission and has started a marketing campaign for Litchfield. She wrote a Seherr-Thoss grant application and was awarded \$23,500, and she is proposing a tourism website, social media campaigns to support the website and a printed piece. Total budget was \$39,500, so she obtained a \$5,000 donation from a local business and another \$10,000 from the Board of Education, as they would be promoting the schools as well. Two bids were received for the work, and they chose Doug Clement's company. She is hoping the project will be completed in one year.

J. Tarrant questioned their funds of \$39,500 coming into the Town accounts without Town Meeting approval of an expenditure over \$20,000. Doug Clement clarified that the funds are being divided among several different aspects of the campaign. J. Zullo asked when the money was received, and some was last fiscal year and some was this fiscal year. He suggested doing adjustments and reconcile in the 21/22 budget. We have the sources and can increase the EDC budget with those sources with different limits up to \$20,000. J. Tarrant also noted that all EDC minutes are not on the website, but L. Turner said she would look into it. D. Raap noted the Finance Director has set up a separate line item and funds will be drawn from it.

D. Clement introduced himself and said he worked as an editor for the Litchfield County Times and won the nation's top award for lifestyle journalism seven times. He also worked in lifestyle for the NY Times. He was a digital editor for CT Magazine and completely transformed the website, doubled the web traffic and made a large social media impact. Helping the EDC, he began with Facebook and Instagram. He compared his progress to the success of *Explore Washington*. His content since March has achieved an organic reach, with 240,000 people visiting. They achieved this with the small \$1,000 budget and are now in the website building process.

**e) Discuss Litchfield Equity Statement:** Margaret Hunt explained Sustainable CT and that this is an action of the Sustainable Litchfield Committee to obtain the silver certification from Sustainable CT. She, Diane Field and Carrie Szwed worked on developing this statement of equity that promotes community cohesion and creates and adopts a shared vision for equity in Litchfield. **Motion:** J. Zullo moved that the Board of Selectmen adopt the Litchfield, Connecticut Equity Statement 2021 as submitted by the Sustainable Litchfield Committee. T. Waterhouse seconded. J. Tenney asked what holds us accountable, and J. Zullo said there is no accountability mechanism. It is up to the Board of Selectmen and other boards and committees to follow it. He suggested it be sent to all boards and commissions in Town. He also asked M. Hunt if her committee would be open to speaking to other committee about the equity statement, and she said yes. It will also be posted on the website. Upon voting all voted aye and the motion carried. Written as a resolution, the adopted text follows:

### **Litchfield, Connecticut Equity Statement 2021**

**WHEREAS,** Litchfield is a northwestern Connecticut hill town whose residents value:

1. life in this small, rural town whose cultural, manufacturing, and agricultural past is still evident in its historic buildings, local businesses, and farms;
2. its town meeting form of government, its four volunteer fire departments, and its two volunteer ambulance squads;
3. the beauty of its natural environment and its many outdoor recreational activities;
4. its well-performing PreK-12 school system; and

**WHEREAS**, the Town of Litchfield **believes** that:

1. an environment that is welcoming and that strives to be equitable for all, regardless of socioeconomic status, age, race, ethnicity, gender, and zip code, builds communities and schools that are inclusive, participative, and cohesive;
2. diverse voices engaged in civil discourse strengthen decision-making and enrich civic engagement; and

**WHEREAS**, the Town of Litchfield **aspires to** foster a sustainable community that is equitable, inclusive, and cohesive by:

1. maintaining its small-town vitality and local-business-friendly environment, preserving its open spaces and farmland, and acknowledging its historical roots;
2. expanding participation in town government;
3. supporting local legislation and ordinances that allow for a planning process for affordable housing that listens to all voices;
4. supporting the Board of Education's equity and inclusion policies and its efforts to create a learning environment in which every student is supported, valued and safe; and

**WHEREAS**, the Town of Litchfield's **strengths** in the areas of **civic engagement, affordable housing, and school climate** include the following:

1. The town is governed by its First Selectman, twenty-eight volunteer boards, commissions, and committees, some elected and some appointed. The Registrars of Voters register new voters at the high school and recruit residents to work at the three polling places.
2. Litchfield Housing Authority and the not-for-profit Litchfield Housing Trust, Inc. work with the First Selectman to pursue increasing affordable housing opportunities. Among Litchfield's total housing units, approximately five percent are designated affordable. There are two senior living communities through the Housing Authority and apartments, homes, and co-ops through the Litchfield Housing Trust.
3. Litchfield Public Schools have a small student population and small class sizes with an advisory system to promote a positive school culture and academic success. The district offers its faculty and staff professional development on diversity, equity, and inclusion, and it has revised its annual state-required survey, adding an equity module to help measure its goals of creating a more

welcoming learning environment. The high school has a variety of student clubs devoted to recognizing and celebrating diversity.

**WHEREAS**, the **challenges** to achieving the Town of Litchfield's aspiration to foster an equitable, inclusive, and cohesive community, if left unaddressed, may result in unintended **consequences**.

1. Vacancies on municipal boards, commissions, and committees and the difficulty of recruiting new people to fill those vacancies can limit the diversity of viewpoints and representation from the five areas of town.
2. The high cost of housing can be a barrier for low-to-moderate-income renters and newcomers, as well as residents who want to remain in their homes or downsize. Starter housing and senior housing were identified as two of the top five needs in the 2020 Town Facilities Survey.
3. Rising costs can limit farmers' flexibility to maintain their current agricultural practices.
4. The town's car-dependent, fifty-seven square mile community, can limit student access to after-school programs and activities.
5. Reflecting the town's current demographics, the district's minimally diverse student, faculty, and staff population, including but not limited to race, ethnicity, gender identity, and socioeconomic status, can limit opportunities for students to learn in an environment that prepares them to interact in diverse populations beyond Litchfield.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF LITCHFIELD THAT:**

1. for increased civic engagement, the town continue to pursue new strategies for attracting motivated and diverse voices to its boards, commissions, and committees; and explore ways to work with the Board of Education to expose young people to civic service;
2. for increased availability and affordability of housing options, the Town continue to work with the Litchfield Housing Authority and Litchfield Housing Trust to meet housing goals and continue to follow up on the recommendations of Litchfield's 2017 Plan for Conservation and Development;
3. for the support of local farming, the Town encourage the Planning and Zoning Commission to pursue updating and adopting zoning regulations to allow accessory uses on farmland, including but not limited to farm stands, wineries, and dwelling units for farm workers;
4. for the benefit of all students and their families, the town support the Board of Education's efforts to craft a district policy on equity and to begin examining courses and curriculum, as well as encourage the Board to explore options to enable all students to participate in after-school programs of their choice;
5. for the future, the Board of Selectmen establish a process for regular review of town practices and policies in order to revise existing ones and adopt new ones as needed to assure their alignment with a culture of equity and inclusion; and
6. for the future, the intent is that this Equity Statement evolve with changing priorities, emerging challenges, and public input.

Respectfully submitted by the Sustainable Litchfield Equity Statement Drafting Team,

August 2, 2021

Diane Field, Sustainable Litchfield Town Committee, Bantam  
Margaret Hunt, Sustainable Litchfield Town Committee, Litchfield  
Charles Conn, Community member, Northfield  
Priscilla Jeffery, Community member, Bantam  
Colin McDermott, Community member, Litchfield  
Carol Powers, Community member, Bantam  
Kim Simmons, Community member, Litchfield  
Matthew Tobin, Community member, Litchfield

**f) Park & Rec Funds Request for Completion of Capital Basketball Court Project:** Colleen Kinkade is hoping to bring the Park & Rec programs and properties up to speed. She would like to request \$19,662.41 to be able to award the bid for the Community Field Basketball Court work to Sport Tech for \$73,342.00. She only had \$53,679.59 and hopes to have the balance to be able to award the bid while the price is held firm. Cardinal Engineering has confirmed that the bid is complete. Work would start September 1st. Source of funds was discussed, either Contingency or Capital Nonrecurring. J. Tarrant also suggested taking it from the Park & Rec program fund, but it was felt that that account is strictly for programs and not for projects. J. Zullo asked that they see if there are funds in the Capital Nonrecurring account.

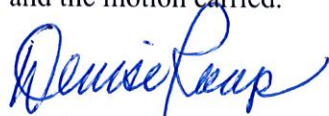
**Motion:** J. Tarrant moved to approve the expenditure of \$19,662.41 with the condition that it either come from Capital Nonrecurring if available or from Contingency. J. Zullo seconded, all voted aye and the motion carried.

**g) Approve Five-Year Lease for Toshiba Copy Machine: Motion:** J. Zullo moved to approve the five-year lease for the Toshiba copier at \$220.00/mo. as presented. J. Tarrant seconded, all voted aye and the motion carried.

**Correspondence**

- a) 7/21/21 Letter from Scott Parsons: received and noted
- b) 7/29/21 FOI Request from Louise Czar: received and noted

**Adjournment: Motion:** J. Zullo moved to adjourn at 8:09 p.m and J. Tarrant seconded. All voted aye and the motion carried.



Denise Raap, First Selectman