

**REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, FEBRUARY 7, 2023 ~ 5:30 P.M.
IN-PERSON AT TOWN HALL ANNEX, 80 DOYLE ROAD, BANTAM AND
REMOTE MEETING BY LIVE INTERNET VIDEO STREAM AND TELEPHONE**

Call to Order: First Selectman Denise Raap called the regular hybrid meeting to order at 5:30 p.m. with Selectmen Jeffrey Zullo and Jonathan Torrant also present in person, and Jodiann Tenney present via Zoom. Christine Harding was absent.

Approval of Minutes: **Motion:** J. Torrant moved and J. Zullo seconded a motion to approve the regular 1/17/23 meeting minutes. All voted aye except J. Tenney, who abstained because of absence, and the motion carried.

Public Requests/Comments: None

Selectmen's Requests: None

First Selectman's Update Report: D. Raap said 140 people attended the Town Meeting last week and it was a very good meeting. We did not get approved for the Safe Streets for All grant that seemed to favor larger cities. J. Tenney will get feedback so we can reapply. D. Raap then announced the birth of her new granddaughter, Delilah Ann, 4 lbs, 7 oz., born on Friday, February 3, 2023.

Interviews, Appointments & Reappointments

a) Interview Keetu Winter for Sustainable Litchfield Committee, term 3/2024: Ms Winter said she has lived in Litchfield most of her life and is interested in climate resilience and what we can do to better care for the land. She hopes to share her experience and work background in conservation to bring in new ideas and more energy. **Motion:** J. Zullo moved to appoint Keetu Winter to the Sustainable Litchfield Committee for a term ending 3/2024. J. Torrant seconded, all voted aye and the motion passed.

b) Interview Bill Deacon for Park and Recreation Commission, regular member, term 6/2025: Mr. Deacon had not yet arrived, but because he was known to all, they made the appointment. **Motion:** J. Torrant moved to appoint William Deacon to the Park and Recreation Commission as a regular member for a term ending 6/2025. J. Zullo seconded, all voted aye and the motion carried.

c) Reappoint Amy Fitzpatrick to Social Services Board, term 2/2026: **Motion:** J. Zullo moved to reappoint Amy Fitzpatrick to the Social Services Board for a term ending 2/2026. J. Torrant seconded, all voted aye and the motion carried.

d) Reappoint Diane Stoner to Conservation Commission, term 12/2024: **Motion:** J. Zullo moved to reappoint Diane Stoner to the Conservation Commission for a term ending 12/2024. J. Torrant seconded, all voted aye and the motion passed.

Liaison Reports/Commission-Committee Minutes: 11/22/22 Conservation Commission; 1/12/23 Boro/HDC Consolidation Study Committee; 1/10/23 Capital Improvements Committee

Sustainable Litchfield Update: J. Zullo said the group met today and talked about activities for the Earth Day celebration. The climate leadership initiative is moving along with the goal of submitting in April with more than enough activities. The WPCA solar project has been reconfigured and re-sited in a more favorable area. Damaged drainage system in the area will be repaired during the project.

WPCA Liaison Update: No report

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

Beautification Commission: 1 regular member 2/2025; 2 alternate members 2/2025
Broadband Commission: 1 alternate member 1/2025
Cable TV Advisory Council: 1 BOE members 6/2023
Capital Improvements Committee: 1 Citizen at Large 11/2023
Conservation Commission: 1 regular member 12/2025; 1 alternate member 12/2024
Economic Development Commission: 1 regular 6/2025; 1 alternate 6/2023
Inland Wetlands Commission: 1 alternate member 6/2023
Litchfield Arts Council: 1 regular member 8/2024
Litchfield Housing Authority: 1 member 8/2023
Litchfield Prevention Council: 1 regular member 6/2024; 2 alternate members 6/2023
Milton Historic District Commission: 1 regular 1/2023; 3 alternates; 2-1/2024, 1-1/2025
Park and Recreation Commission: 1 alternate member 6/2026
Pension Commission: 1 alternate member 3/2025
Sandy Beach Commission: 1 regular member 12/2022
Social Services Board: 2 regular members 2/2024, 2/2025
Sustainable Litchfield Committee: one regular member (BOE) 3/2024; 1 alternate 3/2024
Town Facilities Review Committee: 1 BOF Member 3/2023; 1 BOE Member 3/2023
Veterans' Advisory Committee: 1 regular member 8/2023; 1 alternate member 8/2024
Western CT Coalition, CAC #22 (formerly NW Regional Mental Health Board): 1 member 5/2023
Zoning Board of Appeals: 3 alternate members 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 \$667.92. J. Zullo seconded, all voted aye and the motion passed.

Transfers

a) Transfer #3 - \$19,500 for Land Use Legal, Training, and Salary Expense: Land Use Administrator Spencer Musselman explained the transfer is needed to cover legal expenses and his training with Dennis Tobin until March 17th. They are now over budget in the legal line by \$3,080 and have no funds for the rest of the year. They are over budget by \$1,650 in the meetings, seminars and conferences line for previous CAZEO training and are planning for further training. Carol Bramley, P&Z Chair, further explained expenses that came up and how they are trying to limit the attorney bills. **Motion:** J. Zullo moved to approve Transfer #3 for \$19,500 in FY 22/23 for the Land Use Department from Contingency 01-1903-51703. J. Torrant seconded, all voted aye and the motion passed.

Old Business

a) Police Activity Comparison Report: TFC Jim Holm presented data on his own call reports during the time period from 10/1/22 to 12/31/22. He said Trooper Desiree Peterson is writing the most tickets right now. J. Zullo said this data is helpful and they would like to look at the data quarterly, as there are not quite as many man hours as last year, although we have more weekend coverage. The Police Accountability Bill now requires body and dashboard cameras, software and other requirements that makes it very hard for municipalities to sustain their forces, and many are going to Resident Troopers.

b) Real Estate Offer (tabled from 1/17/23): Realtor Ted Murphy sited the property as between Pitch Road and Little Pitch Road. He presented a map of 12.4 acres owned by John and Marian Gay and is the last piece of land abutting the landfill that the Town does not own. They would like to give it to the Town, as it is not buildable. J. Zullo said the downfall is that the Town loses the tax revenue, maybe \$60. There

is a shooting range on the abutting property. **Motion:** J. Zullo moved that the Board of Selectmen investigate with Town Counsel the process to accept the property at Map 48/Block 41/Lot 52 and evaluate accepting it as a gift to the Town of Litchfield. J. Torrant seconded, all voted aye and the motion carried.

New Business

a) Adopt Litchfield Complete Streets Policy: Margaret Hunt of Sustainable Litchfield Committee explained that this policy is an action for the Climate Leadership designation. She defined “complete streets” as roadways that enable safe and convenient access for all users. They have devised a policy that has been endorsed by the Traffic Safety Community Action Group and hope that the Board of Selectmen will adopt it. The State of CT has enacted a complete streets law in 2009. The CT DOT adopted a complete streets policy in 2014 and encourages municipalities to do the same. **Motion:** J. Zullo moved that the Board of Selectmen adopt the Town of Litchfield Complete Streets Policy as submitted. J. Torrant seconded. He then asked if they have approached the Borough, but they had not, as the Town controls the streets. R. Alexe said he has a major concern with this policy, as this DOT endorsement was done in regard to State highways which are already all endorsed for the Town of Litchfield. It is obvious that this can only be further implemented in the urban areas of our town. The rest of the roads are hard to justify financially, as there are 120 miles of local rural roads. He suggested amending the draft regarding the rural character of our town. He had a very hard time implementing a bike and pedestrian 8 ft. lane on South Lake Street, as residents felt it did not blend in with the rural character. **Motion Withdrawn:** J. Zullo withdrew his motion, and J. Torrant, his second. **Motion:** J. Zullo moved to table this adoption until the next meeting and suggested that Margaret Hunt and Raz Alexe meet to review and propose changes to the draft, as advised by the Public Works Director, and bring it to the next Selectmen’s meeting. J. Torrant seconded the motion. M. Hunt then read a portion of the policy that alludes to providing flexibility, but R. would like a little more specific language. J. Tenney noted “where practical and appropriate” language was in the last paragraph, but no reference to “fiscal”. R. Alexe then noted differences in the cross sections of the roads that are different from the standard that DOT is emphasizing. D. Raap said the two Boroughs should be included, as they are responsible for sidewalks. **Vote:** All voted aye to table, and the motion carried.

b) Adopt Rev. 2 to Resolution Establishing a Broadband Commission: D. Raap explained that she has asked the Broadband Committee to be the liaison committee for monitoring and when cell tower companies want to come in. John Morosani has revised the resolution. **Motion:** J. Tenney moved to approve the revision to the Resolution Establishing a Broadband Commission, Section 4, Mission: as written by John Morosani, Chairman of the Broadband Commission. J. Zullo seconded. Mr. Morosani hoped that as more cell tower companies come along, it will be easier for them to add 5G, perhaps on telephone poles. Upon voting, all voted aye and the motion carried. The resolution is revised as follows:

TOWN OF LITCHFIELD

BOARD OF SELECTMEN

JANUARY 22, 2021

Rev. 1, 8/17/21

Rev. 2, 2/7/23

RESOLUTION ESTABLISHING A BROADBAND COMMISSION

SECTION 1. ESTABLISHMENT: The Board of Selectmen of the Town of Litchfield, acting pursuant to Connecticut General Statutes, Section 7-148(c)(3) and (c)(6), hereby establishes a Broadband Commission.

SECTION 2. MEMBERSHIP: The Committee shall be composed of seven (7) regular members and two (2) alternate members who shall be electors of the Town of Litchfield and appointed by the Board of Selectmen.

SECTION 3. APPOINTMENTS, TERM AND VACANCIES: The Board of Selectmen shall appoint the initial members and alternate members upon the adoption of this resolution to serve for a term of two (2) years. Vacancies shall be filled by the Board of Selectmen for the remainder of the term. An alternate member shall be designated to act in the absence of a member. Unexcused absence from three (3) consecutive meetings shall constitute a resignation, and upon declaring the position vacant the Board of Selectmen may appoint a replacement member or appoint an alternate member to fill the vacancy and then appoint a new alternate.

SECTION 4: MISSION: The Mission of the Broadband and Wireless Commission shall be: with respect to broadband 1) to monitor the broadband network currently available to Litchfield residents, 2) to represent the Town of Litchfield in discussions with Optimum over Optimum's efforts to upgrade its existing hybrid-fiber coax network to a fiber-to-the-home network, and 3) to collaborate with neighboring towns in the discussions with Optimum; and with respect to wireless, the Commission will be the Town's liaison with wireless providers that seek to increase their wireless activities in the Town of Litchfield. The Broadband and Wireless Commission will report its progress to the Board of Selectmen periodically.

SECTION 5: APPLICABLE LAWS: The Committee shall be subject to the provisions of the Freedom of Information Act, Connecticut General Statutes Section 1-200, *et seq.* and the provisions concerning minority political representation, Section 9-167a.

c) Oliver Wolcott Library Budget: Library Director Ann Marie White presented her increased budget submission and began by saying OWL is #1 in the State for adult circulation (per capita), or borrowing of materials. Conversely, the OWL ranks 77th of 176 libraries in Town support per capita, and the Town's average funding as a percentage of OWL's budget is significantly lower than the average funding received by other CT libraries.

J. Zullo noted that OWL is fundraising 59% with 41% from the Town and asked how that percentage of fundraising relative to the overall budget compares to other similar demographics. Ms White said the answer would be forthcoming.

She continued by saying OWL raises more private funds than 90% of CT libraries. So in order to meet the needs of the residents, they need to increasingly depend on their endowment, their volunteers and private donations, rendering their growth in fundraising unsustainable. She then gave examples of programs that OWL supports in our community. They have employed efficiencies that have reduced spending without reducing offerings to the community. They are seeking an increase in their budget request of 5% for FY 2023/24 from \$370,475 to \$389,000. J. Zullo said this increase hardly makes a dent in their budget. They are withdrawing 7.2% of their endowment each year. They are investigating the use of solar panels on the Breuer roof, which could get them away from fossil fuels. J. Zullo gave some advice on solar and offered to help. He also said the Town has assisted them with capital projects over the years, so if they need to make changes in mechanicals, a Capital request could be submitted. Carol Bramley also said they should be eligible for tax credits for rehab from the State Preservation office because of the 18th century part of the building.

d) Approve Capital Improvements Budget 2023/24: Fran Carpentier, Chairman of the Capital Improvements Committee, presented an overview of the Committee's work, for a total of \$4,314,542. Since then, there are two projects under Public Works where reimbursements and cost-sharing are not

going to materialize, so they will be deferred. The correct number for the bridge program should be \$25,000, and the major road projects total should be \$1,271,214, bringing the new total of all capital requests to \$3,754,339. They discussed different scenarios of decreasing the amount bonded by using the medical self insurance fund and fund balance as pay-as-you-go. Also, there were different strategies on whether to fund the Nfd. Engine 1 over two years and defer the truck wash based on the pay down on the school bond debt service, or to pay for all now. If the truck wash is taken out from this year entirely, we could pay the whole capital budget as pay-as-you-go without bonding. J. Zullo felt the truck wash could be deferred one year until resources are more available coming off the debt service. We could do pay-as-you-go at a higher rate this year by lowering fund balance to 18% by pulling \$2 million and adding money from the insurance fund. We could bond only \$500,000. R. Alexe answered questions about the truck wash and noted improvements made to contain debris. D. Raap will raise the idea with the Northwest Hills Council of Governments about a regional truck wash. *[J. Tenney left the meeting at this point.]* A. Obi gave figures on the fund balance usage, but J Zullo said to avoid doing this in isolation, they would need a detailed summary of the budget later. Upon request by J. Torrant, F. Carpentier will get the updated budget numbers to A. Obi to revise the report. Sean Fogarty will check with the Fire Commission to confirm agreement with paying for the truck over two budget years. The approval of the Capital budget will be tabled until the next meeting.

e) Approve Use of Roads for Litchfield Hills Road Race - 6/11/23: Motion: J. Zullo moved to approve use of the roads for the LHRR on June 11, 2023. J. Torrant seconded, all voted aye and the motion passed.

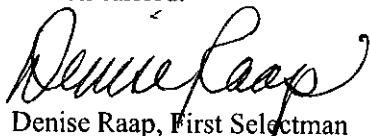
f) Tree Update - R. Alexe: R. Alexe said this system is working, removing 951 trees so far at \$270/tree, which is amazing. The vendor, Harwinton Tree, is meticulous. They are spending \$24,000 - \$25,000/month and are going out to bid for two more years, with the budget supporting it. After that, he said they need to look to the future for pruning and trimming maintenance. The Board commended him on the concentrated effort.

g) Public Works Operating Budget Increase - R. Alexe: R. Alexe said the price of salt went up 33.4% from last year at \$78/ton, and they have a deficit of \$40,000 but have 90% filled the shed. They may need to request a transfer but will wait another month to evaluate.

Executive Session - Personnel Classification Discussion: Motion: J. Zullo moved to go into executive session at 7:34 p.m. to discuss personnel classification, and J. Torrant seconded. R. Alexe was invited to attend. Out of executive session at 8:02 p.m. with no action taken.

Correspondence: None

Adjournment: Motion: J. Torrant moved to adjourn at 8:02 p.m. J. Zullo seconded, all voted aye and the motion carried.



Denise Raap, First Selectman