

**REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, MAY 2, 2023 ~ 5:30 P.M.
IN-PERSON AT TOWN HALL ANNEX, 80 DOYLE RD., BANTAM, AND
REMOTE MEETING BY LIVE INTERNET VIDEO STREAM AND TELEPHONE**

Call to Order: First Selectman Denise Raap called the hybrid meeting to order at 5:32 p.m. Also present were Selectmen Jonathan Tarrant, Jeffrey Zullo, Jodiann Tenney and Christine Harding.

Approval of Minutes: **Motion:** J. Tarrant moved to approve the April 18, 2023 regular meeting minutes, and J. Zullo seconded. All voted in favor and the motion carried.

Public Requests/Comments: None

Selectmen's Requests: J. Tarrant read an email from former Selectman Tom Hogan who was concerned about the State Police charity collection last week at the intersection of North Street and Route 202. There was much traffic congestion and people in the road there and at the next light east on Route 202, and he was concerned about safety. He concluded that he would not like this intersection to be used in the future for such collections. D. Raap added that upon a call from Mr. Hogan, she was able to tell him that this was a coin collection by Troop L for the benefit of the Special Olympics, although she knew nothing of it ahead of time. C. Harding suggested they find another zone that is not quite as complicated with traffic turns, and J. Tenney agreed. J. Tarrant added that it would have been helpful if the Police informed the First Selectman ahead of time that this was happening. J. Zullo also spoke to Mr. Hogan and commented that it emphasizes the need for the DOT's help with the streets. Mr. Hogan's email is attached to these minutes.

J. Tenney then spoke to Mr. Zullo's concern and said there was a follow up meeting on why they did not get the "Safe Streets for All" Federal grant. A lot of it is based on equity, and our less diverse, more affluent town was a strike against us. They are also looking more at fatalities vs accidents. Therefore, the Traffic Safety Committee is looking in another direction for grants through Jahana Hayes and Richard Blumenthal. D. Raap sent the DOT Commissioner an email asking why Morris got a grant for its intersection, and he immediately responded to Raz Alexe's unanswered requests and said he will make a field visit to Litchfield.

C. Harding asked how Aquarion can be approached to help bring water to some residents in need across from Gagarin Place on Torrington Road. D. Raap said she would reach out to Aquarion with names and addresses of those with water problems.

First Selectman's Update Report: D. Raap reported that Household Hazardous Waste Day is on June 10th in Falls Village. She suggested taking paints to Ace Hardware and consolidating items with neighbors, as the Towns get charged per car. Earth Day activities were successful with a good turnout. Erin Kennedy started today as our new Assistant Park and Recreation/Human Services Coordinator in the full-time position. We also hired an Assistant to the Assessor who will be starting part time on May 10th and full time by June.

Resignations: None

Interviews, Appointments & Reappointments: None

Liaison Reports/Commission-Committee Minutes: 4/13/23 Borough/HDC Consolidation Study Committee; 2/28/23, 3/28/23, and 4/25/23 Conservation Commission

Sustainable Litchfield Update: J. Zullo said the meeting was canceled, so there is no update.

WPCA Liaison Update: C. Harding had nothing to report, as they did not meet last month and are not meeting until the third week of May.

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: 2 members, 1 BOE rep, both 6/2023
Capital Improvements Committee: 1 Citizen at Large 11/2023
Conservation Commission: 2 alternate members 12/2024
Economic Development Commission: 1 regular 6/2025; 1 alternate 6/2023
Inland Wetlands Commission: 2 alternate members 6/2024
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
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: 1 alternate 3/2024
Town Facilities Review Committee: 1 BOF Member 3/2026; 1 BOE Member 3/2026; 3- 3/2026
Veterans' Advisory Committee: 2 regular members 8/2023, 8/2025
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: None

Old Business

a) Approve the WPCA Solar Project Power Purchase Agreement and Lease (tabled from 4/18/23): J. Zullo recapped the movement of the PPA and Lease Agreement with several reviews by Town Counsel and SHR Energy Management. A large delay occurred when the financing group bailed out because of interest rates, so Noel Lafayette of SHR secured private financing, and he will retain and own the site, as he does with Wamogo. The agreement remains the same as discussed previously. The rate is 10.32 cents/kwh and savings still considerable at \$35,000/yr. with a 1% annual PPA escalator rate. D. Wilson, Chairman of WPCA, was concerned about the screening of the panels, and J. Zullo said there is a tree line in front 40 ft. deep, and there will be a front screening of larger plants.

Motion: J. Torrant moved to approve the WPCA solar project power purchase agreement and lease as presented, and forward it to Town Meeting. C. Harding seconded. J. Zullo noted it will also go to the Board of Finance for its review on May 8th. Upon voting all voted aye and the motion carried.

b) Temporary Construction Easement Agreement for Litchfield Courthouse Hotel Project: D. Raap said Lex-Litchfield needs an area behind Ollie's building and an area in front of 15 West Street for construction vehicles. Our Town Counsel, Mike Rybak, has reviewed this. The easement is for one year and can be approved by the Board of Selectmen. **Motion:** J. Zullo moved that the Board of Selectmen approve the temporary construction easement agreement with the Town of Litchfield and Lex-Litchfield, LLC. J. Torrant seconded the motion. J. Tenney asked how many parking spaces this impacts, and R. Alexe estimated about 20 spaces. Upon voting all voted aye and the motion carried.

c) Litchfield Hills Rowing Club Lease: D. Raap summarized that at the last meeting the Board had agreed on charging a lease of \$1,800/year with a 3% escalator each year for 10 years. After that they have two five-year renewable options. She spoke to LHRC Director Drew Combs, and he was agreeable to this. **Motion:** J. Zullo moved that the Board of Selectmen approve the Litchfield Hills Rowing Club Ground Lease as presented. J. Tenney seconded, all voted aye and the motion carried.

New Business

a) Approve Extension of Lease Agreement for Sandy Beach: D. Raap said the original lease was from 1998, a 25 year lease. White Memorial has been working on the renewal but needs more time, so they have asked us to sign a

3-month extension until the final draft of the lease renewal is ready. **Motion:** J. Tenney moved to approve the extension of the lease agreement for Sandy Beach until 6/13/23. When it is ready it will need Town Meeting approval, as it is a 25-year lease. J. Zullo seconded the motion. Upon voting all voted aye and the motion passed.

b) Approve Amendment No. 1 to the Master Municipal Agreement for Construction Projects: R. Alexe said this allows us to avoid doing an agreement for construction with the DOT every time we have State or Federal funding. **Motion:** J. Zullo moved that the Board of Selectmen approve Amendment No. 1 to the Master Municipal Agreement for Construction Projects. J. Tenney seconded and asked if the agreement was a boiler plate. R. Alexe said yes, and this is a short extension on the MMA, as they are working on a much more involved updated version that is expected by June, 2024. This is a one-year extension. Upon voting all voted aye and the motion carried.

c) Sign Call for Annual Budget Meeting - 5/11/23: **Motion:** J. Zullo moved to approve the Annual Budget Meeting call with budget and other items as stipulated on the call for May 11th to be held at 7:00 p.m. at the Intermediate School Auditorium. J. Torrant seconded, all voted aye and the motion carried.

d) Broadband Committee Update: J. Zullo relayed that they are going live with the broadband wifi systems installed at the Town Hall and the firehouses. The next phase will concentrate on zones. Zone 1 will be broadband wifi using the Town Hall and firehouse as nodes to distribute the signal, and repeaters along the road. Zone 1 will include the center of Litchfield, from East Street hill to Community Field and including the schools. As this is public wifi, there will be constraints and filters on them. This is all part of Phase II and funding by ARPA money. Zone 2 includes the center of Bantam and includes the firehouse. Zone 3 is Northfield, including the firehouse and Montessori School and across Rt. 254 to pick up the Green and the central area of Northfield. These wifi locations will be town funded. The next phase will be going out for RFPs to put repeaters on the poles. Further, they are hoping to get at least two bids from Optimum and Frontier for fiber network to the community.

e) Morris EMS Coverage Contract Extension: D. Raap explained that LVA and Bantam Fire Co. currently cover Morris, and this is a five-year extension of the contract. Town Counsel Mike Rybak reviewed it and made no changes, other than the dates. **Motion:** J. Torrant moved to extend the contract between LVA, Bantam Fire Co., and the Towns of Morris and Litchfield through June 30, 2028. J. Tenney seconded, all voted aye and the motion passed.

f) Discuss and Award Bid for Mowing and Grounds Maintenance: R. Alexe said there were six bidders, and he preferred to focus on the two local bidders, Village Grounds Maintenance (incumbent) and RPM Landscaping. RPM submitted a lower bid, but our experience with Village Grounds has been excellent. They have requested a modest 3% increase. Looking at references and experience for RPM, he saw no problems, but seemed to favor the stability and quality of work of the incumbent. Upon question, Mr. Alexe said this contract covers the Town Hall, Annex, Community Field, Northfield and the municipal parking lot. He would like this contract to extend to July 1. **Motion:** J. Zullo moved that the Board of Selectmen approve the mowing and grounds maintenance bid and award it to Village Grounds Maintenance in the amount of \$32,522 for two years. C. Harding seconded the motion. Discussion centered on the care taken by the incumbent and the satisfaction of knowing that any last minute needs would be taken care of. Upon voting all voted aye and the motion carried. As an aside, Chris Korn of Village Grounds commented and asked for help with the Optimum trucks that are damaging lawns and directing traffic poorly.

g) Discuss Materials List for DPW Work on WPCA Solar Drainage: R. Alexe presented the list of materials needed for the gravel access road drainage for the WPCA solar project. As an awareness he pointed out the steep increase in the cost of materials (\$2,677.50 total), but said DPW would contribute them to the WPCA. Labor (\$20-\$30,000) is being built into the cost of the PPA.

h) Maintenance Agreement for South Lake Street Crosswalk: R. Alexe updated the group that the site plan was approved by Planning and Zoning with only three elements left to be addressed for the greenway trail and listed below as Items j), i), and the maintenance agreement for a South Lake Street crosswalk. In this agreement (h), there will be work done in the Town's right of way where the crosswalk will go. All three items will be approved when they are finalized, hopefully at the next meeting.. J. Zullo added that none of these need to go to town meeting.

i) License Agreement with Eversource for Russell Street: This is Land Trust property that continues almost to the end of Russell Street where the DPW has bins. Eversource has rights over that area by license agreement not as

powerful as the Town's prescriptive rights, but it emphasizes that Eversource is in agreement with DPW using it. Barriers will be used on the trail when trucks are unloading, and signs will be posted.

j) Ingress/Egress Agreement with Litchfield Land Trust: This is property donated by Peter Aziz to the Land Trust and closest to Route 202.

Possible Executive Session - Personnel: Motion: C. Harding moved that the Board of Selectmen go into executive session at 6:38 p.m. on the subject of Personnel Hiring Practices, inviting Administrative Assistant Liz Callahan in. J. Tenney seconded, all voted aye and the motion carried. Out of executive session at 6:50 p.m. with no action taken.

Adjournment: Motion: J. Zullo moved to adjourn at 6:50 p.m. and J. Torrant seconded. All voted in favor, and the motion carried.



Denise Raap, First Selectman

jointorrant@optonline.net

From: Thomas Hogan <thomasfhogan15@gmail.com>
Sent: Monday, May 1, 2023 4:26 PM
To: Jon & Susan Torrant; jjzullo@gmail.com
Subject: Intersection of Routes 202 and 63

Flag Status: Flagged

Jon and Jeff:

First of all, thank you to you and your colleagues for your service to the Town of Litchfield.

I write very infrequently but I wanted to comment on an occasion from this past Friday as I was driving to the center of town. I was proceeding south on Rt. 63, aka North Street, toward the Green at about 9:15 a.m. When I arrived at the intersection with Rt. 202, there was a collection of some sort being undertaken on behalf of a charity. As you know, the intersection accommodates vehicular traffic from four directions, with drivers in each having three choices as to how to proceed.

My intention had been to continue south toward the courthouse, but there was heavy traffic in that small area, along with various folks standing in the roadway. Instead, I turned left onto 202 in an easterly direction and then observed more folks standing about on the northeast and southeast corners of the intersection. From my perspective, there was too much activity, aka distraction, in a confined area in addition to the four lanes of traffic trying to negotiate the intersection.

If there had been an accident, I have little doubt that an innocent injured person would include the State of Connecticut and the Town of Litchfield as defendants in litigation.

Notwithstanding the good intentions and contributions to society by the participants, in my view that area should not be used as a collection point.

Sincerely,
Tom Hogan