

**REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, JUNE 6, 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 regular hybrid meeting to order at 5:33 p.m. with Selectmen Jonathan Torrant, Jodiann Tenney, and Jeffrey Zullo also present. Christine Harding was absent.

Approval of Minutes: **Motion:** J. Zullo moved and J. Torrant seconded a motion to approve the regular 5/16/23 meeting minutes. All voted aye and the motion carried.

Public Requests/Comments: D. Raap noted Carol Bramley wished to speak about hiring a Town Planner for a strategic plan for the north side of the Green. **Motion:** J. Zullo moved to add to New Business g) Discuss Town Planner to Support the Planning Committee. J. Torrant seconded, all voted aye and the motion carried.

Motion: J. Zullo moved to add under Old Business b) Tax Refunds. J. Torrant seconded, all voted aye and the motion carried.

Selectmen's Requests: J. Zullo asked J. Torrant about a letter mentioned in the 5/11/23 minutes of the Borough/HDC Consolidation Study Committee, and J. Torrant summarized the invitation to Borough board members to participate with the Committee in its deliberations leading to a proposal that would be welcomed by all citizens. He added that the Borough has to submit a petition signed by 10%, or about 60 of its voters, to request a vote on the dissolution of the Borough. J. Zullo asked to see the proposal when ready.

First Selectman's Update Report: D. Raap commended the PublicWorks Department in recognition of Public Works Week and noted all the work they have been doing to get ready for the Litchfield Hills Road Race and their work on Moosehorn Road. She offered to cook something for them to celebrate. The Siting Council will be holding a Zoom meeting on the Mason Hill Road cell tower project on June 8th at 1:00 p.m. The link is on the Town website. Litchfield fireworks are on June 30th, and spots at the high school can be reserved at MyRec.com. Lastly, D. Raap reminded food trucks who wish to do business in Litchfield must go to the First Selectmen's office for a permit. J. Tenney asked that the list of approved trucks be posted on the website, but J. Torrant cautioned about listing these businesses on the website while area restaurants are not listed. D. Raap will put more thought into this.

Resignations

a) Lauren Della Monica from Traffic Safety Community Action Group, effective 5/16/23: received and noted

b) Jay Bolton from Park & Recreation Commission, alternate member, effective 5/2/23: received and noted

Interviews, Appointments & Reappointments

a) Appoint Jay Bolton to Park & Recreation Commission, regular member, term 6/2026: **Motion:** J. Torrant moved to appoint Jay Bolton as a regular member of the Park & Recreation Commission, with term expiration of 6/2026. J. Zullo seconded, all voted aye and the motion carried.

b) Reappoint Thomas Roman to Economic Development Commission, term 6/2026: Motion: J. Torrant moved to reappoint Thomas Roman to the EDC for a term expiring 6/2026. J. Zullo seconded, all voted aye and the motion carried.

Liaison Reports/Commission-Committee Minutes: 5/11/23 Borough/HDC Consolidation Study Committee; 4/25/23 Conservation Commission; 5/10/23 Inland Wetlands Commission; 4/20/23 Sandy Beach Commission.

J. Torrant noted that the Sandy Beach Commission minutes had not been properly proofread, and he had brought it to the Town Clerk's attention.

Sustainable Litchfield Update: J. Zullo reported meeting this afternoon, and they are looking at the next steps after achieving the Climate Leadership award, Litchfield being one of only four in CT to receive the award. They also received Sol-Smart bronze certification, which is a national solar organization. This was earned by putting together a checklist and simplified zoning permit process for solar projects for homes. Some members and the First Selectman traveled to Glastonbury for this event to kick off the gold certification process.

WPCA Liaison Update: tabled until next meeting

Old Business

a) Townwide First Responder Recruiting/Retention Discussion: D. Raap said free burn permits and free beach passes are a couple easy offerings that could be incorporated into incentives to retain and entice members in the volunteer services. The Pension Committee could come in to discuss a pension expansion. J. Zullo said they need to know the financial impacts of each of the elements such as pension, tax abatement, pay per call, etc. Fran Carpentier, Chairman of the Pension Commission, asked Hooker & Holcombe for an estimate about two years ago, and rough calculations were done. J. Zullo preferred looking at all elements in the whole package. Also, the \$15/year of service in 1992 with no inflationary element is way out of date today. Mr. Carpentier did not want to make any move that would provide a retroactive payment. He will send the actuary the information again for an updated estimate. J. Torrant said the Fire Commission has not yet talked about this. This item will be tabled and continued as a standing item on future agendas.

b) Tax Refunds: Motion: J. Torrant moved to approve the 6 tax refunds, as recommended by the Tax Collector, in the total amount of \$1,626.23, and J. Zullo seconded. All voted aye and the motion carried.

New Business

a) Access Easement Agreement for Russell Street: Raz Alexe explained that this is an agreement with the Land Trust that involves the sliver of land that goes over the road at the end of South Lake Street and is not yet finalized. The Property Usage Agreement, which is a maintenance agreement with the Friends of the Litchfield Community Greenway, is what needs to be approved. **Motion:** J. Zullo moved to table this item until the next meeting, and J. Torrant seconded. All voted in favor and the motion passed.

b) Attorney Conflict Waiver Request: Fran Carpentier was present as well as Richard Cohen and Thomas Mooney of Shipman & Goodwin on Zoom. F. Carpentier gave the history behind the Pension Commission's relationship with Shipman & Goodwin when the municipal and merit service pension documents were rewritten. Since Shipman & Goodwin will be representing Region 20 with real estate transfers, there is a potential for a conflict of interest as they are still considered our pension counsel, and the partners would be representing Region 20. We can sign the waiver in order to retain Shipman & Goodwin, or we can send a letter to dismiss them from pension services. He felt that we should retain them if something should come up, as they are the logical firm since they drafted the pension documents

and also because there are not many firms that work in that specialized area. Richard Cohen explained that the conflict is that in order to transfer title to the schools, Shipman & Goodwin has been asked to represent the buyer of the schools, Region 20, with the Town of Litchfield being the Seller. Mr. Mooney added that the interests of Region 20 and the Town of Litchfield present a technical conflict on the real estate matter. While their work now only involves pension matters unrelated to the Region 20 real estate matter, Shipman must obtain both the consent of Region 20 and the Town of Litchfield to a waiver of the inherent conflicts of interest. **Motion:** J. Torrant moved to authorize the First Selectman to sign the waiver contingent upon approval of Mike Rybak, Town Counsel. J. Zullo seconded, all voted aye and the motion carried. As soon as D. Raap receives the waiver, she will forward it to Mike Rybak.

c) Maple Street Solar Project - Tax Implications: D. Raap said Region 6 owns 30 acres along Maple Street they want developed by SHR Energy into a 1.9 megawatt solar project. Noel Lafayette is working on an agreement with Region 6 for a lease payment payable to Region 6. At the same time, the Legislature is working on what taxes a municipality can collect for solar projects. The rate has now been set at \$8,000/megawatt, so we could collect \$16,000. We are waiting to see if the \$8,000 will pass the Senate. Or as an alternative, we could decide to do a PILOT (payment in lieu of taxes) instead. The result may influence the amount Noel Lafayette can pay as a lease payment to Region 6. This is a commercial venture where revenue will go into the grid and is taxable. **Motion:** J. Zullo moved to table action on this item, and J. Torrant seconded. All voted aye and the motion carried.

d) ARPA Fund Request of \$76,000 from Park & Recreation Commission: Ray Schmid, Vice Chair of the Park & Recreation Commission, had Michael Lyn Cappello read a letter dated 5/23/23 from Chairman Gianni Perugini. It asked for funding from ARPA for hiring an engineering firm to conduct an engineering study for update of the Community Field. The cost of the study is \$66,000 from Consultant Cardinal Engineering, but they have added an estimated \$10,000 for inclusion of the playscape in the study, for a total request of \$76,000. They could possibly take some money from Fund 22 and existing funds from the tennis court and the big baseball field. J. Zullo raised the question of bonded money for the tennis court that has not been used, and F. Carpentier said this has been a recurring theme with Park & Rec projects. D. Raap asked that they complete the tennis court project before the engineering study. R. Alexe says that the \$99,000 will not be enough now, with prevailing wage. He felt a master plan including the tennis courts is good, but there will have to be a multi-phase project. R. Schmid noted the dugouts need to be reroofed, so he needs to go back to Cardinal about including this. R. Alexe asked if the Board is comfortable with going ahead with a master site plan. After that they will go ahead with ADA connectivity and then with developing the phases. R. Schmid then said they could go back to the tennis courts. J. Torrant said the bonded money must be spent to keep our facilities nice. They encouraged R. Schmid to finish the tennis court project. **Motion:** J. Zullo moved and J. Torrant seconded a motion to table this item to the next meeting. All voted aye and the motion carried.

e) Award Bid for Dump Truck (6-wheeler) Replacement: R. Alexe recommended awarding the bid to the sole bidder Allegiance Trucks for \$127,149.00, which is within the budget. **Motion:** J. Zullo moved that the Board of Selectmen award the bid for the dump truck replacement to Allegiance Trucks for \$127,149.00, funded by a budget of \$140,000. J. Tenney seconded, all voted aye and the motion passed.

f) Award Bid for LCS/LIS Rug Tile Replacement: **Motion:** J. Zullo moved to approve the LCS/LIS rug tile replacement bid and award it to sole bidder Union Flooring Installations LLC in the amount of \$78,474.00. J. Tenney seconded, all voted aye and the motion passed.

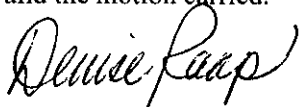
g) Discuss Town Planner to Support the Planning Committee: Carol Bramley explained that the properties in the Borough on the north side of the Green from the jail to Town Hall are commercial properties that are zoned business historic. There has been discussion about the excess acreage in back of Union Savings Bank that is not being utilized. The gentlemen at Belden House have shown interest in that

property. It is grossly underutilized when the Town gets very busy. She would like to use the \$1,800 in the budget for a planning consultant to look into traffic engineering from a firm such as Hesketh, who worked on the Stop & Shop project. Marty Connor agreed that the traffic solution is to look at the interconnections with the different parking lots. He will be working with the Belden House on this project and suggested the Town put together a comprehensive plan for that area. **Motion:** J. Zullo moved to support Zoning's use of a planning engineer for a traffic study on the north side of the Green west of North Street. J. Zullo was concerned, knowing that 51 new hotel rooms are coming to the center of Litchfield and there is still an unresolved Town Hall issue. Michael Keilty, the attorney representing the owners of Belden House, informed the group that they are under contract for the old firehouse (former Union Savings Wealth Management) and the rear portion of the bank parking lot, and he would like to do a presentation of concepts he has, as he has spoken to Scott Hesketh. C. Bramley said she would be more comfortable with a plan from a Zoning standpoint as well. J. Tenney mentioned Ed Fabbri as an additional engineering resource. **Second:** J. Torrant seconded the motion. Upon voting, all voted aye and the motion carried.

Executive Session: A matter that would result in disclosure of a public record that is exempt from disclosure

Motion: J. Zullo moved to go into executive session with all Board of Selectmen and Raz Alexe present at 7:14 p.m. J. Torrant seconded, all voted aye and the motion carried. Out of executive session at 7:21 p.m. with no action taken.

Adjournment: **Motion:** J. Tenney moved to adjourn at 7:22 p.m. and J. Zullo seconded. All voted aye and the motion carried.



Denise Raap, First Selectman