

**SPECIAL TOWN MEETING
TOWN OF LITCHFIELD
DECEMBER 11, 2018
TO BE ADJOURNED TO REFERENDUM ON DECEMBER 19, 2018**

A Special Town Meeting of the Town of Litchfield was held at the Litchfield Intermediate School auditorium on Tuesday, December 11, 2018. There were approximately 113 people in attendance. Lisa A. Losee, Town Clerk, served as clerk. First Selectman, Leo Paul Jr. announced that there would be no vote at this meeting on Items 1 & 2, and asked that those interested in speaking limit their comments to two minutes so that all would have the opportunity to speak and be heard. He then called the meeting to order at 7:07.

Motion was made by Jeff Zullo and seconded by Paul Parsons that Cleve Fuessenich preside as Moderator. C. Fuessenich announced that he is a Board member of the Greater Litchfield Preservation Trust and the Litchfield Housing Trust and if there was any opposition he would withdraw his name from the nomination. There was no opposition to this fact. Jon Tarrant made motion to close nominations, seconded by J. Zullo. All voted in favor to close nominations. Vote was then taken that C. Fuessenich preside as Moderator. By showing of hands there was one person opposed. Motion carried.

Fran Carpienter made motion to waive the reading of the call, seconded by Anne Dranginis. All voted in favor by voice and the motion carried. A copy of the warning is attached to these minutes as Exhibit A.

The Moderator stated that the return of posting and publication of this notice, on file and of record, states that said Notice, bearing the written signatures of all the Selectmen, had been posted on the Town's signpost, town's web site or other exterior place near the office of the Town Clerk on December 5, 2018, and a copy thereof had been published in the Republican American, a newspaper having substantial circulation in said Town, in its issue of Dec. 6, 2018. It is attached to these minutes as Exhibit B.

The Moderator then stated that persons eligible to vote at Town Meetings are (i) any person who is an elector of the Town of Litchfield and (ii) any citizen eighteen years of age or more who, jointly or severally, is liable to the Town of Litchfield for taxes assessed against him or her on an assessment of not less than One Thousand Dollars on the last-completed grand list of the Town, or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (23), (25) or (26) of Section 12-81 of the General Statutes.

The Moderator stated that pursuant to Section 7-7 of the Connecticut General Statutes, as amended, the Board of Selectmen at its meeting held on Dec. 4, 2018 voted that the votes on Item 1 and 2 of the call of this meeting be removed from the call and be submitted to a referendum vote at Adjourned Town Meeting to be held on December 19, 2018 between the hours of 6:00 am and 8:00 pm. This meeting will continue for the purposes of discussion only on Items 1 and 2.

The Moderator then stated that communications were received from the Board of Selectmen and Board of Finance indicating that the bond resolution was approved by each Board. It was stated however that the "Board of Selectmen voted in favor of the resolution not because they want to see the Renovation of the Courthouse Project approved, but to give the people of the town of Litchfield an opportunity to decide this contentious and vital issue."....Copies of both letters were made available at this meeting and are attached to these minutes as Exhibits C and D.

The Moderator read Item 1 on the agenda:

RESOLUTION ACCEPTING THE DONATION OF THE PROPERTY KNOWN AS THE LITCHFIELD COUNTY COURT HOUSE AT 15 WEST STREET, APPROPRIATING \$7,600,000 TO RENOVATE THE COURT HOUSE FOR USE AS A NEW TOWN OF LITCHFIELD TOWN HALL, AND AUTHORIZING THE ISSUANCE OF \$7,600,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

The Moderator stated that a copy of the resolution was available at this meeting and asked if there was a motion to waive the reading of the resolution, incorporating its full text into the minutes of this meeting. Motion was made by Burke Gibney, seconded by Gary Gillman. Upon voice vote, the motion carried. The full resolution is attached to these minutes as Exhibit E.

J. Zullo made a point of order comment in reference to the above letter to the voters from the Board of Selectmen stating that he is not against the renovation of the Court House project.

J. Zullo moved to adopt the bond resolution with the understanding that the vote will be taken on December 19, 2018. G. Gillman seconded the motion. The Moderator re-iterated that there will be no vote on this item tonight and opened the floor to discussion. He asked that people limit their comments to 2 minutes each with a second chance to speak after everyone has had the opportunity to do so.

B. Gibney asked for clarification as to what letter J. Zullo was referring to and was given a copy of the proper hand out.

Gerald Gault: Litchfield resident and tax-payer- Regarding the courthouse referendum there is one very important fact of personal concern; that fact is money. The Town will have to pay no matter what is decided, something has to be done. There were three options all declared to have adequate space. Option 1- the renovating, bringing up to code, and new addition to the current town hall at \$11,000,000; Option 2- building a new town hall at \$9,200,000; and option 3-accepting the gift of the court house at a not to exceed \$7,600,000. A 'yes' vote will accept the gift and a 'no' vote will reject the gift and condemn the historic court house to uncertain use. Dec. 19th will obligate the Town to \$7,600,000 or \$11,000,000; need to choose what is practical for taxpayer and historical character of the Town. Please vote 'yes'.

Jonathan Wilson: Litchfield resident, business owner, raised kids here; borough burgess, member/President of LMSI, LABA; represents Village Green Merchants to preserve the green and promote local business; restoration of the green is in process in advance of next year's 300th anniversary; when the court left there was 60-70% occupancy of businesses on the green and now, do to hard work of the merchants, there is 90 to 95% business occupancy on the green; 18,000 square feet of space in the newly renovated jail is at 100% occupancy; there are 85 tenants on the green with 400 local residents employed; only 250 parking spots in municipal parking lot with 20 reserved; lack of parking for employees; merchants raised concerns and asked if a parking study had been done, how many town employees would add to the parking, was a traffic study done, and were told that would be looked into only if the court house option passed at the referendum.

Meg Finn: LHS class of 1998, Litchfield resident and tax-payer-Just doesn't see value in it; not sure why there is a need for a new town hall; questions the square footage; needed vault space; town should pay for digitizing records; conversation started years ago; why do we need it now just because it was decided then.

April Matthews: Litchfield resident- First read letter from the owners of the Bakehouse- main concern is parking; they receive questions daily from customers about parking on the green; want to see town hall stay in the community however they think all options should be looked at and feel there are other options for current spaces; thriving businesses in the center of town are a priority; if there is no parking for customers businesses would have to leave.

April owns two businesses in newly renovated jail; years ago there used to be buses of tourists coming into town for fall foliage etc. and we don't have as much of that anymore; we need small shops to give people reason to visit and need parking for visitors; feels the world is moving on with digitization; town needs to support local business not make it more difficult; small business is the backbone of America.

Tina Reardon: To Jonathan and other business owners, she is so happy that town is so full of businesses; feels parking is not as dyer a concern as they think; has been taking photos and looking at the municipal parking lot and the last two times she checked it at mid-day there was 40+ parking spaces free; employees can use St. Anthony's parking lot; current town hall can be used; parking not so serious a concern; if the court house were used for some other use the parking impact could be greater.

Margaret Hunt: 30 year resident; love the town; court house had 65 employees; town hall has 25+ including the Annex; town hall closes at 4 (sic. 4:30p.m.) in time for restaurant rush hour and is closed on weekends so visitors and weekend shopping have no parking problems then; think of parking facts like who parks when; Please vote on the 19th.

Jeff Russak: Owns jewelry store at 7 West Street and owns 14 Cobble Court but before that that jewelry store was at 33 West Street; his office had picture window that faced back parking lot and he looked out at it every day and it was often full with little or no parking all times of the day; with no parking study done, have to go by observations and he observed tight parking that remains tight; with court house there it was sometimes impossible; restaurants now thriving; lunch business is up dramatically; would encourage other type of use for that building and not a town hall.

Jim Katzin: Question to business owners worried about parking – what business would you like to have that would not impact parking? Town hall closes at 4 (sic. 4:30 p.m.) and has fewer employees than the court house did and it wasn't just employees it was those who came and participated at the court house; What is better for your business, a vibrant town hall or a vacant boarded up empty courthouse? Because if you don't want traffic that's what it will be.

Carol Bramley: 40 year resident; speaking as employee of local business in center of town-when the court was in session parking was difficult when there was jury selection, otherwise she had no problem finding a place to park; has yet to see the municipal parking lot even half full; 54 empty spaces one day at 12:30 p.m.; business employees are not using municipal parking lot; owners need to see that they do.

Jason Travelstead: 20 year resident and member of the Town Hall Review Committee; felt it important to provide content on the task of the committee, which was to evaluate three choices put before them, not to create a choice; he doesn't think any of the three are a good choice for the town; a way to renovate the current town hall for less money than any of the other choices was not put before the committee, but he feels that could be done; he will be voting no.

Bill Burgess: Board of Finance Chairman- speaking to correct comment previously made; if the action of the court house option is rejected it is completely false that the \$11,000,000 plan will be the next option;

there has been no discussion or decision as to what would be done and there is no fact in the previous comment suggesting that.

Jon Tarrant: Read a letter on behalf of Edward Cattey presented to the Board of Selectmen-he was a Navy Seabee and Jon thanked him for his service; he is very concerned about inadequate space for town offices, inadequate parking, hidden costs and expenses that go along with an old building; he prefers the option of a new town hall; he thanks the Town Hall Review Committee and the Board of Selectman for the work that has been done.

Jeff Zullo: Selectman and chairman of the Town Hall Review Committee- committee spent \$30,000 in town funds in terms of consultants, architects and construction estimators; recommended the court house option based on the evaluation of three options; costs have been well documented; \$7,600,000 was not to exceed figure; believes the numbers are good and actually thinks the renovation could even be done for less; sizing is the same for the court house and the new town hall; think about three floors of the court house serving twenty-five employees; vault would be new; needs would be meant; parking and traffic studies would be done if this passes; please get out and vote.

Burke Gibney: Board member of the Greater Litchfield Preservation Trust; wanted to correct some comments; speaking as a citizen and taxpayer; has followed the process closely; attended many Board of Selectmen, Board of Finance and Town Hall Review Committee meetings; glad that Bill Burgess corrected false statement; there is no chance what so ever that the \$11,000,000 plan will be revived; Board of Finance voted down the \$9,200,000 plan, they will not approve the more expensive plan; more likely the Board of Selectmen will look at less costly options such as Jason Travelstead suggested; the Greater Litchfield Preservation Trust just wanted voters to have the opportunity to vote on this proposal; the Preservation Trust is fine with the outcome either way; they don't envision the court house remaining vacant and boarded up; if this fails they would seek to sell it.

Vicky Sansing: past resident; all points important to be brought up; dollar amount is a not to exceed number; building is the heart of Litchfield; it is about the building; it is a functioning building; parking is not an issue; vote no if you don't want it to be the town hall but don't blame it on the parking; choose the building first then you can solve other problems; it will fulfill all needs now and for the future.

April Matthews: Would like to see the court house used as a theater or something to bring youth out, something for everyone to come and enjoy the town.

Russ Barton: Resident and developer of the jail; will certainly buy the court house if it doesn't pass; sees many options for that building that can help town not tear it apart; he doesn't think town hall needs to be in the center of town it is too valuable a spot; he is an available buyer.

Meg Finn: Skeptical of the future; teachers and staff have to wait for programs and increases that are due; taxes will be higher; we are losing older generations too; will vote no; not confident.

Jonathan Wilson: Is it fair to force a referendum one week before Christmas?; Shouldn't we listen to the opinions of 85 tenants whose income is dependent on customers being able to access their businesses?; important to preserve the courthouse but more important to preserve local business and to preserve the town center; Merchants of the Village Green strongly oppose this plan; Vote no on the 19th and after that work closely with the merchants to develop a plan to promote town center shops.

Perley Grimes: President of the Greater Litchfield Preservation Trust; the Trust supports the merchant center of Litchfield and is committed to the center of town; others have worked so that commercial zones are not expanding outside of block so that commercial center remains viable; parking is no issue; support this on Dec. 19th.

Jeff Russak: He has also restored buildings in the center of town; use by the public in the center of town is important; putting the town hall in the center is not for the best use of the public; merchants keen on not keeping the court house un-used.

Dan Rutkowski: Resident- Supports Russ Barton willing to buy the court house; would like to see a business in there; get the tax income; government is too big; need to consider impact of handicap parking; parking needs will only grow in the future; summer is busy with tourists; they are not here to see a town hall in the center of town; supports improving the current town hall; throw the ball into private industry; let entrepreneurs put business in the court house, increase tax revenue and put people to work.

The Moderator stated that Item 1 is adjourned to referendum on December 19, 2018 with polls open from 6:00 am to 8:00 p.m.

The Moderator read Item 2 on the agenda.

RESOLUTION AUTHORIZING THE SALE OF THE BANTAM SCHOOL PROPERTY AT 80 DOYLE ROAD, BANTAM (ASSESSOR'S M/B/L 167/72/124) TO THE LITCHFIELD HOUSING TRUST, INC. FOR THE PURPOSE OF CREATING AFFORDABLE HOUSING, SUBJECT TO THE BANTAM POST OFFICE LEASE AND THE LEASE BACK OF THE COMMUNITY GYM, AND CONTINGENT ON VARIOUS LAND USE APPROVALS AND UNDERGROUND FUEL STORAGE TANK SITE REMEDIATION

G. Gillman made motion to waive the reading of the resolution, seconded by B. Gibney. All voted in favor and the motion carried. A copy of the full resolution was made available to all in attendance and is attached to these minutes as Exhibit F.

The Moderator then asked for a motion to adopt the Bantam School sale resolution with the understanding that the vote will be taken on December 19, 2018. Motion was made by C. Bramley, seconded by Paul Parsons. The floor was opened to discussion.

Susan Kinkade: Doesn't understand why we are voting on this now and not waiting until we decide on what will happen with the town hall? She is not in favor of this vote at this time.

Kim MacDonald: Property much too valuable to give away; town will have to cover expenses until Housing Trust takes over and gets proper funding from the state; If the Post Office pulls out Park & Rec must cover all gym expenses; she hopes all of it fails; please consider your votes carefully.

There being no other comments the Moderator stated that Item 2 will be adjourned to referendum to be held on December 19th with the polls to be open at 6:00 a.m. until 8:00 p.m.

Much of the public left at this time.

The Moderator read Item 3 on the agenda.

To consider and act upon an ordinance entitled : "Ordinance Concerning Interlocal Agreements."

J. Zullo made motion to waive the reading of said ordinance, incorporating its full context into the minutes of this meeting. M. Hunt seconded the motion. A copy of this ordinance is available to all in attendance and is attached to these minutes as Exhibit G.

Ann Combs motioned to adopt said ordinance, seconded by C. Bramley.
The floor was opened to discussion.

P. Grimes asked for a brief explanation of the purpose of this ordinance.

L. Paul explained that the purpose is to allow the Board of Selectmen to enter into interlocal agreements for services with other towns when there no financial impact to the community.

P Grimes asked why we need this ordinance.

L. Paul responded again that it would allow interlocal agreements to be entered into by the Board of Selectmen without having to call a town meeting every time the opportunity to do so came up. This ordinance is for agreements that do not have a financial impact on the community. The Board of Selectmen cannot impose any financial impact on the community. Those decisions are made by the Board of Finance and then taken to Town Meeting. He stated that the NWCT Work Force is a program covering the western state that offers Federal and State funding (not town funding) to help people find jobs. It has been used to help approximately 50 people in Litchfield find jobs. In order to continue to do so however an Interlocal Agreement is required to be signed by 41 towns. This is an agreement that does not affect the town financially and could be signed without town meeting if this ordinance is passed.

There being no further discussion a vote was taken by hand count.

52 people voted in favor and 6 people were opposed. The motion carried and the ordinance was adopted.

M. Hunt made motion to adjourn the meeting, seconded by G. Gillman.

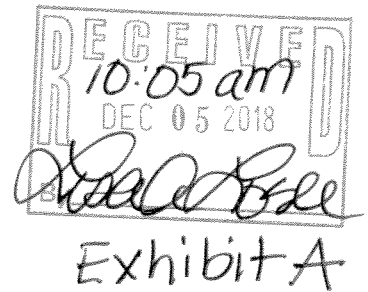
All voted in favor and the meeting adjourned at 8:23 p.m.

Respectfully submitted



Lisa A. Losee

Town Clerk



NOTICE OF SPECIAL TOWN MEETING
TOWN OF LITCHFIELD
TO BE HELD ON DECEMBER 11, 2018
AND A REFERENDUM VOTE ON DECEMBER 19, 2018

Notice is hereby given to the electors of the Town of Litchfield and those qualified taxpayers lawfully entitled to vote in Litchfield Town Meetings pursuant to Section 7-6 of the Connecticut General Statutes that a Special Town Meeting will be commenced on Tuesday, December 11, 2018, at 7:00 P.M., at the Litchfield Intermediate School Auditorium, 35 Plumb Hill Road, Litchfield, Connecticut, for the following purposes:

1.. To consider and act upon the resolution entitled "RESOLUTION ACCEPTING THE DONATION OF THE PROPERTY KNOWN AS THE LITCHFIELD COUNTY COURT HOUSE AT 15 WEST STREET, APPROPRIATING \$7,600,000 TO RENOVATE THE COURT HOUSE FOR USE AS A NEW TOWN OF LITCHFIELD TOWN HALL, AND AUTHORIZING THE ISSUANCE OF \$7,600,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE".

2. To consider and act upon the resolution entitled "RESOLUTION AUTHORIZING THE SALE OF THE BANTAM SCHOOL PROPERTY AT 80 DOYLE ROAD, BANTAM (ASSESSOR'S M/B/L 167/72/124) TO THE LITCHFIELD HOUSING TRUST, INC. FOR THE PURPOSE OF CREATING AFFORDABLE HOUSING, SUBJECT TO THE BANTAM POST OFFICE LEASE AND THE LEASE BACK OF THE COMMUNITY GYM, AND CONTINGENT ON VARIOUS LAND USE APPROVALS AND UNDERGROUND FUEL STORAGE TANK SITE REMEDIATION".

3. To consider and act upon an ordinance entitled "Ordinance Concerning Interlocal Agreements".

The Board of Selectmen voted, pursuant to Section 7-7 of the Connecticut General Statutes, as amended, that the vote on the bond resolution (item 1) and the Bantam School resolution (item 2) of the call of the Special Town Meeting to be held on December 11, 2018, be removed from the call of such meeting and adjourned to a referendum vote at Adjourned Town Meeting to be held on Wednesday, December 19, 2018, between the hours of 6:00 AM and 8:00 PM. As a result, the Special Town Meeting will be held to consider and discuss Items 1 and 2 but not to vote on them. Item 3 will be voted on at the meeting. The questions to be voted upon at the referendum shall be stated as follows:

Question 1. :

Shall the resolution entitled "RESOLUTION ACCEPTING THE DONATION OF THE PROPERTY KNOWN AS THE LITCHFIELD COUNTY COURT HOUSE AT 15 WEST STREET, APPROPRIATING \$7,600,000 TO RENOVATE THE COURT

HOUSE FOR USE AS A NEW TOWN OF LITCHFIELD TOWN HALL, AND AUTHORIZING THE ISSUANCE OF \$7,600,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”, pursuant to the resolution of the Boards of Selectmen and Finance, be approved? YES/NO

‘The ballot label for said question shall read as follows:

“Shall the Town of Litchfield: 1) accept as a donation the property and building known as the LITCHFIELD COUNTY COURT HOUSE, 15 WEST STREET, LITCHFIELD, (the “Property”), and 2) appropriate \$7.6 million to renovate the Property for re-use as a Town Hall, to be financed by the issuance of general obligation bonds and notes; pursuant to the resolution of the Boards of Selectmen and Finance? Yes/No”

Question 2.

Shall the resolution entitled “RESOLUTION AUTHORIZING THE SALE OF THE BANTAM SCHOOL PROPERTY AT 80 DOYLE ROAD, BANTAM (ASSESSOR’S M/B/L 167/72/124) TO THE LITCHFIELD HOUSING TRUST, INC. FOR THE PURPOSE OF CREATING AFFORDABLE HOUSING, SUBJECT TO THE BANTAM POST OFFICE LEASE AND THE LEASE BACK OF THE COMMUNITY GYM, AND CONTINGENT ON VARIOUS LAND USE APPROVALS AND UNDERGROUND FUEL STORAGE TANK SITE REMEDIATION”, pursuant to the resolution of the Boards of Selectmen and Finance, be approved? YES/NO

The ballot label for said question shall read as follows:

“SHALL THE TOWN OF LITCHFIELD SELL THE BANTAM SCHOOL PROPERTY AT 80 DOYLE ROAD, BANTAM (ASSESSOR’S M/B/L 167/72/124) TO THE LITCHFIELD HOUSING TRUST, INC. FOR PURPOSES OF AFFORDABLE HOUSING, THE BANTAM POST OFFICE AND LEASE BACK OF THE COMMUNITY GYM? YES/NO”

Voting tabulators will be used. A vote of “YES” will be a vote for approval, and a vote of “NO” will be a vote for disapproval. Absentee ballots will be made available in accordance with law, issued only in person (not by mail) to the applicant at the Town Clerk’s office.

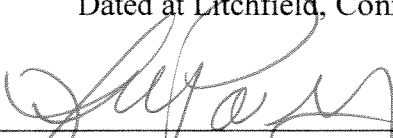
The full text of the aforesaid resolutions and questions are on file, open to public inspection, in the office of the Town Clerk. The votes on the aforesaid resolutions are taken under the authority of Section 7-7 and Chapter 90 of the Connecticut General Statutes, as amended.

Electors shall cast their votes in their various districts at: Litchfield Firehouse, Route 202, Litchfield; Northfield Firehouse, Knife Shop Road, Northfield; and Bantam Borough Hall, Route 202, Bantam; all in Litchfield, Connecticut.

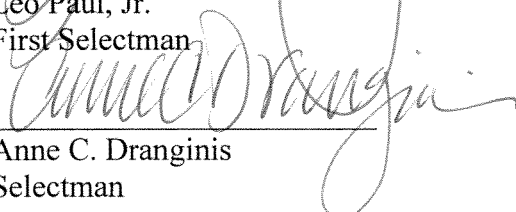
Property owners who are not electors but who are Qualified Voters pursuant to Section 7-6 of the Connecticut General Statutes, as amended, shall cast their votes at the Litchfield Firehouse, Route 202, Litchfield, Connecticut.

Persons eligible to vote at Town Meetings are; (i) any person who is an elector of the Town of Litchfield and (ii) any Qualified Voter, which is any citizen eighteen years of age or more who, jointly or severally, is liable to the Town of Litchfield for taxes assessed against him or her on an assessment of not less than One Thousand Dollars on the last completed grant list of the Town, or who would be so liable if not entitled to an exemption under subdivisions (17), (19), (22), (23), (25) or (26) of Section 12-81 of the Connecticut General Statutes.


Dated at Litchfield, Connecticut this 4th day of December, 2018.



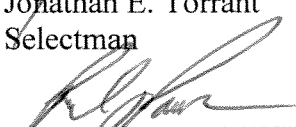
Leo Paul, Jr.
First Selectman



Anne C. Dranginis
Selectman




Jonathan E. Tarrant
Selectman

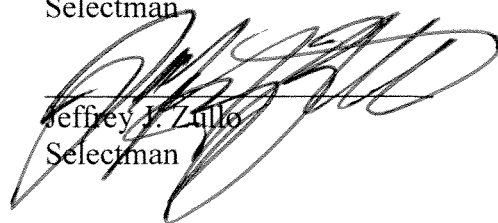


Paul J. Parsons
Selectman

ATTEST:



Lisa A. Losee
Town Clerk



Jeffrey J. Zullo
Selectman

Exhibit B

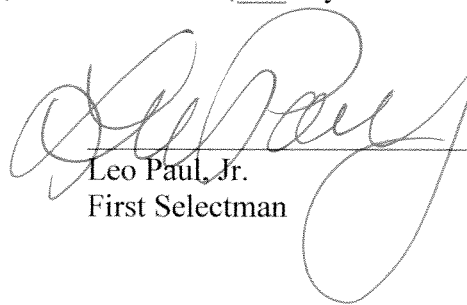
TOWN OF LITCHFIELD

RETURN OF POSTING AND PUBLICATION OF
NOTICE OF SPECIAL TOWN MEETING HELD DECEMBER 11, 2018
AND A REFERENDUM VOTE ON DECEMBER 19, 2018

I, Leo Paul, Jr., the duly elected, qualified and acting First Selectman of the Town of Litchfield, Connecticut, hereby certify that I caused a copy of the above Notice, attached hereto, of the Special Town Meeting of the Town of Litchfield held December 11, 2018, and a Referendum vote on December 19, 2018, to be published in the Republican American, a newspaper having a substantial circulation in the Town of Litchfield in its issue of December 6, 2018, which publication was at least five days prior to the holding of said Special Town Meeting (counting the date of publication but NOT the date of the meeting).

I FURTHER CERTIFY that I cause said Notice to be posted upon a signpost or other exterior place near the office of the Town Clerk and posted and filed in the Town Clerk's office and at all other places designated by the Town on December 5, 2018, not less than five days before such meeting.

Signed and sealed at Litchfield, Connecticut this 10th day of December, 2018.



Leo Paul, Jr.
First Selectman



TOWN OF LITCHFIELD

Exhibit C

P.O. BOX 488
LITCHFIELD, CONNECTICUT 06759

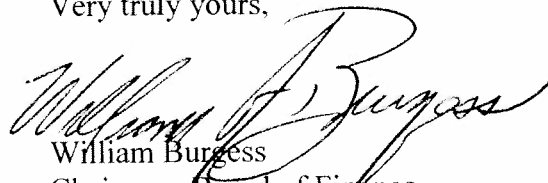
December 6, 2018

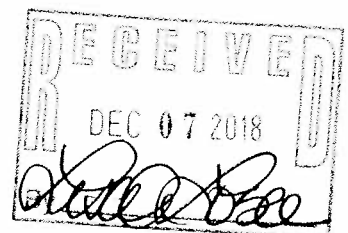
To the Legal Voters
of the Town of Litchfield:

At a meeting of the Board of Finance held November 29, 2018, the following resolution was adopted:

RESOLUTION ACCEPTING THE DONATION OF THE PROPERTY KNOWN AS THE LITCHFIELD COUNTY COURT HOUSE AT 15 WEST STREET, APPROPRIATING \$7,600,000 TO RENOVATE THE COURT HOUSE FOR USE AS A NEW TOWN OF LITCHFIELD TOWN HALL, AND AUTHORIZING THE ISSUANCE OF \$7,600,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Very truly yours,


William Burgess
Chairman, Board of Finance
Town of Litchfield





TOWN OF LITCHFIELD

OFFICE OF THE FIRST SELECTMAN

74 West St. • P.O. Box 488

Litchfield, Connecticut 06759-0488

Phone: (860) 567-7550 • Fax: (860) 567-7552

Exhibit D

December 6, 2018

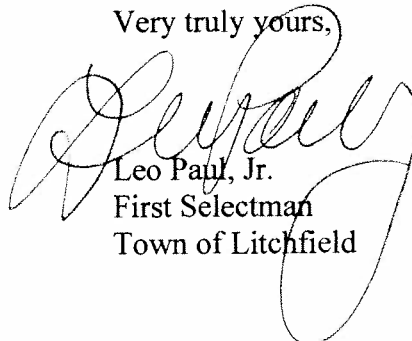
To the Legal Voters
of the Town of Litchfield:

At a meeting of the Board of Selectmen held 12/4/18, the following resolution was adopted:

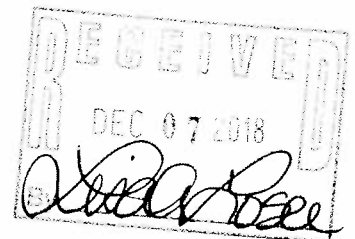
RESOLUTION ACCEPTING THE DONATION OF THE PROPERTY KNOWN AS THE LITCHFIELD COUNTY COURT HOUSE AT 15 WEST STREET, APPROPRIATING \$7,600,000 TO RENOVATE THE COURT HOUSE FOR USE AS A NEW TOWN OF LITCHFIELD TOWN HALL, AND AUTHORIZING THE ISSUANCE OF \$7,600,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

The Board of Selectmen voted in favor of the resolution not because they want to see the Renovation of the Courthouse Project approved, but to give the people of the town of Litchfield an opportunity to decide this contentious and vital issue. The majority of the Selectmen feel the renovated courthouse will not serve well as a town hall, will require expenditures for modifications and additional space over time, will disrupt Litchfield Center business district parking, will eventually cause parking construction to encroach on the town green, and will deprive the town of a rare commercial property opportunity that would otherwise enhance the value and businesses of surrounding properties- the end result being a substantial cost to the town's people through lost tax revenues.

Very truly yours,



Leo Paul, Jr.
First Selectman
Town of Litchfield



RESOLUTION ACCEPTING THE DONATION OF THE PROPERTY KNOWN AS THE LITCHFIELD COUNTY COURT HOUSE AT 15 WEST STREET, APPROPRIATING \$7,600,000 TO RENOVATE THE COURT HOUSE FOR USE AS A NEW TOWN OF LITCHFIELD TOWN HALL, AND AUTHORIZING THE ISSUANCE OF \$7,600,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The Town of Litchfield hereby accepts the donation of the property known as the Litchfield County Court House at 15 West Street, Litchfield, Ct, (the "Property") from the Greater Litchfield Preservation Trust, Inc, (the "Trust"). Title to the property shall be pursuant to deed and contract with such terms, conditions and details as shall be determined by the Board of Selectmen, provided there shall be no reverter clause, use or façade restrictions, and title is to be fully insurable for \$7.6 million.

Section 2. The sum of \$7,600,000 million is appropriated for the planning, acquisition and construction of the renovation of the Property and its conversion to use by the Town of Litchfield as a Town Hall. The Project shall include but not be limited to the reconfiguration of internal spaces for town departments, officials, police and probate, town record vaults including a fire proof vault, conference/meeting rooms, pantry, lavatories, and such other facilities and areas related thereto, site work, demolition, environmental remediation, parking and traffic flow, utilities and infra structure, rewiring, HVAC and indoor air quality, alternative energy and conservation, technology infrastructure, furniture, equipment and computers, architectural, engineering and other consultant services as required, legal, closing costs, insurance, printing, administrative, debt administration and financing costs, or so much thereof, or such additional improvements as may be obtained within the foregoing appropriation.

The Board of Selectmen (the Board) shall oversee and manage the Project and is authorized to establish a building committee and delegate to it such oversight, administrative and management functions with respect to the Project as the Board shall from time to time determine.

Section 3. The total estimated cost of the Project is expected to be financed by bonds authorized herein.

Section 4. To meet said appropriation \$7,600,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and Treasurer, and the amount of bonds of each series to be issued shall be fixed by the First Selectman and Treasurer, in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary

borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Treasurer bear, the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the First Selectman and Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the First Selectman and Treasurer, and be approved as to their legality by Joseph Fasi LLC, Attorneys-at-law, Bond Counsel of Hartford. They shall bear such rate or rates of interest as shall be determined by the First Selectman and Treasurer. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the First Selectman and Treasurer, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 5. Said bonds shall be sold by the First Selectman and Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of the purchase agreement shall be subject to approval of the Board of Selectmen.

Section 6. The First Selectman and Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Treasurer, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the First Selectman and Treasurer, be approved as to their legality by Bond Counsel, and be certified by a bank or trust company designated by the First Selectman and Treasurer, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds,

shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Finance Director or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 8. The First Selectman and Treasurer are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 9. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The First Selectman and Treasurer, are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to law, including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit Versions.

Section 10. This resolution shall not take effect unless it is approved by the Boards of Selectmen and Finance, and at Town Meeting vote at an adjourned town meeting.

RESOLUTION AUTHORIZING THE SALE OF THE BANTAM SCHOOL PROPERTY AT 80 DOYLE ROAD, BANTAM (ASSESSOR'S M/B/L 167/72/124) TO THE LITCHFIELD HOUSING TRUST, INC. FOR THE PURPOSE OF CREATING AFFORDABLE HOUSING, SUBJECT TO THE BANTAM POST OFFICE LEASE AND THE LEASE BACK OF THE COMMUNITY GYM, AND CONTINGENT ON VARIOUS LAND USE APPROVALS AND UNDERGROUND FUEL STORAGE TANK SITE REMEDIATION.

Section 1. The Town of Litchfield hereby authorizes the sale of the Bantam School (the "Property") at 80 Doyle Road, Bantam (Assessor's M/B/L 167/72/124) for the purpose of creating affordable leasing housing, subject to the existing lease to the Bantam Post Office and the lease back of the community gym, and contingent on various land use approvals and underground fuel storage tank site remediation.

Section 2. The Board of Selectmen is hereby authorized to enter into a Purchase and Sale Agreement and a lease back of the community gym with Litchfield Housing Trust, Inc. (the "Trust") and to expend up to \$75,000.00 to remediate the site of an underground fuel storage tank (said amount to be reimbursed by the Trust at closing), and to authorize the Trust to apply for all required land use approvals to create affordable housing rental units in the Bantam School and single family dwelling units on the Property.

Section 3. The First Selectman is hereby authorized to execute and deliver any and all documents and to take any and all action necessary or convenient for said purposes.

Exhibit G.

**TOWN OF LITCHFIELD
SPECIAL TOWN MEETING**

**ORDINANCE CONCERNING INTERLOCAL AGREEMENTS
DECEMBER 11, 2018**

Section 1. Authority.

This ordinance is adopted pursuant to Connecticut General Statutes §7-339c, as amended.

Section 2. Amendment to Code of Ordinances.

The Code of Ordinances of the Town of Litchfield is hereby amended by adding a new section concerning "interlocal agreements" as follows:

Sec. __ - __ Interlocal Agreements.

- A. Definitions. The terms "public agency," "interlocal agreement," "interlocal advisory board," "participating public agency," and "legislative body" shall have the same meanings as defined in Connecticut General Statutes §7-339b, as amended.
- B. Interlocal Agreements. The Town of Litchfield authorizes its Board of Selectmen to enter into, ratify, reject, amend, or withdraw from, any interlocal agreement for one or more of the purposes, and subject to the terms and conditions, set forth in Connecticut General Statutes §7-339b through §7-339l, inclusive, as amended; provided, however, the Board of Selectmen provides an opportunity from public comment prior to taking such action; and provided further, that any commitment of municipal funds required which was not previously approved by the town shall be approved by the Board of Finance, and if necessary, a town meeting.

Section 3. Effective Date.

This ordinance shall apply to all interlocal agreements acted upon by the Town of Litchfield on or after fifteen (15) days after a publication of a summary of this ordinance pursuant to Connecticut General Statutes §7-157(b).

Adopted by town meeting on 12/11, 2018.

Published in the Republican-American on 12/13, 2018.

Effective date: 12/28, 2018.

Recorded in the Litchfield Town Records: Vol. -, Pg. -.
Town Code of Ordinances Book