

**REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN  
TUESDAY, MAY 6, 2008  
TOWN OFFICE BUILDING ~ 5:30 P.M.**

**Call to Order:** Leo Paul, Jr. called the meeting to order at 5:31 p.m. Also present were Jack Healy, Ernest Bunnell, Martha Bernstein and William Dranginis.

**Approval of Minutes:** **Motion:** M. Bernstein moved to approve the regular April 15, 2008 meeting minutes, and E. Bunnell seconded. All voted aye except for W. Dranginis who abstained due to absence, and the motion carried.

**Public Requests/Comments:** Jessica Halvelstead, a volunteer helping with the playscape, said she had attended the Park and Recreation's meeting where they narrowed the proposals to two play equipment companies. She asked them to address the issue of shade as well as adult fitness equipment. She hopes the money will be spent on children's equipment and not on adult fitness equipment. She thanked the Board for obtaining the STEAP grant and asked them to listen to those who use the facility.

Winnie Harrison spoke about the flooded floors at the high school. She said she asked why the problem was not disclosed at the 4/17/08 School Building Committee meeting or by Leo Paul, and she did not get an answer. She also said the update on the parking lot given by Mr. William Buckley was too vague and wondered why. She asked about lawsuits, and said the Building Committee is in turmoil and refuses to discuss important matters publicly.

**Selectmen's Requests:** L. Paul said he had nothing for the First Selectman's report. W. Dranginis said he had a discussion with another member of the playground committee, and as a result had concerns about the safety of adults exercising with the children and the expense of the adult equipment that should be better allocated for children's equipment. Mr. Paul reminded Mr. Dranginis that the process of obtaining the money from the STEAP grant has many stops on the State level and is nowhere near completion. He also felt adult exercise equipment would be an inappropriate use of funds granted for a children's playscape, and the State funds must be used only for playscape equipment.

**Motion:** W. Dranginis moved to add to the agenda under New Business h) a discussion of changing future Selectmen's meeting locations. E. Bunnell seconded. Needing a 2/3 majority to add to the agenda, W. Dranginis, M. Bernstein and E. Bunnell voted aye and L. Paul and J. Healy voted nay, defeating the motion. E. Bunnell asked if it could be added to a future agenda, and L. Paul said yes. He also commented that the website is coming along well.

M. Bernstein reported that there is a final candidate for the Social Services position, and that person will be meeting with the Social Services Board next week, and then with Leo Paul, who will make the final decision.

**Northfield Firehouse Update:** M. Bernstein said there has been another delay with figures from LaRosa Building Group.

**School Building Committee Update – Jack Healy:** J. Healy said they are still working with O&G on approving or denying items on the punch list. They approved \$55,000 or \$60,000 for purchasing more FF&E equipment. Regarding the parking lot, Bill Buckley is working with CCA, the consulting engineers, on the paperwork required for submission. They have been answering questions with the State Traffic Commission and are working through the process. They will not start the bid process until they have approval from the State. He believes there will be enough money to do the job. W. Dranginis asked about the water leak, and Mr. Healy said it is all repaired. It was the school's responsibility, as that section of the school was turned over to them, and they handled it. The contractor is working with the insurance company.

**Town Hall Building Committee Update:** J. Healy reported the public meetings will be held on May 19<sup>th</sup> at the Litchfield Firehouse, May 20<sup>th</sup> at the Northfield Firehouse, and May 22<sup>nd</sup> at the Bantam Borough

Hall. The purpose is to present the results of the Building Committee's work to this point and to solicit input from the residents.

### **Resignations**

- a) **Robin Gros-Crook from Sandy Beach Commission, effective 4/30/08:** Received and noted.
- b) **James B. Crampton from WPCA, effective 5/1/08:** Received and noted. J. Healy asked that it be noted that Mr. Crampton has served the Town for a long time on the WPCA, and the Board appreciates all his efforts.

### **Interviews, Appointments & Reappointments**

a) **Interview Roseanne Frank for Town Hall Building Committee, regular member:** Ms Frank said she would like to get back into supporting the community. She had served on the Board of Education years ago and did coaching. Her last child graduates from college soon, so she would like to be involved again. She attended the last meeting of the THBC and enjoyed it. **Motion:** J. Healy moved to appoint Roseanne Frank as a regular member on the Town Hall Building Committee, with term expiration of October 2009. E. Bunnell seconded the motion. All voted aye and the motion carried.

b) **Interview Frederick Minck – Inland Wetlands, regular member:** L. Paul prefaced by saying that Fred has previously served on Inland Wetlands for twenty years, and the chairman has asked that he be appointed as a regular member. **Motion:** W. Dranginis moved to appoint Mr. Minck to the Inland Wetlands Commission as a regular member, with term expiration of June, 2011. J. Healy seconded. All voted aye and the motion carried.

**Liaison Reports/Commission-Committee Minutes:** 4/3/08 WPCA minutes; 3/13/08 Fire & EMS Commission minutes; 3/26/08 Special BOE Policy Sub-Committee minutes; 4/22/08 Conservation Commission minutes; P&Z minutes 3/17/08, 3/3/08, 2/19/08; 4/9/08 BOE draft minutes; 1/17/08 BOE Facilities and Technology Sub-Committee draft minutes

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

Bantam Lake Authority: One member, 12/2008  
Bantam District Committee: Three members, two 3/2007, 1 3/2007  
Beautification Commission: One regular member, 2/2008  
Capital Improvements Committee: One member 11/2007  
Conservation Commission: One alternate member 12/2009  
Economic Development Commission: One regular member 6/2009; Board of Ethics: One regular member 6/2008 and two alternate members 6/2007, 6/2008  
Litchfield Housing Authority: One member, 8/2011  
Litchfield Housing Partnership: Six regular members, indefinite term  
Litchfield Prevention Council: Five regular members: one 6/2007, three 6/2008, one 6/2006 and four alternate members: two 6/2007, and two 6/2008  
Milton Historic District Commission: 3 regular members, 1/2011, 1/2012, 1/2013  
Northwest Regional Tourism District: 1 member, 9/2009  
Northwest Regional Transit District: 1 alternate member 5/2010  
Northwest Regional Mental Health Board, Catchment Area council #22: One member, 5/2009  
Pension Commission: Two alternate members, both 3/2010  
Recycling Committee: Three regular members, two 2/2009, one 2/2008  
Sandy Beach Commission: Three regular members: one 12/2008, two 12/2009  
Town Hall Building Committee: Two alternate members 10/09  
Veteran's Advisory Committee: Two regular members; one 8/2009, one 8/2007; Two alternate members 8/2009  
Water Pollution Control Authority: One regular member, 1/2013; Two alternate members; 1/2010, 1/2011

**Tax Refunds:** None

**Transfers:** None

**Old Business:** None

**New Business:** a) **Award Bid for Engineering for Bantam River Right Jamb Replacement:** L. Paul explained that the Town can now start spending the STEAP grant money awarded a couple years ago. Wengell, McDonnell & Costello is the lower bidder for the engineering services by \$25,000, so Director of Public Works Barry Berson recommends awarding the bid to WMC for \$44,000.00. W. Dranginis asked if any of this work could be done in house. Mr. Berson said that he has never done anything like this. There is an enormous amount of work that has to be done with the DEP and the Corps of Engineers, as it is a unique project. Mr. Dranginis then asked about the danger or losing money because of a time lapse. L. Paul said an extension was not required, once the money is being expended. J. Healy asked Mr. Berson if he know of WMC, and he replied that they are currently doing the Campville Bridge. He said the surprising thing was that Lenard Engineering had done the left jamb, so other firms anticipated that they would do the right jamb and did not bid the job. **Motion:** W. Dranginis moved to approve the engineering award to WMC, Consulting Engineers, and J. Healy seconded. All voted aye and the motion carried.

b) **Adopt Resolution - Affordable Rehabilitation/Renovation of the Old Northfield Firehouse:** L. Paul explained that this is needed to apply for a Small Cities grant to convert the old Northfield Firehouse to affordable housing. **Motion:** W. Dranginis moved to dispense with the reading of the resolution, and J. Healy seconded. All voted aye and the motion carried. **Motion:** W. Dranginis moved to adopt the following resolution, and J. Healy seconded. All voted aye and the motion passed. The entire resolution follows:

**WHEREAS**, pursuant to Chapter 127c and Part VI of Chapter 130 of Connecticut General \_\_\_\_\_,  
(State Statutory Reference)

the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and **WHEREAS**, it is desirable and in the public interest that the Town of Litchfield \_\_\_\_\_ make an application to the State for

(Applicant)

\$ 700,000.00 in order to undertake the Affordable Rehabilitation/Renovation of the Old \_\_\_\_\_  
(Name and Phase of Project)

Northfield Fire House and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE

Board of Selectmen \_\_\_\_\_

(Governing Body)

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Chapter 127c and Part VI of Chapter 130 of Connecticut General \_\_\_\_\_  
(State Statutory Reference)

2. That the filing of an application for State financial assistance by

Town of Litchfield \_\_\_\_\_

(Applicant)

in an amount not to exceed \$ 700,000.00 is hereby approved and that

Leo Paul, Jr., First Selectman \_\_\_\_\_

(Title and Name of Authorized Official)

is directed to execute and file such application including a Program Income Reuse Plan, if applicable, with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of

Town of Litchfield \_\_\_\_\_

(Name of Applicant)

3. That it hereby adopts or has adopted as its policy to support the following nondiscrimination agreements and warranties required under subsection (a)(1) of Connecticut General Statutes sections 4a-60 and 4a-60a, respectively, as amended by Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142 and, and for which purposes the “contractor” is Town of Litchfield and “contract” is said Assistance Agreement: (Name of Applicant)

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation.

**c) Adopt Resolution – Milton Road Phase III Overlay \$250,000:** L. Paul explained that this project has been in existence for a number of years. Three years ago there was enough money in the budget and with grants, but because of delays in paperwork and questions from the State’s perspective, the Town was short \$250,000. He then went looking for the money, and was able to obtain it from the Litchfield Hills Council of Elected Officials and the DOT. This resolution allows the Town to get the additional \$250,000, which will pay for the Milton Road overlay from Duck Pond Road to just before the Bunnell Farm, the whole project. **Motion:** M. Bernstein moved to waive the reading of the resolution, and W. Dranginis seconded. All voted aye and the motion carried. **Motion:** W. Dranginis moved to adopt the resolution for the Milton Road Phase III Overlay, and E. Bunnell seconded. J. Healy asked if the \$250,000 is still a good figure with the price of oil and asphalt going up. B. Berson said he’s heard the prices on the bids are lower than the prices the State asked us to use. L. Paul said, after meeting with the DOT last week, there should be enough money to start the project this summer and complete it in the fall. All voted aye and the motion carried. The resolution reads as follows:

RESOLVED, that Leo Paul, Jr., First Selectman, be, and hereby is authorized to sign the agreement entitled:

“Agreement between the State of Connecticut and the Town of Litchfield for the Construction, Inspection, and Maintenance of Milton Road (Phase III) utilizing Federal Funds under the Rural Component of the Surface Transportation Program” and a Certification Indicating the Council Adopts as Its Policy to Support the Nondiscrimination Agreements and Warranties Required under the Connecticut General Statutes

**d) Adopt Resolution – Execution of DEMHS Memorandum of Agreement for STOCS Box:** L. Paul explained that the STOCS Box is a multi-frequency radio system that is being offered to Litchfield as a test area. Emergency Management Director Thomas O’Hare said that it is a computerized box that allows many regional agencies to communicate on one level. The Town agrees that if a disaster occurs, a trained person will have the box. He would like to train the fire departments to use it. It will be stored with him in the Fire

Marshal's vehicle. There is no cost. **Motion:** W. Dranginis moved to waive the reading of the resolution, and M. Bernstein seconded. All voted aye and the motion carried. E. Bunnell said there may be a cost responsibility to take the box to another town if Tom should not be available. He also said all the volunteers' portable radios would have to be reprogrammed by a technician to add those frequencies at \$25 per radio. L. Paul said they should get that money from DEMHS. T. O'Hare thought the cost would not be as high as we think, but he will go to the State to discuss. If Tom is out of town, there would be someone else designated to hold the box. **Motion:** W. Dranginis moved to adopt the resolution, and J. Healy seconded. All voted aye and the motion carried. The resolution reads as follows:

RESOLVED, that the Litchfield Board of Selectmen, may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Leo Paul, Jr., as First Selectman of the Town of Litchfield, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectmen and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents.

**e) JP Maguire Associates Tier One Client Agreement:** T. O'Hare explained that this is a no-cost insurance policy that states that if a disaster strikes, they will put the Town buildings on the top of the priority list for clean-up. He emphasized the Town is under no obligation to hire JP Maguire Associates. **Motion:** W. Dranginis moved to dispense with the reading of the Tier One Client Agreement, and J. Healy seconded. All voted aye and the motion carried. **Motion:** M. Bernstein moved to authorize the First Selectman to sign the agreement, and W. Dranginis seconded. All voted aye and the motion carried.

**f) Award Micropaving Bid:** L. Paul said the Gorman Group was the sole bidder. The price is \$2.60 per yard of Type II micropaving, \$3.50 per yard of Type III, and Type III rut filling at \$180.00 per ton. B. Berson said they are planning to pave the Center School school yard. They have done many jobs for the Town. W. Dranginis asked why there was only one bidder. **Motion:** M. Bernstein moved to award the bid to the Gorman Group, LLC. J. Healy seconded, all voted aye and the motion carried.

**g) Sign Call for Annual Budget Meeting 5/14/08:** L. Paul read the call for the Annual Budget Meeting to be held at the Intermediate School Auditorium at 7:00 p.m. to act on the Town budget as submitted by the Board of Finance. **Motion:** W. Dranginis moved and J. Healy seconded the motion to sign the call. All voted aye and the motion carried.

**Correspondence: a) Bantam Borough Letter Re Bantam River Park Project:** This letter reconfirmed the Bantam Board of Warden and Burgess's support of the project. L. Paul added that he was able to get an extension from the State for the \$30,000 grant for the project.

**Motion:** W. Dranginis moved to adjourn at 6:29 p.m. and E. Bunnell seconded. All voted aye and the motion carried.

Leo Paul, Jr.  
First Selectman