

**REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN  
TUESDAY, JUNE 3, 2008  
TOWN OFFICE BUILDING ~ 5:30 P.M.**

**Call To Order:** Leo Paul, Jr. called the meeting to order at 5:30 p.m. Also present were William Dranginis, Martha Bernstein, and Ernest Bunnell. Jack Healy was away.

**Approval Of Minutes:** **Motion:** There was a motion by M. Bernstein and seconded by W. Dranginis to approve the regular May 20, 2008 meeting minutes. All voted aye and the motion carried.

**Public Requests/Comments:** None

**Selectmen's Requests:** **Motion:** W. Dranginis moved to add to New Business g) a discussion on use of attorneys while negotiating union contracts. E. Bunnell seconded the motion. Upon voting, M. Bernstein, E. Bunnell and W. Dranginis voted aye and L. Paul voted nay. Motion carried. **Motion:** W. Dranginis moved to add to New Business h) Old Northfield Firehouse Roof. He then withdrew his motion, as Mr. Paul said he was going to discuss progress on that subject. Mr. Paul said in reference to a letter from the Northfield Volunteer Fire Company, he has spoken to Public Works, and they will talk to roofer Jim Hartshorn to see if they can get the roof patched up. That is the best the Town can do. Jim is going to try to get some shingles at cost to patch the roof. W. Dranginis said it is the Town's responsibility to make the building functional, as it is a Town building. L. Paul corrected him that the building belongs to the Northfield Fire Company, but the Town should offer assistance. M. Bernstein said they should not let it get to the point where it would no longer be a useful building. L. Paul said they are trying to get to the point where they get the grant to convert the building to affordable housing. E. Bunnell offered to be at the firehouse to point things out to the roofer when it gets to that point.

**Clean Energy Presentation**

Dean Birdsall, teacher at the High School, and a student, Tasha, explained the "20% by 2010" program the students are working on at the high school. They are trying to get commitments from residents to purchase clean energy for 20% of its demand by 2010. If 100 residents sign up, the Town qualifies for a free solar energy system installed on Town property from the Clean Energy Fund. As an additional requirement the Town would need to sign on as a Smart Power Community to purchase energy from one of the two clean energy suppliers, Sterling Planet or Community Energy. They use hydroelectric, wind and landfill gas. The cost of energy would be slightly higher than present for the residents, between \$4 and \$11 per month. The Town would pay an extra 5% up to \$35,000 per year, but it would all be purchased through CL&P. CL&P pays for all the hook-ups on the free solar panels. Unless the Town actually purchases power, it would not qualify for the free solar array. A municipal resolution would be needed. E. Bunnell said he would be interested to know exactly how much extra this would cost the Town.

**Northfield Firehouse Update:** M. Bernstein said the meeting last week was canceled. David Wilson is working to put together a proposal to go back to LaRosa Building Group. L. Paul has met with David Wilson and Public Works and is looking at a solution to the problem. E. Bunnell reported all paperwork has been sent in to the State to secure a \$10,000 grant.

**School Building Committee Update – Jack Healy:** No report.

**Town Hall Building Committee Update:** L. Paul reported the next meeting is June 26<sup>th</sup>. The Committee will review and compile the comments and submit the final report to the Board of Selectmen. E. Bunnell said he attended all three presentations and thought that people generally felt that something really needs to be done.

**Resignations**

- a) William Wilson from Town Hall Building Committee, effective May 23, 2008: Received and noted.
- b) Bruce Mason from Social Services Board, effective May 31, 2008: Received and noted.

Declining Reappointment: Peter Tavino – Economic Development Commission: Received and noted.

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

**a) Reappoint Frank Simone – Park & Recreation Commission, term 6/2012: Motion:** W. Dranginis moved to not reappoint Mr. Simone. M. Bernstein seconded the motion. Mr. Dranginis thought Mr. Simone has too much on his plate. He also felt it is a major conflict of interest to be Chairman of Park and Recreation as well as a member of the school board and the Capital Committee. He has been on the Plumb Hill Commission and has not attended a meeting in three years. He felt he serves in too many areas of responsibility with conflicts of interest to be so involved with so many major boards. Mr. Paul said that was not the selectmen's decision to make. If someone wants to volunteer for a position they should be considered, especially if they have served for quite a while, and he is the chairman. M. Bernstein thinks there should be a limit to the number of terms a volunteer can serve on a commission. She felt the number of people who serve on multiple commissions prevent more people in town from being engaged. L. Paul said there are not people stepping up to volunteer. Martha said she did not think people do step up to volunteer because they do not quite know. If you are serious about wanting people to be involved, you have to go out and look for them. She said further that knowing these appointments were coming up today, she approached three or four people today who she thinks would be good members of this particular commission, as it is one of the more attractive ones. She had positive responses, so she thought there are people the Board could be reaching out to. Leo agreed but said talk is cheap; many times people say yes until they realize what is involved. E. Bunnell said there are close to 50 vacancies on the list, but L. Paul said there are committees that are not functioning and need to be eliminated. He is looking at one now and will investigate more that are inactive. M. Bernstein expressed her desire to take a serious look at the term limits of boards and commissions and determine what the appointment strategy should be. She said she felt badly because perhaps this is not the commission Mr. Simone would want to give up. Mr. Paul said he is the chairman of the Park and Recreation Commission, and is active. He said further that he would not vote to deny his reappointment. Mr. Paul also said it is not the Board of Selectmen's call to decide who is overextended and what committees or commissions people should volunteer for. W. Dranginis said there is a conflict of interest because the school board and Park and Recreation are very closely tied together. L. Paul disagreed. Mr. Dranginis said Mr. Simone is supposed to be the school board's representative to Plumb Hill, which has a direct connection to Park and Recreation, but he does not attend the Plumb Hill meetings. Also, a couple years ago there were major fights about use of facilities with Bob Lindgren. Mr. Paul still disagreed there is a conflict of interest. **Vote:** Upon voting, M. Bernstein, W. Dranginis and E. Bunnell voted aye, and L. Paul voted nay. Motion carried. Mr. Paul said he finds this action absolutely deplorable that this board will not reappoint someone who is willing to volunteer.

**b) Reappoint Elisa Bauer – Park & Recreation Commission, term 6/2012:** E. Bunnell said the same situation exists here, as she is also on the Social Services Board and the Town Hall Building Committee. Mr. Paul said that again, it is not the position of the Board of Selectmen to decide who should serve on what boards. M. Bernstein argued that it was. L. Paul said that accepting recommendations from boards and commissions is a prerogative that the BOS has allowed. It is not something to be voting on because someone said this person should or should not be appointed to a board. M. Bernstein agreed and wanted to ask the Park and Recreation Commission for its recommendation on who they are interested in having. Mr. Paul said that would be usurping the responsibility, totally inappropriate, and has just been done by voting to not reappoint someone who is chairman of the commission. Now this board is deciding if it should reappoint someone who is serving on two boards, three boards, four boards or five boards. That is out of our responsibility. Mr. Dranginis said that if there is a conflict of interest, it is not out of our responsibility. He said there was a similar situation with Susan Kennedy a few years ago, and Mr. Paul said she was not reappointed because of a conflict of interest; it was a different issue. **Motion:** E. Bunnell moved to reappoint Elisa Bauer, although he still has that concern. M. Bernstein seconded. Upon voting all voted aye and the motion carried. M. Bernstein asked again to look at how appointments are made, how names are generated, how many terms people serve, etc. L. Paul said those rules are already in place, but if she would like to look into changing the rules, she may do that. W. Dranginis then reiterated his concern with conflict of interest, and Mr. Paul said that if a potential conflict of interest should arise, the member should recuse himself or the chairman should make sure he does. Mr. Simone recuses himself when the school board talks about the school busses.

**Liaison Reports/Commission-Committee Minutes:** 5/27/08 Conservation Commission minutes; 4/30/08 EDC 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: Two regular members; one 6/2009, one 6/2011  
Board of Ethics: One regular member 6/2008 and two alternate members 6/2007, 6/2008  
Inland Wetlands Commission: One alternate 6/2009  
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  
Park and Recreation Commission: One regular member, 6/2012  
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  
Social Services Board: One member 2010  
Town Hall Building Committee: One regular member 10/2009; 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: Motion:** E. Bunnell moved to approve the 16 tax refunds, total of \$3,710.89. M. Bernstein seconded the motion. He then questioned a refund of \$2,375.34, and L. Paul explained that the person sold property in December and paid taxes on it, and the new buyer also paid taxes on it. Upon voting, all voted aye and the motion carried.

**Transfers:** None

**Old Business:** None

**New Business**

**a) Award Bid for Center School Flat Roof Replacement:** L. Paul explained this is phase two of the roof replacement at Center School, and the low bidder is the company that did the annex portion previously. Mr. Dranginis asked about the budget and Mr. Paul said it was \$414,000. The bid came in \$80,000 less. **Motion:** W. Dranginis moved to award the bid to C & M Exterior Renovations for \$347,000. E. Bunnell seconded the motion. They will start work by July 1<sup>st</sup> and be done by September. All voted aye and the motion carried.

**b) Adopt Resolution for Town Beach STEAP Grant: Motion:** W. Dranginis moved to waive the reading of the resolution, and E. Bunnell seconded. All voted aye and the motion carried. **Motion:** E. Bunnell moved to adopt the resolution for the Town Beach STEAP grant. W. Dranginis seconded, all voted aye and the motion carried. The resolution reads as follows:

**RESOLVED**, that Leo Paul, Jr. of the Town of Litchfield be and hereby is authorized to execute on behalf of this municipal corporation a Personal Services Agreement with the State of Connecticut for financial assistance to the Litchfield Town Beach, STEAP 2008-09.

**c) Adopt Resolution for Playscape STEAP Grant: Motion:** M. Bernstein moved to waive the reading of the resolution, and E. Bunnell seconded. All voted aye and the motion carried. W. Dranginis asked about a final design, and L. Paul said they have a couple vendors in mind, but the grant has to be signed off at the

Attorney General's office first so we can open the account. The decision on the vendor will come back to the selectmen. **Motion:** W. Dranginis moved to adopt the resolution for the Playscape STEAP grant. E. Bunnell seconded, all voted aye and the motion carried. The resolution reads as follows:

**RESOLVED**, that Leo Paul, Jr. of the Town of Litchfield be and hereby is authorized to execute on behalf of this municipal corporation a Personal Services Agreement with the State of Connecticut for financial assistance to the Community Field Playscape, STEAP 2008-09.

**d) Adopt Resolution for Historic Document Preservation Grant:** L. Paul read the resolution. **Motion:** E. Bunnell moved to adopt the resolution, and W. Dranginis seconded. All voted aye and the motion carried. M. Bernstein commended Town Clerk Lisa Losee for identifying this grant and pursuing it. The resolution reads as follows:

**RESOLVED:** That Leo Paul, Jr., First Selectman, is empowered to execute and deliver in the name of and on behalf of the Town of Litchfield, a contract with the State Library for an Historic Documents Preservation Grant.

**e) Adopt Resolution – Use of Program Income for Small Cities Block Grant Program: Motion:** E. Bunnell moved to waive the reading of the resolution, and W. Dranginis seconded. All voted aye and the motion carried. L. Paul explained this was part of a grant to allow people to take a zero interest loan for home repairs and then repay when they sell their home. There is a sizeable amount of money that should be spent, and this is a good opportunity. This would provide \$50,000 to the Housing Authority for the Wells Run project to hire an engineer. **Motion:** M. Bernstein moved to adopt the resolution and E. Bunnell seconded. All voted aye and the motion carried. The resolution reads as follows:

**RESOLUTION FOR THE  
USE OF PROGRAM INCOME**

Whereas, the Town of Litchfield has received funds under the Small Cities Block Grant (CDBG) Program, administered by the State of Connecticut, Department of Economic and Community Development, pursuant to Title I of the Housing and Community Development Act of 1974 as amended; and

Whereas, the Town of Litchfield has expended those funds pursuant to Title I of the Housing and Community Development Act of 1974, the Code of Federal Regulations, and the Assistance Agreement, and,

Whereas, those funds received by the Town of Litchfield have generated Program Income.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SELECTMEN:

1. That it is cognizant of the conditions for the use of Program Income as prescribed by Title 24, Part 570, Section 489(e) and (f) of the Code of Federal Regulations.
2. That it realizes Program Income is governed by Title I of the Housing and Community Development Act of 1974.
3. That it may use Program Income only for the following activities:
  - a. The activity that generated the program income if the activity continues to meet the requirements of Title I of the Housing and Community Development Act of 1974.
  - b. Any additional activity that meets the requirements of Title I of the Housing and Community Development Act if the Town receives DECD's written approval to fund it with Program Income.
4. That it may use Program Income to fund Administrative and Program soft costs within the following limits:

Administrative Costs	16%
Total Administrative and Program Soft Costs (Housing Rehabilitation Activities <u>Only</u> )	25%

Total Administrative and Program Soft Costs 21%  
(All Activities Except for Housing Rehabilitation)

5. That it is hereby amending the Program Income Plan(s) that was adopted for the original activity that generated the Program Income to permit the funding of additional activities from that Program Income.
6. That the Program Income Reuse Plan be hereby amended to allocate \$50,000 for planning, design, engineering, and other related costs needed by the Litchfield Housing Authority for the proposed renovations, improvements and additions to Wells Run Elderly Housing. That further, these funds be provided for the Authority's use subject to the usual and customary terms and conditions of the Small Cities Block Grant Program.

**f) Adopt Resolution for Amendment to Resident Trooper Contract: Motion:** W. Dranginis moved to waive the reading of the resolution, and E. Bunnell seconded. All voted aye and the motion carried. L. Paul said this resolution authorizes him to sign the contract to hire another resident trooper in Litchfield. **Motion:** W. Dranginis moved to adopt the resolution and E. Bunnell seconded. All voted aye and the motion carried. The resolution reads as follows:

RESOLVED: That Leo Paul, Jr., First Selectman of the Town of Litchfield, is hereby authorized to execute and deliver in the name of, and on behalf of the Town of Litchfield, a contract entitled "First Amendment to Contract Between the State of Connecticut Department of Public Safety, Division of State Police, and the Town of Litchfield for the Services of Resident State Police Troopers" for additional police services commencing on July 1, 2008, within the contract period of July 1, 2007 to June 30, 2009, Agreement No. 2000-290.

**g) Use of Attorneys While Negotiating Union Contracts:** W. Dranginis recapped that last year the Town spent \$66,000 in comparison to the school board's legal expense for negotiations of \$600 for a much larger contract. He said it does not seem right to have an attorney attend every meeting of negotiations. L. Paul said the reason is that the union representative is a labor attorney. They also saved much more money in the contract than was spent in legal fees. Bill referred to an attorney he knows who represents school boards and municipalities in large cities and never attends the negotiating sessions. He is available for phone calls if needed. L. Paul said it is much easier to have everyone on hand, and it is foolish to sit at the table with a labor attorney and no representation. E. Bunnell said this year the President of LCD sat with the union representative and worked out an agreement and brought it back to the board. The board agreed to it and it did not cost anything. M. Bernstein pointed out that our attorney is acting as our negotiator. **Motion:** W. Dranginis moved to add Executive Session to the agenda. E. Bunnell seconded the motion. All voted aye and the motion carried. **Motion:** L. Paul moved to go in executive session at 6:40 p.m. with selectmen only to talk about labor unions. M. Bernstein seconded. All voted aye and the motion carried. Out of executive session at 6:51 p.m. No action taken.

**Motion:** W. Dranginis moved to adjourn at 6:52 p.m. E. Bunnell seconded. All voted aye and the motion carried.

Leo Paul, Jr., First Selectman