

# WINDHAM TOWN COUNCIL MINUTES

\*\*\*SPECIAL TELECONFERENCE MEETING\*\*\*



Windham Town Hall Meeting Room

Wednesday, January 22, 2014 - 6:30 P.M

## 1. Call to Order

Mayor Eldridge called the Town of Windham Regular Town Council Special Teleconference meeting to order at 6:30 P.M.

Town Council members present: Mayor Ernest S. Eldridge, Charles Krich, Tom DeVivo, Lorraine McDevitt, Joseph Underwood, Michael Lessard, James Flores, Tony Fantoli (arrived at 6:33 PM) and Charlotte Patros (arrived at 6:37 PM).

Christel Donahue was present via telephone.

Mark Doyle was excused.

Town Manager Neal Beets was also in attendance.

## 2. Pledge of Allegiance

Mayor Eldridge led all in the Pledge of Allegiance.

## 3. Citizens and Delegations: Public Comment

Bill Powers, 355 Scotland Road, Windham, shared his concerns regarding the signs at Windham Center School and would like speed limit signs installed. He also spoke about “whistle blowers” and employees rights. In addition, Mr. Powers spoke about people being appointed to Boards and Commissions (Charter Revision Commission) and would like the Mayor to question their dedication and commitment before being appointed.

James Flores, 40 Memorial Drive, Willimantic, noted he is a Council member and he is not pleased with having to sign up to speak. He cautioned other Council members to be careful with their microphones and stated he had received several phone calls regarding some comments that had been made at a previous meeting and were heard by residents watching the meeting on TV.

## 4. Appointments.

a. **Diana K. Perkins as a regular member of the Water Commission.**

b. **Councilmember Lorraine McDevitt as a voting member and representative of the Willimantic Service District on the Board of Directors of the Switchboard Association.**

DeVivo MOVED, Underwood seconded, to appoint Diana K. Perkins as a regular member of the Water Commission. All were in favor. MOTION PASSED UNANIMOUSLY.

Underwood MOVED, DeVivo seconded, to appoint Councilmember Lorraine McDevitt as a voting member and representative of the Willimantic Service District on the Board of Directors of the Switchboard Association. All were in favor except McDevitt who abstained. MOTION PASSED.

**5. Resolutions and Ordinances. Please move to waive the reading of the following Resolutions, and please move to adopt the following Resolutions:**

- a. A Resolution accepting Historic Preservation Grant #163-SF-14 from the Connecticut State Library System.
- b. A Resolution setting a Town Meeting for February 18, 2014, at 6:00 PM in the Town Meeting Room of Town Hall to approve easements for the Yankee Gas Services Company at the Water Department.
- c. A Resolution setting a Town Meeting for February 18, 2014, at 6:00 PM in the Town Meeting Room of Town Hall regarding the purchase of Musical Instruments for the Windham Public Schools.
- d. A Resolution setting a Town Meeting for February 18, 2014, at 6:00 PM in the Town Meeting Room of Town Hall regarding the purchase of Performance Plus Software and a Literacy Program for the Windham Public Schools.
- e. A Resolution setting a Town Meeting for February 18, 2014, at 6:00 PM in the Town Meeting Room of Town Hall regarding a Micro-Grid at Sweeney Elementary School and the Windham Middle School.

DeVivo MOVED, Underwood seconded, to waive the reading of Item 5a thru 5e. All were in favor. MOTION PASSED UNANIMOUSLY.

Krich MOVED, Flores seconded, to vote on Item 5a thru 5e as one Item. All were in favor except Fantoli who opposed.

**Resolution #2617**

**BE IT RESOLVED by the Town Council THAT**

Neal J. Beets, Town Manager, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for an Historic Documents Preservation Grant.

**MOTION PASSED**

**Resolution #2618**

**Be It Resolved by the Town Council That**

BE IT RESOLVED by the Council THAT the Town of Windham grant an easement to Yankee Gas Services Company to install gas mains on Town owned property at the Windham Water Treatment Plant located on Route 195, Mansfield, Ct. as shown on a plan entitled "Compilation Plan, Map Showing Easement Area to be granted to Yankee Gas Services Company across the property of Town of Windham, Route 195, Mansfield, CT." File No. E3065, DATED May 29, 2013, Scale: 1" = 20' Revision 1, 7-9-13 Garage Addition, Misc. Landscaping & Gas Meter.

To move to a Town meeting on February 18, 2014 at 6:00 pm

**MOTION PASSED**

**Resolution #2619**

**Musical Instruments  
for Windham Public Schools**

**BE IT RESOLVED by the Town Council THAT**

1. The Town of Windham appropriate \$161,197.00 from the Town's undesignated Fund Balance in order that the Board of Education may fund the purchase of Musical Instruments; and
2. The Town Council moves to a Town Meeting on January 21, at 6:00 pm in the Bellingham Auditorium, Windham Town Hall, 979 Main Street, Willimantic, CT, to consider whether to approve this appropriation and expenditure.
3. This Resolution repeals and replaces all previous Resolutions regarding the subject of this Resolution.

**MOTION PASSED**

**Resolution #2620**

**Performance Plus Software and Literacy Program  
for Windham Public Schools**

**BE IT RESOLVED by the Town Council THAT**

1. The Town of Windham appropriate \$150,000.00 from the Town's undesignated Fund Balance in order that the Board of Education may fund the purchase of Performance Plus software and a Literacy Program; and
2. The Town Council moves to a Town Meeting on February 18, at 6:00 pm in the Town Meeting Room, Windham Town Hall, 979 Main Street, Willimantic, CT, to consider whether to approve this appropriation and expenditure.
3. This Resolution repeals and replaces all previous Resolutions regarding the subject of this Resolution.

**MOTION PASSED**

**Resolution #2621**

**RE: A Resolution pertaining to a Micro-Grid Project at Sweeney Elementary School and the Windham Middle School, creating an appropriation and bond authorization for \$1,831,000.00, and setting a date for a Town Meeting to consider this appropriation and bond authorization**

**RESOLVED**, that the Town Council of the Town of Windham, Connecticut (the “Town”), hereby approves and recommends to the Board of Finance that:

(i) The Town appropriate the sum of **\$1,831,000.00** for the cost of implementing the Micro-Grid Project, including but not limited to, purchase and installation of solar photo-voltaic arrays, natural gas lines, generators, switches, transfers, pipe, wiring, and associated equipment, as well as engineering, project management, architectural, and temporary and permanent financing costs (the “Project”), said appropriation being inclusive of any and all State of Connecticut (the “State”) and Federal grants-in-aid.

(ii) It is expected that the State will follow through on its award of **\$709,350.00** in grant funds to the Town of Windham for the Project, from the Department of Energy and Environmental Protection, and that approximately 80% of the remaining cost of **\$1,123,481.00** of the Project, or **\$898,784.80** will be paid with State grants from the Department of Education, leaving the Town responsible for approximately **\$224,696.20** in cost, plus a currently undetermined amount of cost for portions of the Project that may be deemed ineligible for state reimbursement. To meet the Town’s local portion of said appropriation and in lieu of a tax therefor, bonds of the Town are hereby authorized to be issued pursuant to Chapter 109 of the Connecticut General Statutes, as amended, the Charter of the Town or any other provision of law thereto enabling, in the amount of **\$1,831,000.00** or so much thereof as may be necessary after deducting grants or other sources of funds available therefor.

(iii) The Town Manager and the Treasurer be authorized to issue and sell temporary notes of the Town not to exceed **\$1,831,000.00** in anticipation of the receipt of proceeds from the sale of the bonds authorized above and to determine the amount, date, date of maturity, interest rate, form and other details of such notes or bonds, pursuant to Chapter 109 of the Connecticut General Statutes, as amended, or any other provision of law thereto enabling, provided that the proceeds from the sale of such notes shall be used for said purpose.

(iv) The Town Manager and the Treasurer shall sign the bonds or notes by either manual or facsimile signatures and that the law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the bonds or notes.

(v) The Town Manager is authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Town Manager and the Treasurer are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years.

(vi) The Board of Education is hereby authorized in the name and on behalf of the Town to apply and shall apply to the State Department of Education and any other entity which may provide a grant for this Project for any and all grants which may be available for the Project.

**BE IT FURTHER RESOLVED**, that the Town reasonably expects to incur expenditures (the “Expenditures”) in connection with the capital project for which a general functional description is provided above. The Town reasonably expects to reimburse itself for the cost of the Expenditures with the proceeds of general obligation bonds and notes of the Town described above. The maximum principal amount of such bonds is not expected to exceed **\$1,831,000.00**. This declaration of official intent is a declaration of official intent made pursuant to Treasury Regulation Section 1.150-2.

**BE IT FURTHER RESOLVED**, that should the resolution authorizing the total appropriation and bond authorization of **\$1,831,000.00**, be approved by the Board of Finance, a Special Town Meeting is hereby called to be held on Tuesday, February 18, 2014 at the Windham Town Hall, Meeting Room, 979 Main Street, Willimantic, Connecticut at 6:00 p.m. to consider and vote upon this resolution for an additional appropriation and authorization for the Micro-Grid Project as set forth above.

## **MOTION PASSED**

### **6. New Business**

- a. Discuss and possibly approve a contract to purchase ADA-compliant bleachers from the low bidder for all three baseball fields at Legion Field, subject to confirmation at the Public Works Committee meeting immediately following this Special Town Council meeting.**

DeVivo MOVED, Underwood seconded, to approve a contract to purchase ADA-compliant bleachers from the low bidder for all three baseball fields at Legion Field, subject to confirmation at the Public Works Committee meeting immediately following this Special Town Council meeting. All were in favor. MOTION PASSED UNANIMOUSLY.

### **7. Citizens and Delegations: Public Comment**

Tom DeVivo, 110 Bolivia Street, Willimantic, acknowledged Mr. Flores comments and noted the WSD meeting did get a little out of hand and perhaps a few comments had been made that upset Mr. Flores. DeVivo stated it was a very crowded meeting with a lot of residents who were upset. He also noted the meeting room was not handicapped accessible and gave an example of a lady who was in a wheelchair and could not get to the microphone to speak. He would like to see the room made handicapped accessible.

### **8. Adjournment**

Underwood MOVED, Lessard seconded, to adjourn the Windham Regular Town Council Special Teleconference meeting at 7:57 P.M. All were in favor. MOTION PASSED UNANIMOUSLY.

#### **Submitted By:**

Barbara J. McKinney

Clerk of the Town Council