

WINDHAM TOWN COUNCIL MINUTES

WINDHAM TOWN HALL MEETING ROOM

Tuesday, March 16, 2010 - 7:00 P.M.



1. Call to Order

Mayor Ernest S. Eldridge called the meeting to order at 7:00 p.m.

Town Council members present: Jerry Iazzetta, Christel Donahue, Teresa Santucci, Kevin Donohue, Arnaldo Rivera, N. Joseph Underwood, Ernest S. Eldridge, Lorraine M. McDevitt, David Howe Sr., Erika Haynes and Mike Lessard

Staff present: Town Manager Neal J. Beets,

2. Pledge of Allegiance

3. Citizens and Delegations

Lori Jeffers, Willimantic, requested from the Town Council that they place a question on the budget referendum in May regarding the Magnet School. She informed the Town Council that they have failed to call a Town Meeting to approve a new town road as stated in the purchase agreement for the property on Tuckie Road. Ms. Jeffers stated that the Board of Education has credibility problems.

Lloyd Niles, Windham Center Fire Department, thanked the Town for response to the train accident that occurred during the weekend. He mentioned that with the help of 25 different members of other towns and the 3 Windham Chiefs it was a great job done.

Harry Carboni, Willimantic, thanked the Town Council for voting to put back leave collection in the budget. He thanked Thomas DeVivo for buying the YMCA property but would like to know what is going to go there since that has been an interest of the residents in this town. He asked if they were expanding the garbage business to Main Street or placing a dump on the property. Mr. Carboni requested that if they finalize the deal with the properties on Main Street that Thomas DeVivo resign from the Board of Finance.

Matt Piolunek, High Street, Willimantic, spoke on behalf of Thirsty Frog. Mr. Piolunek stated that the establishment is in a nice location and is a good business, therefore he request that the Town Council adopt the resolution in front of them today and move this town in the right direction. He also informed the Town Council that he was happy to hear that the DeVivo family purchased the buildings on Main Street since he knows that they will do something right, just like they did with the Old Post Office building.

Shirley Mustard, Willimantic, spoke regarding her request to name the Windham Town Hall Ballroom the Bellingham Ballroom. She mentioned the he was the founder of the Victorian Home Association and worked on the ballroom to get it ready for the Snowball by polishing the wood frame of the windows.

Lynn Duval spoke in favor of naming the Town Hall Ballroom to the Bellingham Ballroom. She gave a brief history of Mr. Bellingham and what he has done here in Windham.

Bev York stated that she was not against the gambling but noticed the OTB is in the poor Towns and informed the Town Council that Eastern Connecticut State University is studying gambling this month. Mrs. York spoke in favor of naming the Town Hall Ballroom after Mr. Bellingham. She talked about how of a great painter Mr. Bellingham was.

Larry, Spring Street, Willimantic, spoke in favor of OTB and Thirsty Frog. He asked if the Town was here for social engineer or for the best of the Town.

Pam Horrocks, Victorian Days, spoke in support of naming the Town Hall Ballroom after Mr. Bellingham. She mentioned that he had so much influence in people who didn't live in the Town of Windham.

Jeff Veins, Columbia, urged the Town of Windham to approve the OTB.

Jerry Iazzetta took leave of the chair to speak under citizens and delegations.

Jerry Iazzetta, South Windham, read the following statement for the record: As you know, I am against approving an OTB parlor in our town. We all know that we need more jobs and a larger business tax base; however, we should not be willing to accept any development just because it provides a few jobs and some money – only \$64,000.00. The growth of check cashing businesses, pawn shops and an OTB parlor are not the types of business that fit the Strategic Plan for Downtown Willimantic. The Strategic Plan was developed as the result of many business leaders, town officials, community leaders and community members holding several forums. The Windham Theater Guild, Windham Arts Collaborative, our three museums etc. are all working to bring residents and visitors into the downtown area for entertainment, festivals, beautified areas etc. We need to ensure that in making business decisions about our downtown area, that the image we are working to project as a downtown area is maintained. After all, when was the last time any of us sawn pawn shops, check cashing businesses and OTB parlors all in a successful downtown area of any community our size in our state? Please vote **no** to OTB.

Charlie Kratt, Monticello Street, Willimantic, informed the Town Council that the Little Angels Program have donated about half of a million dollars worth of bikes to the residents of the Town. He also spoke about recycling pick-up in the Town of West

Hartford. Mr. Kratt stated that the Town of Windham is always dragging its feet when businesses want to come to Town and questioned what we are doing with the empty buildings on Main Street.

Cesar Castro, Willimantic, stated that it was essential that the Town of Windham promote Economic Development. He applauds the DeVivo family for acquiring the YMCA and is glad to hear that they have great plans for the building. Mr. Castro mentioned that in order to move forward we need to make decisions regarding businesses by looking at the whole picture.

4. Adoption of Minutes

Underwood MOVED, Howe seconded, to adopt the minutes listed below. MOTION PASSED UNANIMOUSLY.

- a. **Discussion and possible action to adopt the February 16, 2010 Town Council regular meeting minutes.** See motion above.
- b. **Discussion and possible action to adopt the March 2, 2010 Town Council Public Hearing minutes.** See motion above.
- c. **Discussion and possible action to adopt the March 2, 2010 Town Council regular meeting minutes.** See motion above.

5. Resignations

None.

6. Appointments

- a. **Appointment of Jamie Eves and Bill McMunn as Town Historians**
Haynes MOVED, McDevitt seconded to appoint Jamie Eves and Bill McMunn as Town Historians. MOTION PASSED UNANIMOUSLY.

7. Presentations & Special Reports

None.

8. Mayor's Report

- a. **Train Derailment.**
Mayor Eldridge state the he has never seen a better-orchestrated emergency in his life than the train derailment. He gave a brief report on how the emergency occurred and how all the emergency personnel responded. He thanked everyone for the hard work.
- b. **Award for Police Lt. Mary Beth Curtis.**
Mayor Eldridge reported that he attended an award ceremony where Lt. Mary Beth Curtis received from the Leadership Award from the Connecticut Association of Women Police. Mr. Eldridge gave a brief history of Lt. Curtis experience at the Willimantic Police Department.

9. Town Manager's Report

a. Budget Update.

Neal J. Beets, Town Manager reported that the budget for FY 10-11 has been submitted to the Board of Finance according to the Town Charter.

b. RFP for Municipal Solid Waste and Recycling Services.

Neal J. Beets, Town Manger reported that the RFP for solid waste is out for bid and once the bids are opened they will bring them to the Public Safety, Recreation and Public Works Council Subcommittee.

10. Discussion and Review of Communications

None.

11. Resolutions and Ordinances

a. Enact a Noise Ordinance

Lessard MOVED, McDevitt seconded, to waive the reading. MOTION PASSED UNANIMOUSLY.

Lessard MOVED, Iazzetta seconded, to adopt ordinance # 2487. (See Attachment A).

Santucci MOVED, Iazzetta seconded to amend the Noise Ordinance by removing the word "clearly" from the entire ordinance. MOTION PASSED with all in favor except Donohue and Lessard who opposed.

Motion on the adoption of the Noise Ordinance with amendments PASSED UNANIMOUSLY.

b. Enact an Energy Commission Ordinance

Haynes MOVED, McDevitt seconded, to waive the reading. MOTION PASSED UNANIMOUSLY.

Haynes MOVED, Howe seconded, to adopt ordinance # 2488. MOTION PASSED UNANIMOUSLY. (See Attachment B).

c. Enact a Resolution creating an Ad Hoc Open Government Committee

Santucci MOVED, Donohue seconded, to waive the reading. MOTION PASSED UNANIMOUSLY.

Santucci MOVED, McDevitt seconded, to adopt ordinance # 2489. MOTION PASSED UNANIMOUSLY. (See Attachment C).

d. Enact a Resolution to consider approving Off Track Betting at the Thirsty Frog.

Underwood MOVED, Lessard seconded, to adopt resolution # 2490.

BE IT RESOLVED by the Town Council THAT

Resolved that Autotote Enterprises Inc. is hereby authorized to establish an off-track betting facility at 600 Main Street in Willimantic, Connecticut, pursuant to the terms of Section 12-572(a) of the Connecticut General Statutes, such authority to include Sunday wagering.

MOTION PASSED with all in favor except Iazzetta who opposed.

12. Reports of Committees, Boards and Commissions

a. Administration, Finance, Health, and Human Services Council Subcommittee

Chairman Donohue reported that the committee is active and it has been concentrating on the Town Council goals, which were set back when they had the planning session. He also mentioned that they are working in improving communications at Town Hall.

b. Public Safety, Recreation and Public Works Council Subcommittee.

Chairman Iazzetta informed the members that they would not be meeting on the 24th.

c. Inter-District Magnet School Building Committee.

Paula Haney, Co-Chair of the Inter-District Magnet School Building Committee reported that they met with the Public Safety, Recreation and Public Works Council Subcommittee and they discussed the by pass and information that was reported on the Traffic Study. She also spoke regarding the proposed Town Road. Mrs. Haney also reported on the easement with St. Joseph Living Center.

Susan Collins, Co-Chair of the Inter-District Magnet School Building Committee gave a brief report on questions raised regarding the alternative property for the Magnet School.

Lengthy discussion took place between the Town Council and members of the Inter-District Magnet School Building Committee.

MOTION: Underwood MOVED, Howe seconded to amend the agenda and add item 13b. Discussion and possible action to go into executive session with David Ryan, Labor Attorney and Don Muirhead, Personnel Director to discuss a pending claim against the Town concerning its Ethics Ordinance and to move it up on the agenda before item 13a.

MOTION PASSED UNANIMOUSLY.

13. Old Business

b. Discussion and consider taking action to go into executive session with David Ryan, Labor Attorney and Don Muirhead, Personnel Director to discuss a pending claim against the Town concerning its Ethics Ordinance.

McDevitt MOVED, Underwood seconded to go into executive session with Personnel Director Don Muirhead to discuss pending claim against the Town concerning its Ethics Ordinance at 8:35 p.m. MOTION PASSED UNANIMOUSLY.

Santucci MOVED, Iazzetta seconded, to adjourn the executive session at 8:45 p.m. MOTION PASSED UNANIMOUSLY.

The Town Council took a recess at 8:45 p.m.

Mayor Eldridge called the meeting back to order at 8:55 p.m.

- a. **Discuss and consider taking action resulting from an executive session meeting this date with the Town's Labor Attorney about union negotiations involving the Town's Ethics Ordinance.**

Underwood MOVED, Haynes seconded, that the Town Manager begins the process in amending the Ethics Ordinance to exclude all bargaining unions. MOTION PASSED UNANIMOUSLY.

14. **New Business**

- a. **Forward a request from resident Shirley C. Mustard to name the Town Hall Auditorium the "Bellingham Ballroom" to the Administration, Finance, Health, and Human Services Subcommittee for study and a recommendation.**

Underwood MOVED, McDevitt seconded to forward the request from resident Shirley C. Mustard to name the Town Hall Auditorium the "Bellingham Ballroom" to the Administration, Finance, Health, and Human Services Subcommittee for study and a recommendation. MOTION PASSED UNANIMOUSLY.

15. **Future Agenda Items**

- a. Regular Council Meeting on April 6, 2010: Recognition of Windham youth athletic teams
- b. CDBG (Community Development Block Grant) Public Hearing
- c. Audit Report

16. **Citizens and Delegations**

Lori Jeffers, Willimantic, stated that she saw a lot of hypocrisy in the meeting tonight. Mrs. Jeffers mentioned that not to long ago the Council voted against a petition on the proposed Magnet school that was sign by hundreds of town residents, but the Town Council voted in favor of OTB who had about 18 spoke in favor.

Tony Frantolli, stated that he saw a couple of issues with the update on the Magnet School. He spoke regarding the proposed town road and the driveway. He also spoke regarding a pond and water going into his property after the road is put in. Mr. Frantolli

informed the Town Council that St. Joseph is asking the Town to survey their property as a courtesy.

Bernard D'Auteille, Walnut Street, stated that he is really trying to find warm and frizzy feeling on the Magnet School. Mr. D'Auteille mentioned that he would like to hear from Mr. Underwood on the Magnet School situation. He request that the Town Council wake up and start monitoring the people in the Magnet School Committee because it will fall on us.

17. Adjournment

Santucci MOVED, McDevitt seconded, to adjourn the meeting at 9:07 p.m. MOTION PASSED UNANIMOUSLY.

Submitted By:

Neida I. Rosado
Town Council Clerk