

**TOWN OF WINDHAM
TOWN COUNCIL**

WINDHAM TOWN HALL MEETING ROOM

July 20, 2010

MEETING MINUTES

1. Call to Order

Mayor Eldridge called the Town of Windham Town Council meeting to order at 7:04 p.m.

Town Council members present: Mayor Ernest S. Eldridge, Christel Donahue, Kevin Donohue, Erika Haynes, Jerry Iazzetta, Mike Lessard (7:30 p.m.), Teresa Santucci, N. Joseph Underwood

Town Council members present via telephone: David Howe Sr., Lorraine McDevitt

Town Council members absent: Arnaldo Rivera

2. Pledge of Allegiance

Mayor Eldridge lead all in the Pledge of Allegiance.

3. Citizens and Delegations

Peter Kissel, Hartford Building Trades Counsel, urged the Council to use a Project Labor Agreement (P.L.A.) for the Magnet School to facilitate use of local trades.

Cheryl Major, Card Street, expressed concern for the safety of the residents on Card Street due to the tractor trailer traffic from a Lebanon business.

Robert Beauregard, discussed successful projects that used P.L.A.'s and stressed that the local Windham members should be able to work in their own town.

Alan Casey, Card Street, questioned why the truck traffic on Card Street isn't controlled, noting it is a town street and that the residents are in fear for their own safety.

Richard Bloomer, commended the Police Department for the reduction in noise and expressed his pleasure with the enforcement and hopes it will continue when the students return.

Kay Haskell, Friends of the Library, encouraged people to sign up for \$5.00. She also wanted it to be known that the Economic Development Committee did not want to get rid of Castro, but feels the Town Council put him on the board and if anything is to be done, it is the Council who should do it.

James Flores, feels the Town Council is "lynching" Castro, adding that he is innocent until proven guilty. Flores feels that this is not a public issue and should not be discussed at a meeting in open session.

David Ferland, Killingly, feels the Town should take into consideration signing a P.L.A., noting that it helps out those in your own community.

Ann King, feels the increase in truck traffic is a problem for the residents and their safety, and suggests that an alternate truck route be proposed.

Mary Galluci, feels troubled by the push to overturn the committee and the process. She noted that Schools are zoned for residential and this could be in anyone's backyard. Professionals have given their opinions and the people are ignoring them.

Mike, 71 Card Street, expressed concern for the safety of residents on Card Street and stated that the road surface is really deteriorating.

Stephanie Smith, 71 Card Street, feels the noise, turning radius on corner and danger from the truck traffic on Card Street is detrimental to all of the residents. She also feels the Magnet School Committee is made up of informed and educated citizens and urges the Council not to disband it.

Jean deSmet, feels there is a real problem on Card Street and feels it is time to reconsider the

Magnet School but is in favor of signing a P.L.A. and having locals work.

Adam Casitary, Willimantic, urged the Council to consider a P.L.A. for him and the 75 other tradesmen in Windham.

Harry Carboni, noted that there are 11 lights out on Main Street, Road work is being done and looks good. He wonders how the Town is going to staff a magnet school when we can't even keep Main Street lit. Feels Tuckie Road has been in bad condition for years despite what the traffic study says. He is in favor of a P.L.A.

Kevin Hoxie, Willimantic, noted that Lebanon approved the expansion of the farm that is the cause of the increase tractor trailer traffic on Card Street, and doesn't think there is another route that the trucks can safely take. He also feels that the resident's taxes will inevitably go up with the Magnet School being built and that Tuckie Road can't take that amount of extra traffic.

Shawn, Brooklyn Tpk, in favor of P.L.A. to help local residents work locally within their trades.

Pam Viens, feels the Magnet School needs don't meet the means of the taxpayers, and that the Town Government isn't listening to the residents.

Joseph Travier, encouraged the use of a P.L.A.

Paul Schmidt, Kathleen Drive, encouraged the use of a P.L.A.

Dawn Niles, noted that the CPR certification for a Heartsafe Community is coming up. She urged the Council not to disband the Magnet School Committee, noting that lots of time, money, dedication and effort has been put into their research, and she feels the Town Council should overturn the committee's decision and sign the P.L.A.

Carl Nagy Jr., encouraged the use of a P.L.A.

Bill Sayers, voted for the magnet school, but noted the economy has since changed. He feels a re-vote should be allowed so people can address the issue with construction cost increases, economy decrease, etc.

Jack Pelto, Lebanon, feels the traffic on Card Street is a Lebanon and Windham problem, noting the noise pollution, air pollution, deteriorating road conditions, corner of Card and Pleasant Streets being ruined and the safety of the residents are all a real issue for both towns.

Charles Kratt, is pleased that the Town Council "opened their eyes" to the problems with the Magnet School Committee, and feels James Flores is correct about the issue with Castro being a private issue.

Todd Dexter, is in the "trowels trade" and feels the construction industry is dying in this bad economy. He encouraged the use of a P.L.A.

Nicole Major, Card Street, (young child) is afraid to ride her bike in her neighborhood because of the tractor trailer traffic.

Brian Lamont, encouraged the use of a P.L.A.

Bill Harper, encouraged the use of a P.L.A.

Mark Phelps, Magnet School Committee, expressed disappointment with the disbanding of the committee, noting that all Committees come across road blocks and feels this is a dedicated group of professionals on the Committee.

Glen Chester, has lived in Windham for 18 years and has never been able to work locally, he encouraged the use of a P.L.A.

Tom Devivo, is in favor of the Magnet School and feels we need to move forward with it and is in favor of signing the P.L.A.

Peter Quercia, asked for a magnet school re-vote, noted that Price Rite is opening on Sunday, and feels the officials make up the rules as they go along here. He noted that the ball fields we have now aren't being taken care of, why add more.

Tony Bentencourt, has been a tradesman for over 20 years and has never been able to work locally, he encouraged the use of a P.L.A.

Ray Bentencourt, has been a tradesman for over 40 years and has never been able to work locally, he encouraged the use of a P.L.A.

Tim Sawyer, has spend 29 years in Storrs and has never been able to work locally, he encouraged the use of a P.L.A.

Caesar Castro, feels the Economic Development Commission is forcing him off the Commission, and stated that he will bring a law suit to the Town for bringing his private business out in the

open.

Tony Frantolli, feels the magnet school committee should be disbanded and there should be a re-vote on the school. He stated that we have been spending \$1,500 a month on the property but we still have un-answered questions.

Carl Nagy, would like to work locally and he encouraged the use of a P.L.A.

Maria Slovely, Tuckie Road, stated that she did not vote for the magnet school and only feels worse about it now that is proposed on Tuckie Road, she feels there must be a better location.

Murphy Sewell, feels local labor should be considered, and that disbanded the Committee would be a further delay. He added that a traffic study was completed by professionals and we should take into consideration what they say and not require an unnecessary turn lane.

Ruth Barnaby, Adams Heights, feels the trucks on Card Street are too big and heavy for the road, and is concerned for the safety of the residents.

Robert Smith, feels that due to the slump in the economy, the Town should reconsider the magnet school and listen to the people and have a re-vote. He feels the schools are in tough shape and the money and effort should go into fixing the existing schools.

Donna Reynolds, is concerned for the safety on Card Street from the increase in large truck traffic.

David Howe (via tele-conference) thanked the residents and Council for letting him be present via tele-conference, and stated that he is in favor of the Magnet School, but feels that the committee should be disbanded. He is also in favor of the P.L.A. and feels that truck traffic should be banned on Card Street.

Jeffrey Viens, stated that the school performance is down and the citizens would like a re-vote on the magnet school. He also feels that there should be a weight limit on Card Street and Tuckie Road.

Lori Jeffers, feels the Magnet School Committee should be disbanded, and a re-vote should be held on the Magnet School. She feels the costs are more than the public is being told.

Leo Santucci, feels that quality of life issues are important and that the new building isn't the answer. He feels the issue of why we are failing in the schools needs to be addressed. He commended the Police Chief and Officer Shepard for the enforcement of the noise ordinance. He added that the lights on Main Street are a disaster and shouldn't be an issue to have fixed.

John French, feels the building Committee should be disbanded stating that there are too many issues that have been discovered and addressed. Feels a positive change will be creating a new committee with teachers and administration to figure out how to fix the problem and bring up the scores of the children.

Joann Haddad, resident and teacher, feels the issue of the failing children is the lack of support from the parents.

Dennis O'Brien, Probate Judge, states that he deals with kids frequently and the reason they have poor scores is the lack of parenting and education of the parents. Doesn't feel the school system should be condemned for this, just need to work to fix it.

Dennis Cronin, feels we need to help those who can't help themselves. Support Education!

** Break from 8:42 p.m. to 8:47 p.m. **

4. Adoption of Minutes

- a. Discussion and possible action to adopt the June 1, 2010 Town Council public hearing meeting minutes.

Underwood MOVED, Lessard seconded, to adopt the June 1, 2010 Town Council public hearing meeting minutes. MOTION PASSED with all in favor except Iazzetta who abstained.

- b. Discussion and possible action to adopt the June 1, 2010 Town Council regular meeting minutes.

Item was tabled.

5. Resignations

None.

6. Appointments

- a. Discussion and possible action to appoint Paul Scarchuk to the North Central District Health Board of Directors as a voting member with term ending April 15, 2011.

Donohue MOVED, Santucci seconded, to appoint Paul Scarchuk to the North Central District Health Board of Directors as a voting member with term ending April 15, 2011. MOTION FAILED with Donahue, Santucci, Donohue, Underwood in favor and McDevitt, Iazzetta, Lessard, Haynes abstaining. Item to be added to the next agenda with more information on Mr. Scarchuk for members to review.

7. Presentations & Special Reports

- a. Swearing in of new Police K-9 Sasa.

Item tabled, Sasa was called out for duty.

- b. Hear from former Windham State Legislator and First Selectman Walter Pawelkiewicz about moving forward with projects.

Former Windham State Legislator and First Selectman Walter Pawelkiewicz discussed the need for Windham to grow and develop, noting that the Council can't just choose to do the easy projects or else Windham will not grow as a community. He stated that getting stuck on projects and giving up only lets down the community. He stated that he realizes how hard the job is and also said that they were chosen to represent the Town. He suggested hiring a facility manager for the Town to be in charge of schools and buildings for oversight.

8. Mayor's Report

Mayor Eldridge reported on the following noteworthy items: Heartsafe signs have been installed around time; Boombox Parade was the highest turnout yet, but some issues have been brought up which include: keeping animals hydrated or leaving them home during the hot day, too many trucks from single businesses (one truck is enough from a business), and smoke from the race car.

9. Town Manager's Report

Town Manager, Neil Beats reported on the following noteworthy items: Sustainable Housing and Communities competitive grant opportunities regional grant to create jobs and transportation-August Deadline; weather pending-paving should be done by the end of week; tax bills going out-due in August.

10. Discussion and Review of Communications

Noted.

11. Resolutions and Ordinances

- a. Discussion and possible action adopting a resolution creating a select Ad-Hoc Committee on Strategic Initiatives to Finance Education (SIFT).

Santucci MOVED, to adopt resolution # 2507.

BE IT RESOLVED by the Town Council THAT

**A Resolution of the Town Council for Windham, Connecticut,
Establishing a Select, Ad Hoc Committee to Address
Strategic Initiatives for Financing Teaching**

Whereas, The Mayor and Town Council along with the Boards of Finance and Education recognize that budget challenges to funding education, difficult as they are now, are going to get dramatically worse over the next five years, and

Whereas, The Mayor and Town Council along with the rest of our community recognize that quality of our K-12 education is of strategic importance to our success as a community, and

Whereas, The Mayor and Council wish to begin a collaborative process of determining how we can finance an affordable, high quality public education system in Windham,

Now, Therefore, the Windham Town Council hereby creates a select, ad hoc committee to address Strategic Initiatives for Financing Teaching (SIFT), as follows:

1. SIFT shall be composed of seven members, nominated by the Mayor and appointed by the Town Council, consisting of two members of the Town Council, two members of the Board of Finance and three other members including potentially members of the Board of Education and other residents of Windham who are interested in educational excellence;
2. SIFT shall produce an interim Report by December 31, 2010, and a final Report by March 15, 2011, at which time it shall sunset;
3. SIFT's mission is to identify innovative and strategic approaches which fundamentally restructure education in Windham to meet fiscal challenges of the next five years.

McDevitt seconded the motion. MOTION PASSED UNANIMOUSLY.

- b. Discussion and possible action adopting a resolution regarding the request of Autotote Enterprises, Inc. to simulcast races at 600 Main Street, Windham, CT.

Underwood MOVED, to adopt resolution # 2508

BE IT RESOLVED by the Town Council THAT

Autotote Enterprises, Inc. is hereby authorized to establish a simulcast facility at 600 Main Street in the Town of Windham, Connecticut, pursuant to the terms of Public Act 10-128, such authority to include Sunday wagering.

Santucci seconded the motion. MOTION PASSED with all in favor except Iazzetta who was opposed.

- c. Discussion and possible action to set a public hearing on Tuesday, August, 17, 2010, in the Town Meeting Room to consider a proposed ordinance establishing a 20,000 lb. vehicle weight limit on Card Street.

McDevitt MOVED, Iazzetta seconded, to set a public hearing on Tuesday, August 17, 2010 at 6:00 p.m. in the Town meeting room to consider a proposed ordinance establishing a 20,000 lb. vehicle weight limit on Card Street. MOTION PASSED

UNANIMOUSLY.

- d. Discussion and possible action to adopt amendments to the Town of Windham Cemetery Regulations.

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

Haynes MOVED, to adopt resolution # 2509.

BE IT RESOLVED by the Town Council THAT

The following Town of Windham Cemetery Regulations will be effective September 1, 2010:

TOWN OF WINDHAM CEMETERY REGULATIONS

REQUIREMENTS TO PURCHASE CEMETERY LOTS

The Town of Windham has no residency requirements for purchasing cemetery lots.

LOTS AND LOT OWNERS

The Purchase of a lot does not transfer ownership of a parcel of property but is the transferring of the right of burial on the lot purchased from the Town of Windham to the lot owner.

No lot shall be used for any other purpose than the burial of human dead.

Once a lot has been purchased from the Town of Windham it can't be returned to the Town. The owner has the right to transfer the purchased lot to any other individual.

The Town of Windham will take all reasonable precautions to protect lot owners, and the burial rights of the lot owners, within the cemetery from loss or damage; but the Town disclaims all responsibility for loss or damage from causes beyond its reasonable control and especially, from damage caused by the elements, and an act of god, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, riots or order of any military or civil authority, whether the damage is direct or subordinate, other than as herein provided.

CARE OF LOTS

The Town of Windham assumes the general care of the cemetery, which means the regular mowing and cleaning of the cemetery all year around. In no case shall this mean the maintenance, repair or replacement of any grave stones, monumental structures or memorials of any kind or the reconstruction of any damaged grave stones, monuments or memorials.

CORRECTIONS OF ERRORS

The Town of Windham reserves, and shall have the right to correct any error that may be made whether in making interments, disinterment or removals, or the description, transfers of conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Town of Windham, by refunding the amount of the money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Town of Windham reserves, and shall have the right to remove or transfer such remains so interred to other property of equal and similar location as may be substituted and conveyed in lieu thereof.

FEES FOR GRAVES

The fee for each grave in any Town of Windham Cemetery is \$700.00.

A Town of Windham resident who shows proof of veteran status (DD-214) is entitled to a one-time discounted rate of \$300 for one grave.

Please note that you will be sold the next available lot, when purchasing one or more graves.

If you purchase more than one grave you will need to purchase by 2,s. For example you can buy 2, 4, 6, 8 or more.

NOTE: Each lot is allowed one (1) full burial and/or up to three (3) cremations on each grave. Cremations may be placed over a full burial if there is sufficient room to accommodate the urn.

FEES FOR GRAVE OPENINGS AND CEMETERY STONES

When a burial of cremations or a stillborn takes place in any Town of Windham Cemetery the basic fee will be \$150.00.

When a full burial takes place in any Town of Windham Cemetery the basic fee will be \$500.00.

When a full burial for a baby takes place in any Town of Windham Cemetery the basic fee will be \$250.00.

When placing a flat or monument on any cemetery lot the fee will be \$10.00.

NOTE: Please note that between December 1 and March 31 of every year an additional fee of \$50.00 is added to the basic grave opening fee.

INTERMENT REQUIREMENTS & ADDITIONAL FEES

The Town of Windham Town Manager's Office will need to be notified 24 hours in advance during normal business hours of any burials that are to take place in any cemetery. No Town employee can be reached via cell phone or beeper to make any burial arrangements by any funeral home except in case of an emergency.

The Town of Windham will perform burials at all Town of Windham Cemeteries on the followings dates and times:

Monday through Friday from 9:00 a.m. to 2:30 p.m. except holidays or weekends unless religious beliefs insist otherwise. If special arrangements need to be made it will be subject to the approval of the Town sexton.

NOTE: If special arrangements need to be made for a burial to occur outside the normal schedule, an additional fee of \$300.00 will be added to the basic grave opening. If the burial consists of cremations, an additional fee of \$100.00 will be added to the basic grave opening.

Due to weather conditions it may be necessary to postpone graveside services and/or interment of the deceased temporarily. The final decision to postpone graveside services shall be made by the Town Sexton or his designee.

DISINTERMENT REQUIREMENTS AND FEES

A disinterment may take place if allowed by state statute and a permit is acquired at the Town Clerk's Office as required.

Please note, that during a disinterment only those authorized by the Town Sexton may be present at the grave location of the disinterment. Family and friends are allowed to be present at the new gravesite location where deceased is to be placed.

When a disinterment takes place, the basic fee will be the same as listed under the fee for grave openings if buried at a cemetery not owned by the Town of Windham. If moved to another location in a Town of Windham cemetery the fee is doubled.

The vault company that is utilized may require additional fees.

MONUMENTS AND MARKERS

Single Sections: Not more than two (2) flat (flush) marker mounted in cement foundation shall be permitted in all single sections of the Town of Windham Cemeteries. Markers can not be more than 12" by 24" in size. **NO RAISED MONUMENTS OR MARKERS ALLOWED.**

Double / Family Sections: Not more than one (1) raised monument mounted-is permitted in the double section of the Town of Windham Cemeteries. Raised monuments must be mounted on a base and comply with the following size: Two grave lots – 3' by 6' marker and four or more grave lots – 5' by 6' marker. A flat (flush) marker can also be placed on double / family lots but any such marker must be in a cement foundation and cannot be more than 12" by 24" in size.

The Town of Windham will repair or reset any monument damaged by reason of its negligence. Damage by any other cause, including vandalism, shall be the responsibility of the lot or monument owner or family.

NOTE: It is important to advise the monument company that planters are to be placed on the side of the monuments and of your intentions to have urns so that provisions for them can be made.

GENERAL RULES

Statues, plastic crosses, fencing, gravel, crushed stones, granite chips, marble chips, wood chips, wood bark or similar items, etc. on cemetery lots or headstones is **strictly prohibited**. Such items attract vandals and become tattered with exposure to weather.

Planting of trees, plants, flowers or shrubbery on lots is **strictly prohibited**.

If real plants or flowers are placed on the cemetery lots for special occasions, they will be removed once they are dead, tattered with exposure to weather or vandalized. Plants and flowers can only be placed on the side of the headstone in an urn or planter.

No coping, curbing, fencing, hedging, borders, or enclosures of any kind shall be allowed around the lot or around any grave. The Management reserves the right to remove same, without notice, if so erected, planted or placed.

Any object placed on the grave, which in the opinion of the Management, is deemed offensive, improper, or detrimental to the general appearance of the cemetery may be removed without notice.

Underwood seconded the motion. MOTION PASSED UNANIMOUSLY.

- e. Discussion and possible action to amend the resolution regarding the Ad Hoc Open Government Committee.

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

Lessard MOVED, to adopt resolution # 2510

BE IT RESOLVED by the Town Council THAT

Resolution # 2489, which created the Ad-Hoc Open Government Communications Committee be amended as follow: Replace Letter B. (a) The Committee shall consist of seven (7) regular members and two (2) alternate members with the following language: **Letter B. (a) The Commission shall consist of not less than three (3) and no more than seven (7) regular members and two (2) alternate members.**

The resolution will read as follow with the amendment:

Ad-Hoc Open Government Communications Committee

A. Ad-Hoc Open Government Communications Committee Established.

There shall be a Town of Windham Ad-Hoc Open Government Communications Committee having the powers and duties set forth in this Resolution for the promotion of improved communications between government and citizens with a focus on enhancing Internet-based and web-based communications in the Town of Windham. The overall goal of the Committee will be evaluating the current Town web site, evaluating best practice government web sites, coming up with a plan to improve the town web site and implementing that plan. The goal will be to develop the most capability at the lowest cost possible using open source software and volunteer labor whenever possible. The

Committee shall be known as the "Town of Windham Ad-Hoc Open Government Communications Committee," and is referred to in this Resolution as "the Committee." The term of the Committee is 24 months.

B. Appointment of Members; Terms; Vacancies, Removal; Compensation.

(a) The Commission shall consist of not less than three (3) and no more than seven (7) regular members and two (2) alternate members.

b) Except as otherwise provided below, the regular and alternate members shall be appointed to the Committee for the full term of 24 months.

(c) The Mayor shall appoint the members of the Committee subject to the concurrence of the Council.

(d) Upon a vacancy on the Committee, the Mayor shall appoint a successor subject to the concurrence of the Town Council.

(e) The Town Council may remove any member of the Committee in accordance with the Town Charter.

(f) Committee members shall serve without compensation or reimbursement of expenses incurred.

C. Powers and Duties.

The Committee shall have the following enumerated powers and duties, and all powers and duties necessarily implied to accomplish these enumerated powers and duties:

(a) To research and review the current Town of Windham Web site and other municipal and governmental web sites looking for best practices and ideas which might be of value keeping in mind what it is used for and how it might be used in the future

(b) Creating a plan to be submitted in initial draft form to the Town Council by May 30, 2011, with a final plan submitted by December 31, 2011, which develops one or more options for improving the Web site focusing as much as possible on open source or low cost tools and volunteer labor.

(c) Upon approval of an approach, recruit and manage volunteer including any Eastern Connecticut State University or other students to implement the new site.

(d) On behalf of the town apply for any available grants to execute the purposes of the Committee.

(e) To regularly report to the Town Council on progress toward the plan including any performance or usage metrics, benchmarks, and targets to enable the Town Council to evaluate and track the effectiveness of communication initiatives.

(f) To develop before the expiration of the Committee a longer-term plan for open government communications for the Town of Windham

D. Appropriation of Funds.

The Council may appropriate funds for the use of the Committee.

E. Effective Date.

In accordance with the Town Charter, this Resolution shall take effect immediately upon passage by the Town Council.

Santucci seconded the motion. MOTION PASSED UNANIMOUSLY

f. Discussion and possible action on a resolution dealing with the Magnet School Building Committee.

Donohue MOVED, Santucci seconded, to waive the reading. MOTION PASSED with all in favor except Iazzetta who was opposed.

Donohue MOVED, to adopt resolution # 2511.

BE IT RESOLVED by the Town Council THAT

A Resolution of the Windham Town Council Modifying the Composition of the Inter-District Magnet School Building Committee

Be It Resolved by the Windham Town Council repealing Resolution 2277 and replacing its terms with other terms, as follows:

A. Deleting the current terms of Resolution 2277, as follows:

~~A Building Committee is hereby established for the construction of an Inter District Magnet School. The following are hereby appointed to the Inter-District Magnet School Committee:~~

~~Susan Collins~~

~~Paula Haney~~

~~Mark Phelps~~

~~Pat Prue~~

~~Mark Dressler~~

~~Kathy Merlino~~

~~Joe Calvo~~

~~Mark Light~~

~~Susan Herrick~~

~~Martin Brogie~~

~~John Settlege~~

~~Thomas Millerd~~

and replacing all other Members of the Committee appointed as of July 19, 2010, as set forth below.

B. Replacing the terms of Resolution 2277, as follows:

Section 1. Ad Hoc Inter-District Magnet School Building Committee Established.

There shall be an Ad Hoc Town of Windham Inter-District Magnet School Building Committee having the powers and duties set forth in this Resolution. The Committee shall foster effective public communication and decision-making regarding the construction of the School.

Section 2. Composition.

- (a) The Committee shall consist of no less than three (3) and no more than seven (7) members.
- (b) The Mayor shall appoint Committee members subject to concurrence by the Council.
- (c) Upon a vacancy occurring, the Mayor shall appoint a successor subject to the concurrence of the Council.
- (d) Committee members shall serve without compensation or reimbursement of expenses incurred.
- (e) Committee members may consist of members of the Town Council, the Board of Finance, the Board of Education and other persons interested in educational excellence, fiscal restraint, design distinction, construction contracting quality, and decision-making transparency.

Section 3. Powers and Duties.

The Committee shall have the following enumerated powers and duties, and all powers and duties necessary or appropriate to accomplish effectively these enumerated powers and duties:

- (a) To keep itself and the community accurately informed about the status of the construction project, responding to all public questions and concerns about the project;
- (b) To select, evaluate, and direct the work of project and construction contractors;
- (c) To work with State officials to preserve and implement the funding grant by which 95% of eligible magnet school construction costs are paid for by the state;
- (d) To request the assistance of the Superintendent of Schools and the Town Manager, their staff, or persons under contract with the Board of Education or the Town in order to construct the best magnet school we can.

Section 4. Sunset.

The Ad Hoc Inter-District Magnet School Building Committee shall sunset upon issuance of a Certificate of Occupancy for the Magnet School.

Haynes seconded the motion. MOTION PASSED UNANIMOUSLY

12. Reports of Committees, Boards and Commissions

- a. Town Council Subcommittee on Administration & Finance, Health and Human Services. Chairman Donohue to give an update at the 8/3/10 meeting.
- b. Town Council Subcommittee on Public Safety, Recreation and Public Works. Chairman Iazzetta briefly spoke (noting that several items are on tonight's agenda) updating on Tuckie Road improvements, soccer field, and Public Works Facility improvements.

13. Old Business

None.

14. New Business

- a. Discussion and possible action to adopt a recommendation from the Town Council Subcommittee on Public Safety, Recreation and Public Works regarding acquiring property and adding a left-turn lane to northbound Tuckie Road, and possibly other Tuckie Road improvements.
Iazzetta MOVED, Santucci seconded, to postpone action to adopt a recommendation from the Town Council Subcommittee on Public Safety, Recreation and Public Works regarding acquiring property and adding a left-turn lane to northbound Tuckie Road, and possibly other Tuckie Road improvements. MOTION TO POSTPONE PASSED UNANIMOUSLY.
- b. Discussion and possible action to adopt a recommendation from the Town Council Subcommittee on Public Safety, Recreation and Public Works to change the hardball baseball field at Lauter Park to soccer fields.
Iazzetta MOVED, Donohue seconded, to postpone action to adopt a recommendation from the Town Council Subcommittee on Public Safety, Recreation and Public Works to change the hardball baseball field at Lauter Park to soccer fields. MOTION TO POSTPONE PASSED UNANIMOUSLY.
- c. Discussion and possible action either referring to the Town Council Subcommittee on Public Safety, Recreation and Public Works or acting itself on a request from a property owner to amend the Town Code to repeal or modify the sidewalk requirement in the Town Code.
Santucci MOVED, Haynes seconded, to refer this item to the Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY.
- d. Discussion and possible action adopting the Town Manager Evaluation forms recommended by the Town Council Subcommittee on Administration, Finance, and Human Services.
Haynes MOVED, Underwood seconded, to adopt the Town Manager Evaluation forms recommended by the Town Council Subcommittee on Administration, Finance, and Human Services. MOTION PASSED UNANIMOUSLY. It was noted that all forms should be submitted to Mayor Eldridge by August 3rd, 2010.
- e. Discussion and possible action regarding a Tri-Board.
No action or discussion.
- f. Discussion and possible action to award a contract to the lowest responsible and responsive bidder to pave/overlay/resurface rural roads in the Windhams as part of the Council-approved, BOF-approved, Town Meeting approved road improvement bond project.
Iazzetta MOVED, Lessard seconded, to award the contract to the lowest responsible and responsive bidder to pave/overlay/resurface rural roads in the Windhams as part of the Council-approved, BOF-approved, Town Meeting approved road improvement bond project, to B & W Paving and Landscaping of Mystic, CT in the amount of \$356,364.00. MOTION PASSED UNANIMOUSLY.
- g. Discussion and possible action on a recommendation from the Economic Development Commission to place an Alternate Member on a leave of absence.
Donohue MOVED, McDevitt seconded, to postpone action and further discussion until the next meeting, pending written clarification from the Economic Development Commission regarding their wishes. MOTION PASSED with all in favor except Santucci who abstained.

15. Future Agenda Items

A special meeting has been scheduled for August 3rd.

16. Citizens and Delegations

James Flores, feels the issue with Castor is racially motivated.

Kevin Hoxie, feels 20,000lb weight limit is too limited, noting a fuel oil truck is that heavy. He also feels there isn't proper parenting for the students and that the teachers are not the problem.

Tom DeVivo, encouraged Council members to read the resolutions and not waive the reading, because the public can't hear it.

Mark Phelps, feels the message sent tonight by Council members was a poor example for the youth of the Community. He said the professionals you just kicked off the Committee are exactly the same professionals you are talking about putting back on. You should have added people with certain areas of expertise to the existing committee. He was shameful of the hours of personal time, and dedication that everyone has put into this, only to have the Council disband them.

George Hernandez, feels Phelps is justified in feeling this way, and was discouraged that more time was spent discussing Off Track Betting than was spent discussing disbanding among the Council. He feels community involvement is the key!

Jeffrey Viens, questioned if there is a list of roads in Windham to be paved, and commended the paving job that has been done thus far. He also applauded the Council for disbanding the committee noting that it was a difficult decision.

Mary Galucci, feels the Committee was hijacked and disbanding them was awful. She feels the magnet school should go forward.

Lori Jeffers, voted against the road bond package because of lack of information on the railings. She also commented on yelling and name calling at Magnet School Committee meetings, rats at the Mansfield Avenue lot, and Magnet School re-vote.

Bernard D'Auteille, feels it was unfortunate that the Town Council had to go to these lengths to send a message to the Magnet School Committee, and also noted that the school system is a mess and we need to figure out how to fix it.

17. Adjournment

Underwood MOVED, Donohue seconded, to adjourn the Town of Windham Town Council at 10:52 p.m. MOTION PASSED UNANIMOUSLY.

Submitted By:

Jessie L. Shea
Clerk of the Town Council