

WINDHAM TOWN COUNCIL MINUTES

WINDHAM TOWN HALL MEETING ROOM

Tuesday, September 7, 2010 - 7:00 P.M.



1. Call to Order

Mayor Eldridge called the Town Council meeting to order at 7:00 p.m.

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

2. Pledge of Allegiance

Mayor Eldridge lead all in the Pledge of Allegiance.

3. Citizens and Delegations

Harry Carboni, Willimantic, spoke regarding the lights in downtown and thanked Town Manager Neal Beets for the email he forwarded to several people regarding the lights, but feels that the issue still needs to be resolved. Mr. Carboni suggested that the Town contact the State Representative. He also commented that the State of Connecticut continues to postpone the pavement of Main Street and questioned when is the Town going to paint the cemetery fence.

Lynn Duval, Main Street, Willimantic, passed out the Fall Event Calendar for the Town of Windham and informed the Town Council that 15,000 copies were printed and are going to be located in several locations in Eastern Connecticut and state highways.

Doug Lary, 183 Summit Street, Willimantic, spoke in favor of Nancy Tinker's appointment to the Inter-District Magnet School Building Committee. He also spoke regarding the proposed ordinance and hopes the Town of Windham deals with occupancy.

Lori Jeffers stated that she was not happy with the Board of Finance because they didn't cut enough to the Board of Education budget. She spoke against the proposed eminent domain and that the Town Attorney, Rich Cody, is the only one making money. She expressed concerns with rumors going around that the Town Council was going to reappoint Susan Collins and Paula Haney to the Magnet School Committee if the Board of Education budget passed.

Tony Fantolli, North Windham, addressed some concerns he had in regards to his non-eligibility for appointment to the Inter-District Magnet School Building Committee. Mr. Fantolli stated that if he is considered to be a conflict then Mr. Tom DeVivo should have

never been appointed because the school most likely would be contracting his company for dumpsters. He also addressed some traffic safety concerns on Tuckie Road.

Henry Crane mentioned that the Magnet School needs more committee members. He stated that the Town Council can't fix the budget vote but can fix the committee.

David Howe took leave of the chair to speak under citizens and delegations.

David Howe informed the Town Council that Mr. Fantolli is a relative of his, but encouraged the Council to bring his name forward for appointment to the Inter District Magnet School Building Committee. Mr. Howe mentioned that he has great ideas that might help the committee. He also stated that he supports the improvements on Tuckie Road.

Peter Quercia stated that he applied to serve on several committees and was disqualified. Mr. Quercia informed the Town Council that he has requested that several members of different committees resign but they have ignored him.

Kevin Hoxie, Ridgewood Road, Willimantic, spoke regarding eminent domain and questioned the Town Council if they remembered what happened with the Windham Mills. Mr. Hoxie informed the Council that last time we took property through eminent domain it cost the taxpayers a lot of money.

Roger Nadeau, Carriage Lane, North Windham and operations manager at Immaculata Retreat House invited the Town Council to a celebration they are holding. Mr. Nadeau also stated that he submitted an application for appointment to the Inter-District Magnet School Building Committee. He would like to see the project move forward and not go back in time.

John French stated that he had great hopes for the new Inter District Magnet School Building Committee but after the second meeting it was all flawed. Mr. French was concerned and explained that eminent domain is taking peoples property, which is not right. He informed the Town Council that he went to the Secretary of State and the Diocese of Norwich is in charge of St. Joseph Living Center.

James Flores spoke regarding the magnet school and informed the Town Council that 65% of the students in Windham are Hispanic or Black. He is concerned for the students education and stated that we need to improve our schools by improving the recruitment of minorities within the school. Mr. Flores mentioned that we have 2 elected positions in the Town filled by a minority and we only have 1 Black teacher.

Dennis O'Brien, Bolivia Street, Willimantic, agreed with a large part of Mr. James Flores comments. Mr. O'Brien stated that there should be more Latinos and Black staff in our school system. He spoke about how our times through the years have gotten poorer and Windham has more poverty than anyone in the State of Connecticut. O'Brien wanted the

residents to know that if we don't work together with the Board of Education, Windham will continue to have problems with our schools.

Victor Cuoghi, stated that he was the owner of the land that the Town of Windham want to cross and that it is not right for the town to use eminent domain because that is his land and the United States is not Russia. Mr. Cuoghi said he couldn't understand why the Town can't buy the land and build a road to the school from Club Road. He mentioned that his property is a great piece of land with good drainage and a pond.

4. Adoption of Minutes

a. Discussion and possible action to adopt the August 3, 2010 Town Council regular meeting minutes

Haynes MOVED, Iazzetta seconded, to adopt the August 3, 2010 Town Council regular meeting minutes. MOTION PASSED UNANIMOUSLY.

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.

Howe 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 PASSED with all in favor except Donohue who was not present at the time of vote.

b. Discussion and possible action to reappoint Jean Gaskin to the Willimantic Housing Authority.

Howe MOVED, Underwood seconded, to reappoint Jean Gaskin to the Willimantic Housing Authority. MOTION PASSED with all in favor except Haynes who opposed and Iazzetta who abstained.

c. Discussion and possible action to appoint Mark Doyle to the Ad-Hoc Committee to address Strategic Initiatives for Financing Teaching (SIFT) as a Board of Education representative.

Donohue MOVED, Santucci seconded, to appoint Mark Doyle to the Ad-Hoc Committee to address Strategic Initiatives for Financing Teaching (SIFT) as a Board of Education representative. MOTION FAILED with all in favor except Iazzetta, Underwood, McDevitt, Rivera, Eldridge and Howe who opposed and Lessard abstained.

d. Discussion and possible action to appoint Nancy Tinker to the Inter-District Magnet School Building Committee.

Santucci MOVED, Rivera seconded, to appoint Nancy Tinker to the Inter-District Magnet School Building Committee. MOTION PASSED UNANIMOUSLY.

- e. **Discussion and possible action to appoint Murphy A. Sewall to the Ad-Hoc Committee to address Strategic Initiatives for Financing Teaching (SIFT) as a Board of Education representative.**

Howe MOVED, Rivera seconded to appoint Murphy A. Sewall to the Ad-Hoc Committee to address Strategic Initiatives for Financing Teaching (SIFT) as a Board of Education representative. MOTION FAILED with all in favor except Iazzetta, Underwood, McDevitt, Eldridge, Haynes and Donahue who opposed and Lessard abstained.

7. Presentations & Special Reports

- a. Presentation by William Blitz, MPH, regarding the activities of the Northeast Connecticut Public Health Department.

William Blitz, MPH of North Central District Health Department gave a presentation on the responsibilities of the health department. He reported on staffing, communicable diseases, lead, food, wells, septic and the asthma program. Another representative by the name of David gave a brief presentation on the upgrade they are working on for their website. Once it is completed you will be able to download and file applications to the health department on line and view the status of it.

8. Mayor's Report

Mayor Eldridge reported that he attended the open house for the new Habitat for Humanity home in Willimantic. He also mentioned that he received several letters from Windham Middle School students summer program regarding recycling. Mr. Eldridge thanked the Town Hall staff for putting together a nice potluck for Town Manager Neal Beets and his family.

9. Town Manager's Report

- a. **Status of Energy Commission and energy-related projects and programs.**

Town Manager Neal J. Beets informed the Town Council that we have a Energy Commission and due to the lack of participation we only have one member and would like to see people apply. Mr. Beets also reported that he is working on an Energy Assurance Program.

10. Discussion and Review of Communications

Noted.

11. Resolutions and Ordinances

- a. **Discussion and possible action setting a public hearing on September 21, 2010 at 6:00 p.m. at the Town Hall Auditorium for a proposed ordinance setting a 20,000 lb. weight limit on Card Street.**

Iazzetta MOVED, McDevitt seconded to set a public hearing on September 21, 2010 at 6:00 p.m. at the Town Hall Auditorium for a proposed ordinance setting a 20,000 lb. weight limit on Card Street. MOTION PASSED UNANIMOUSLY.

- b. Discussion and possible action setting a public hearing on October 19, 2010 at 6:00 p.m. at the Town Hall Auditorium for a proposed ordinance relating to the naming of Town property.**

Underwood MOVED, Haynes seconded to set a public hearing on October 19, 2010 at 6:00 p.m. at the Town Hall Auditorium for a proposed ordinance relating to the naming of Town property. MOTION PASSED with all in favor except Iazzetta, Santucci and Eldridge who opposed.

- c. Discussion and possible action to adopt a resolution regarding the Connecticut State Library Historic Preservation Grant.**

Rivera MOVED, Santucci seconded, to adopt resolution # 2514.

BE IT RESOLVED by the Town Council THAT

Neal J. Beets, Town Manager, appoints the Town Clerk as his designee and is empowered to execute and deliver in the name of and on behalf of the municipality, a contract with the Connecticut State Library for a Historic Preservation Grant.

MOTION PASSED UNANIMOUSLY.

- d. Discussion and possible action to adopt a resolution regarding the participation in the FY 2010 Emergency Management Performance Grant Program.**

Iazzetta MOVED, McDevitt seconded, to adopt resolution # 2513.

BE IT RESOLVED by the Town Council THAT

Town Manager Neal J. Beets, be and hereby is authorized to act on behalf of the Town of Windham Town Council in executing a Memorandum of Understanding with the State of Connecticut, Department of Emergency Management and Homeland Security, for participation in the FY 2010 Emergency Management Performance Grant Program.

MOTION PASSED UNANIMOUSLY.

- e. Discussion and possible action setting a public hearing on October 5, 2010 at 6:00 p.m. at the Town Hall Auditorium for an ordinance relating to blight and landlord permits.**

Santucci MOVED, Donohue seconded, to hold a public hearing on October 5, 2010 at 6:00 p.m. at the Town Hall Auditorium for an ordinance relating to blight, housing code, fee schedule and landlord permits. MOTION PASSED UNANIMOUSLY.

12. Reports of Committees, Boards and Commissions

a. Administration & Finance, Health and Human Services Sub-Committee.

Chairman Donohue reported on the two proposed ordinance, which the Town Council just voted to move to a public hearing. He also mentioned that the proposed non-profit process to request funding from the Town would be up for discussion at the next Town Council meeting.

b. Public Safety, Recreation and Public Works Sub-Committee.

Chairman Iazzetta reported that they met and discussed the town fields issue and Recreation Director Tara Risley will be holding a meeting with several sports representatives on September 8th. Mr. Iazzetta informed the Town Council to that they postponed the CL & P easement to the next meeting and the request to waive to put in sidewalks and variance was forwarded to the Planning and Zoning Commission.

13. Old Business

None.

14. New Business

a. Discussion and possible action to go into executive session with Town Attorney Richard S. Cody and Magnet School Building Chair Tom DeVivo regarding a request from the Inter-District Magnet School Building Committee for the Town to acquire utility easements for the Magnet School.

Underwood MOVED, McDevitt seconded to go into executive session at 9:04 p.m. with Town Attorney Richard S. Cody, Town Manager Neal J. Beets and Magnet School Building Chair Tom DeVivo regarding a request from the Inter-District Magnet School Building Committee for the Town to acquire utility easements for the Magnet School. MOTION PASSED UNANIMOUSLY.

Rivera MOVED, McDevitt seconded to adjourn the executive session at 9:55 p.m.

b. Discussion and possible action setting a Town Meeting for Tuesday, September 28, at 6:00 p.m. at the Town Hall Auditorium to consider a request to acquire public utility easements.

Santucci MOVED, McDevitt seconded to set a Town Meeting for Tuesday, September 28, at 6:00 p.m. at the Town Hall Auditorium to consider a request to acquire public utility easements. MOTION PASSED with all in favor except Iazzetta who opposed.

c. Discussion and possible action on a recommendation from the Inter-District Magnet School Building Committee regarding Tuckie Road Improvements at the Magnet School Access Driveway.

Santucci MOVED, Donohue seconded, to postpone any recommendations from the Inter-District Magnet School Building Committee regarding Tuckie Road

Improvements at the Magnet School Access Driveway. MOTION PASSED UNANIMOUSLY.

MOTION: Underwood MOVED, McDevitt seconded, to amend the agenda and add under new business appointment of Toni Fantolli to the Inter-District Magnet School Building Committee. MOTION FAILED with all in favor except Eldridge, Donahue, Donohue, Haynes, Iazzetta, Lessard, Rivera and Santucci

15. Future Agenda Items and Public Meetings

- a. Board of Finance Town Meeting relating to the Board of Education budget, September 7, 2010, at 6:00 p.m. in the Town Hall Meeting Room.
- b. Referendum on Board of Education Budget, Tuesday, September 14, 2010.

16. Citizens and Delegations

Lori Jeffers, Willimantic, stated that the Town Council wanted to have a long discussion regarding conflict of interest but they should have discussed it regarding Tom DeVivo's conflict of interest. She spoke regarding funding for the Magnet School that deals with the driveway and pump station upgrades near the site. Mrs. Jeffers mentioned that the Council appoints individuals who owe back taxes and water liens.

Roger Nadeau, Carriage Lane, thanked Mayor Eldridge for explaining the reasons and process when selecting individuals to serve on a committee. He stated that the Town couldn't move forward on the Magnet School without making good decisions if we only have 3 members appointed to the building committee. He is in favor of the Magnet School and has an interest in serving on the committee.

Henry Crane, Willimantic, requested that the Town Council appoint more people to the Inter District Magnet School Building Committee to help Chairman Tom DeVivo.

Kevin Hoxie stated he was tired of the Town of Windham taking people's property. He is against the Town taking the property from Mr. Cuoghi. Mr. Hoxie informed the Council that he pays \$4,000 for property taxes and the Town is robbing the taxpayer.

David Fenn, Windham Center, raised concerns to the rationale of the previous speaker regarding eminent domain and can't believe that the Town is "nickel and diming" the property owner for 40 feet of his land. He called the Town Council incompetent and suggests the Town look into the South Street property.

Doug Lary stated that the Town is spending a long time and we have not asked anyone if we plan on building a school in the city. Mr. Lary suggested that we look at Town property and see where we can add a school just like we did with the middle school property.

Tony Fantolli can't understand why Tom DeVivo doesn't have a conflict of interest in serving in the Magnet school Committee. He spoke about the by pass lane on Tuckie Road and the Board of Education budget.

Jerry Iazzetta read a section of **three letters** that was written by a sending **towns** regarding sending students to the Magnet School. Mr. Iazzetta stated that the letters **do not** commit **any students to** attend the school.

17. Adjournment

Iazzetta MOVED, Underwood seconded, to adjourn the meeting at 10:35 p.m. MOTION PASSED UNANIMOUSLY.

Submitted by

Neida I. Rosado
Clerk for the Town Council