

**TOWN OF WINDHAM  
TOWN COUNCIL**

**WINDHAM TOWN HALL MEETING ROOM**

**DECEMBER 15, 2009**

**MEETING MINUTES**

**1. Call to Order**

Mayor Eldridge called the Town of Windham 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, N. Joseph Underwood

Staff Present: Neal J. Beets, Town Manager

**2. Citizens and Delegations**

John McCommas, asked for clarification as to why the Town Council is voting on allowing alcohol in Town Buildings again when they voted on that two weeks ago. He feels that alcohol should not be allowed in Town Buildings or on Town own property.

Bill Hakmiller, Ballamahack Road, introduced himself to the Council and offered his availability to answer any questions the Council might have.

Gordan Muir, feels the Snowball captured the residents of the Town (noting how many people had to be turned away), stating there has never been an issue with any events thus far. He feels the ballroom is a beautiful and historic place to hold non-profit fundraisers and supports the use of alcohol.

Jean Chaine, Windham Center, feels it is a waste of Council's time to have to hold a public hearing every time someone wants to hold an event with alcohol in a Town building. He suggested once you have successfully had an event you should be "grandfathered" in.

Ernie Eldridge, South Windham, invited all to the Mayor's Red, White and Blue ball at 8pm-1am on New Year's Eve at the Windham Town Hall Ballroom. Cost is \$65.00 per couple and is being hosted by the Windham Recreation Department and the Windham Historical Society.

Jerry Iazzetta, South Windham, expressed concern for the amount of money spent on fixtures in the ladies room on the 3<sup>rd</sup> floor.

Steve Kenton, President of the Windham Textile Museum, stated that his understanding is that Town Manager Beets is to implement the policy that the Town Council adopts and was concerned that he is giving the Town Council recommendations.

Bev York, South Windham, requested the Town Council allow serving alcohol on a case by case basis, noting it is a big part of fundraising for non-profits, and it is the Windham Textile Museum's biggest fundraiser. 13 members of the public agreed with York's comments.

Mike Lessard, South Windham, invited all to drop of non-perishable food items to help "Fill the Bus" at Windham High School on Saturday, December 19<sup>th</sup> from 10am-3pm.

Kessenia Gagnon, previous Chair of the Board of Ethics thanked all the previous members for their hard work and dedication to creating the Code of Ethics.

Ray Aramini, stated that prior to the Snow Ball there were events that were held on Town property and served alcohol and there were no issues. He supports the Snowball and the serving of alcohol.

Alan Giordano, South Windham, questioned if there is an existing ordinance regarding alcohol. He feels the Town Council should take into consideration the opinion and

recommendations of the Town Manager.

### 3. Adoption of Minutes

- a. Discussion and possible action to adopt the December 4, 2009 meeting minutes Santucci MOVED, Rivera seconded, to adopt the 12-4-09 meeting minutes.  
Iazzetta MOVED, to amend the minutes regarding 12a. MOTION FAILED for lack of a second. Iazzetta MOVED, Underwood seconded, to postpone the 12-4-09 meeting minutes until the next meeting. MOTION PASSED with all in favor except Howe who was opposed.

### 4. Resignations

Noted.

### 5. Appointments

McDevitt MOVED, Underwood seconded to approve items 5, a, i, iii and iv & 5, b, i-v. MOTION PASSED UNANIMOUSLY. Item 5, a, ii was postponed.

- a. Discussion and possible action to appoint the following to the Economic Development Commission:
  - i. William Hettinger - Term 12-15-2009 to 12-15-2011
  - ii. Cecilio C. Castro - Term 12-15-2009 to 12-15-2012
  - iii. Eric Crowley - Term 12-15-2009 to 12-15-2013
  - iv. Robert Horrocks - Term 12-15-2009 to 12-15-2014
- b. Discussion and possible action to appoint the following to the Ethics Commission:
  - i. John R. McCommas - Term 12-15-2009 to 12-15-2011
  - ii. Douglas Lary - Term 12-15-2009 to 12-15-2011
  - iii. Kessenia Gagnon - Term 12-15-2009 to 12-15-2012
  - iv. Marie Hakmiller - Term 12-15-2009 to 12-15-2012
  - v. Peter Leeds - Term 12-15-2009 to 12-15-2012

### 6. Presentations & Special Reports

- a. Mary Lou DeVivo regarding "Windham Reads" banners  
Presented flyers of the banners for donations of \$52.00 which can have your business name, or family name printed on it. If you property has a pole with no bracket it costs \$91.00 for the bracket plus \$20.00 for the installation. Banners for residences can also be purchased. DeVivo discussed how the local schools show low test scores for our youth despite having bright children in our community. She hopes this will encourage adults to support the literacy of our youth. She also encouraged adults to encourage literacy and sponsor projects for children in the month of April. She noted that this has been sponsored by the Willimantic Victorian Neighborhood Association. This is being promoted through the Parents Network, WILI, The Chronicle and Board of Education. All orders must be placed by February.

### 7. Mayor's Report

Mayor Eldridge reported that the DOT will be closing Bridge Street to work on a loose rail from 9:30am to 3:30 pm tomorrow; thanked the Jilson House, the Niles and all participants for the Fire Truck parade; he noted the success of the "Stuff a Cruiser" at Stop and Shop this past weekend and thanked all who participated; the results of the "Tour of Lights" around the Windham's and Willimantic will be out in January; Rotary Club has raised enough donations for a 2<sup>nd</sup> canine unit; Police Department has sworn in 5 new Corporals; Mayor Eldridge and Town Manager Beets will be on the Wayne Norman Show to discuss their first month of

business this coming Friday morning.

## **8. Town Manager's Report**

Town Manager, Neal Beets discussed the following noteworthy items: \$560,000 Federal Stimulus Money to repave sections of High Street, Jackson Street and Valley Street, awaiting State DOT approval with an anticipated start date in spring; Ballroom painting to begin soon and offered tours to anyone who wants to see it; contracts and RFP to begin with Celtic to do detailed energy audits on 6 Town buildings this spring; spring event/clinic for dogs in the community that educates residents, vaccinates, licenses and hold spay and neuter program, noting all is tentative right now; CL&P working to remove tennis shoes from power lines in Town. In reference to comments from Citizens and Delegations, Beets stated that part of the Town Manager's job as interpreted by the Charter, is to provide the Town Council with recommendations and give options for the Town Council to adopt and for him to implement.

## **9. Discussion and Review of Communications**

Noted.

## **10. Resolutions and Ordinances**

- a. Discussion and possible action to adopt a resolution to dissolve the Ad-Hoc Public Works Garage Committee  
Underwood MOVED, to adopt resolution # 2475.

BE IT RESOLVED by the Town Council THAT

The following committee be dissolved immediately:

Ad-Hoc Public Works Garage Committee.

Iazzetta seconded the motion. MOTION PASSED UNANIMOUSLY.

## **11. Reports of Committees, Boards and Commissions**

None.

## **12. Old Business**

Discussion and possible action to adopt new guidelines for the use of the Town Hall Auditorium

Iazzetta MOVED, Underwood seconded, to rescind the motion made at the 12-1-09 meeting regarding item 12a, concerning serving alcohol in town buildings. MOTION FAILED.

Santucci MOVED, Rivera seconded, to accept the guidelines with the following changes: remove the last paragraph, change both aggregate liabilities to \$2 million dollars, and to add 6 and 2 in the "blanks" on page 2 paragraph 3.

Donohue MOVED, Howe seconded, to amend the motion to:

1. strike out the 3<sup>rd</sup> sentence in the last paragraph on page 1 starting with "which have at least...."
2. strike out the 3<sup>rd</sup> sentence in the second to last paragraph on page 2 starting with "The Council...at which liquor is served."
3. Remove the last paragraph on page 2.
4. Remove the last paragraph on page 3.

MOTION FAILED.

Iazzetta MOVED, Rivera seconded, to amend to: add Town Buildings and Properties to the first two sentences on page 1. MOTION PASSED UNANIMOUSLY.

Santucci MOVED, Donohue seconded, to strike out the 3<sup>rd</sup> sentence in the last paragraph on page 1 starting with “which have at least...” and to delete the last paragraph on page 2. MOTION PASSED with all in favor except Iazzetta and Lessard who were opposed.

Original Motion MOVED by Santucci and seconded by Rivera, on the floor with the approved amendments read as follows:

The Town Council hereby adopts the following criteria that must be met by all applicants wishing to serve alcohol in the Town Hall Auditorium/Ballroom or in other Town buildings, in Town parks, or on other Town property.

All Liquor Applicants for the Town Hall's Auditorium/Ballroom , other Town buildings, Town parks, or other Town property shall:

1. Complete the application on the reverse side and deliver the completed application at least 60 days in advance of the proposed event to the Town's Executive Secretary in the Office of the Mayor and Town Manager.
2. Obtain the appropriate liquor permit required by the State of Connecticut Liquor Control Commission. A copy of the state-issued liquor permit shall be delivered to the Executive Secretary by the date of the event.
3. Be present to describe the proposed event, and answer questions at all state-required or Town-required Public Hearings necessary to obtain a Connecticut liquor permit and to obtain Town Council approval.
4. Applicant shall agree to maintain in force at all times during which services are to be performed the following coverage's with company(ies) licensed by the State of Connecticut:

(Minimum Limits)		
General Liability*	Each Occurrence	\$1,000,000
	General Aggregate	\$2,000,000
Liquor Liability*	Each Occurrence	\$1,000,000
	Aggregate	\$2,000,000

\* The Town of Windham shall be named as “Additional Insured”. Coverage is to be provided on a primary, noncontributory basis.

Original, completed Certificates of Insurance must be presented to the Finance Department prior to use of facilities. User agrees to provide replacement/renewal certificates at least 60 days prior to the expiration of the policy. Should any of the above described policies be cancelled before the expiration date, written notice must be made to the Town of Windham 30 days prior to cancellation.

5. Sign the Hold Harmless and Indemnification Agreement attached hereto. This signed Agreement shall be delivered to the Executive Secretary by the date of the event.
6. Not later than ten calendar days before the proposed event, meet with the Town's Chief of Police and Fire Marshall to discuss the anticipated size of the proposed event and other features of the event relevant to public safety concerns. Applicants shall comply with all requirements of the Police Chief and Fire Marshall.
7. Use a currently certified TIP-trained server to dispense all alcohol at the event.
8. Advise event attendees who choose to drink liquor at the event and who will leave the event by automobile to use a Designated Non-drinking Driver.
9. Comply with the Town's Use Policy for the Ballroom/Auditorium, a copy of which accompanies this form.
10. Obtain Town Council approval to serve alcohol at the event, and comply with all conditions the Town Council may establish as conditions of approval including, but not limited to, restricting the hours during which alcohol can be served.
11. The Council hereby determines that it wishes to limit the number of events in the Ballroom/Auditorium at which liquor can be served. There shall be no more than six (6) events that the Council will authorize each calendar year in the Ballroom/Auditorium. The Council will address each application in chronological order based upon receipt of the application until the maximum number of approved events is reached. Applications can be filed no sooner than one year before the proposed date of the event. Notwithstanding the forgoing, one organization can sponsor no more than two (2) events each calendar year in the Ballroom/Auditorium at which liquor is served.

MOTION PASSED with all in favor except Iazzetta.

- a. Discussion and possible action to allow the Windham Textile and History Museum serve alcohol on January 16, 2010 at the Town Hall Auditorium for the Snowball  
Howe MOVED, Haynes seconded, to allow the Windham Textile and History Museum serve alcohol on January 16, 2010 at the Town Hall Auditorium for the Snowball.  
MOTION PASSED with all in favor except Mayor Eldridge who was opposed.

### **13. New Business**

- a. Discussion and possible action to award the Historic Survey Contract  
Underwood MOVED, Howe seconded to postpone action to award the Historic Survey Contract. MOTION PASSED UNANIMOUSLY.

### **14. Future Agenda Items**

Noted.

### **15. Citizens and Delegations**

Alan Giordano, South Windham, asked that the Town Council reinstate the Recycling and Waste Committee. He feels the Council is spending too much time on the Snowball issue and wondered if they have so many people interested and have to turn guests away, why they don't choose a venue that can accommodate them.

Leo Santucci, Willimantic, thanked the Council for approving the Snowball and for clarifying the policy.

Lori Jeffers, Willimantic, would like to see the Council work on lowering the taxes instead of talking about use of alcohol. She feels meetings should be held in the ballroom to accommodate the crowds.

Bernard D'Auteille, Willimantic, requested the Council looking into considering combing the Board of Education and Finance.

**16. Adjournment**

Howe MOVED, Haynes seconded, to adjourn the Town of Windham Town Council at 9:30 p.m. MOTION PASSED UNANIMOUSLY.

**Submitted By:**

**Jessie L. Shea  
Clerk of the Town Council**