

Minutes of the Windham Town Council Regular Meeting

Windham Town Hall Bellingham Auditorium, 2nd Floor
Tuesday, October 20, 2015 - 7:00 P.M.



1. Call to Order.

Mayor Eldridge called the Windham Town Council Regular Meeting to order at 7:00 P.M.

Town Council members present: Mayor Ernest S. Eldridge, Charles Krich (arrived at 7:08 P.M.), Tony Fantoli, Tom DeVivo, Joseph Underwood, Mark Doyle (arrived at 7:27 P.M.), Michael Lessard, James Flores and Charlotte Patros

Lorraine McDevitt and Christel Donahue were 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.

None

4. Town Council Comment.

Joe Underwood announced his resignation from the Town Council effective October 28, 2015. He thanked the Town Council and the community for all their support through the years and wished everyone the best of luck.

Mayor Eldridge stated Council Member Underwood will be missed.

James Flores spoke of the large Puerto Rican community in Willimantic and shared some statistics between Puerto Rico and the United States.

Tom DeVivo recognized and thanked all the Town of Windham employees who attended and/or donated to the Relay for Life event.

5. Adoption of Town Council Minutes.

a. Public Hearing re Cora Moore, October 6, 2015.

b. Regular Council Meeting of October 6, 2015.

No Action Taken.

6. Resignations.

a. Michael Desaulniers from the Micro-Grid/Windham Middle School Roof Replacement Committee.

Noted

7. Appointments, Reappointments.

a. Appoint the seven members of the Windham Traffic Calming Committee per Windham Town Code section 8-55, that says “Membership shall be appointed by the board of selectmen in accordance with the provisions of the Town Charter”:

- i. Town Engineer Joe Gardner**
- ii. Fire Department representative, Chief Marc Scrivener**
- iii. Police Department representative, Lt. Robert Buckner**
- iv. Public Works representative, Deputy Superintendent Scott Clairmont**
- v. Town Manager Neal Beets**
- vi. Ted Colwell, as the Windham Village citizen representative**
- vii. Kimberley Charron, as the Windham Village citizen representative**
- viii. Emma Palladino, as the Willimantic citizen representative**

DeVivo MOVED, Fantoli seconded, to appoint the seven members of the Windham Traffic Calming Committee per Windham Town Code section 8-55, with the exception of the Town Manager as recommended by the Windham Town Council Nominating Committee. All were in favor except Krich who abstained. MOTION PASSED.

b. Appoint BOE Member Paul Kalajian to the Micro-Grid/Windham Middle School Roof Replacement Building Committee.

DeVivo MOVED, Underwood seconded, to appoint BOE Member Paul Kalajian to the Micro-Grid/Windham Middle School Roof Replacement Building Committee. All were in favor. MOTION PASSED UNANIMOUSLY.

8. Presentations & Special Reports.

a. Presentation from the Emergency Management Director about the Regional Hazard Mitigation Plan, and the Memorandum of Agreement for a State Homeland Security Grant Program. Possible action under agenda items 13.a. and 13.b., below.

Emergency Management Director Mike Licata gave a presentation on the Regional Hazard Mitigation Plan, and the Memorandum of Agreement for a State Homeland Security Grant Program. He explained the both grants and answered questions from the Town Council.

9. Mayor's Report.

Mayor Eldridge reported he had attended the Relay for Life event, the Salsa Festival at CLICK and the Chocolate Gala at the Theater Guild. He also noted he will be meeting with the Windham Middle School students next Tuesday afternoon to discuss why there is no center for kids. Mayor Eldridge stated he will explain the Recreation programs offered and encourage the students to address the Town Council with any ideas they may have.

10. Town Manager's Report.

Town Manager Beets reported on the new canoe and kayak launch area and acknowledged those who worked on the project. He also reported on the unemployment rate of 5.9% in Windham being at the lowest level in 8 or 9 years. In addition, Town Manager Beets answered questions from the Town Council.

11. Discussion and Review of Citizen Communications to Council.

None

12. Discussion and Review of Agendas, Minutes, Reports of Town Committees, Boards and Commissions.

None

13. Resolutions and Ordinances.

a. Discuss and possibly enact a Resolution adopting a Regional Hazard Mitigation Plan.

DeVivo MOVED, Underwood seconded, to waive the reading of the Resolution. All were in favor. MOTION PASSED UNANIMOUSLY.

Lessard MOVED, Flores seconded, to approve Resolution #2665. All were in favor.

BE IT RESOLVED by the Town Council THAT

A RESOLUTION OF THE TOWN OF WINDHAM
ADOPTING THE HAZARD MITIGATION PLAN UPDATE, 2015: A
MULTI-JURISDICTIONAL PLAN FOR THE FORMER
WINDHAM REGION COUNCIL OF GOVERNMENTS (WINCOG) TOWNS OF
COLUMBIA, COVENTRY, LEBANON, MANSFIELD, WILLINGTON, AND WINDHAM

WHEREAS, the Town of Windham has historically experienced damage from natural hazards and it continues to be vulnerable to the effects of those natural hazards profiled in the plan (i.e. dam failure, drought, earthquakes, flooding, hurricanes, ice jams, severe winter storms, thunderstorms, tornadoes, and wildfires) resulting in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS the Town of Windham has developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for its hazard mitigation plan update entitled Hazard Mitigation Plan Update, 2015 under the requirements of 44 CFR 201.6; and

WHEREAS, public and committee meetings were held between November 2013 and February 2014 regarding the development and review of the Plan; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedure for the Town of Windham; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the Town of Windham, with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make the Town of Windham eligible for funding to alleviate the impacts of future hazards; now therefore be it

RESOLVED by the Town of Windham Town Council:

1. The Plan is hereby adopted as an official plan of the Town of Windham;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as part of this resolution for a period of five (5) years from the date of this resolution;
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Town Council by the Town Fire Marshal/Emergency Management Director.

In accordance with Chapter V §3(a) of the Town Charter, the Town of Windham Town Council hereby adopts the

Hazard Mitigation Plan Update, 2015.

ADOPTED by a vote of 9 in favor, 0 against, and 0 abstaining this 20th day of October, 2015.

Michael Lessard
Council Member

October 20, 2015
Date

IN WITNESS THEREOF, the undersigned has affixed his signature and the corporate seal of the Town of Windham.

Barbara J. McKinney
Deputy Town Clerk
WINDHAM, CT

October 20, 2015
Date

MOTION PASSED UNANIMOUSLY

- b. Discuss and possibly enact a Resolution authorizing a Memorandum of Agreement with Emergency Management Region 4 of the State of Connecticut regarding a State Homeland Security Grant Program.**

Lessard read Resolution and moved for its adoption.

Lessard MOVED, Underwood seconded, to enact Resolution #2666 authorizing a Memorandum of Agreement with Emergency Management Region 4 of the State of Connecticut regarding a State Homeland Security Grant Program. All were in favor.

BE IT RESOLVED by the Town Council THAT

The Town of Windham may enter into with and deliver to the State of Connecticut Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Neal J. Beets, as Town Manager of the Town of Windham, is authorized and directed to execute and deliver any and all documents on behalf of the Town of Windham Town Council and to do and perform all acts and things which he deems to be

necessary or appropriate to carry out the terms and such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

MOTION PASSED UNANIMOUSLY

- c. **Discuss and possibly enact a Resolution amending the Town Council's Policy regarding a 50% cost match by landlords in order to receive CDBG Small Cities loans to rehabilitate multi-family residences, contingent upon approval of the Connecticut Department of Housing.**
- **Request for Council Action**
 - **Revised 2015 Town of Windham Housing Rehabilitation Program Guidelines**

Fantoli read Resolution and moved for its adoption.

Fantoli MOVED, DeVivo seconded, to enact Resolution #2667 amending the Town Council's Policy regarding a 50% cost match by landlords in order to receive CDBG Small Cities loans to rehabilitate multi-family residences, contingent upon approval of the Connecticut Department of Housing. All were in favor except Underwood who abstained.

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

WHEREAS, The Town of Windham continues to administer the Housing Rehabilitation Program through a 2014 Small Cities Grant from the Connecticut Department of Housing.

WHEREAS, The following 2015 Housing Rehabilitation Guidelines outlines and updates the eligibility criteria, procedures and regulations for operation of the 2014 grant program.

WHEREAS, The Town of Windham will adhere to and refer Program participants to the following 2015 Housing Rehabilitation Program Guidelines.

NOW, THEREFORE, **BE IT RESOLVED** by the Town Council that the following 2015 Housing Rehabilitation Program Guidelines is hereby approved.

MOTION PASSED

- d. **Discuss and possibly enact a Resolution amending the Town Council's Policy regarding repayment of CDBG Small Cities loans by single-family homeowners, contingent upon approval of the Connecticut Department of Housing.**

DeVivo read the Resolution and moved for its adoption.

DeVivo MOVED, Doyle seconded, to enact a Resolution amending the Town Council's Policy regarding repayment of CDBG Small Cities loans by single-family homeowners, contingent upon approval of the Connecticut Department of Housing. DeVivo, Krich,

Doyle and Flores were in favor, Eldridge, Fantoli, Lessard and Patros were opposed and Underwood abstained.

**RESOLUTION of the
Windham Town Council
No. _____**

WHEREAS, the State of Connecticut through its Department of Housing requires “full repayment” of CDBG Small Cities loans for housing rehabilitation, pursuant to its policy document attached as Exhibit A; and

WHEREAS, the State of Connecticut Department of Housing further requires that any change or deviation in that full repayment policy must be approved by the Connecticut Department of Housing; and

WHEREAS, the Windham Town Council adopted a repayment policy for CDBG Small Cities loans consistent with the full repayment policy mandate of the Connecticut Department of Housing but now wishes to modify its repayment policy to facilitate short sales in order to encourage home ownership, to avoid the blight of vacant, abandoned housing in the Town, and to possibly recover partial CDBG loan repayment rather than seeing its CDBG lien extinguished in a foreclosure or bankruptcy with no repayment;

NOW, THEREFORE, the Windham Town Council hereby resolves as follows:

1. That the “2015 Town of Windham Housing Rehabilitation Program Guidelines” are amended, contingent on the approval of the Connecticut Department of Housing, by adding to the last sentence at the end of paragraph C. on page 3 of the Guidelines the following material:

“, unless the improved property is subject to a structured short sale transaction and the Windham Town Council determines that waiving or reducing the Town’s CDBG single-family housing rehabilitation loan and lien as part of that short sale would serve the best interests of the public health, safety, and welfare.”

Except as so amended, the 2015 Town of Windham Housing Rehabilitation Guidelines remain the same.

2. We authorize and direct the Town Manager, Neal Beets, to submit this proposed change in policy to the State of Connecticut Department of Housing for their review and approval.

MOTION FAILED

14. Old Business.

- a. **Discuss and possibly make a motion approving the Application to name a portion of Lauter Park the “Cora Moore Recreation Area.” (Requires 2/3’s vote of those present and voting.)**

DeVivo MOVED, Underwood seconded, to accept the application outlining the proposed location of the splash park area at Lauter Park for Cora Moore. All were in favor. MOTION PASSED UNANIMOUSLY.

- b. **Discuss and possibly:**

- 1) **adopt a Plan for unifying the Finance Department,**

DeVivo MOVED, Flores seconded, to adopt a plan for unifying the Finance Department as recommended by the Town Manager and Town Staff. All were in favor except Fantoli and Krich who opposed.

MOTION PASSED.

- 2) **approve the corresponding Revised Memorandum of Understanding with AFSCME regarding the transfer of the affected Town employees to a BOE union, and**

DeVivo MOVED, Underwood seconded, to approve the Revised Memorandum of Understanding as presented. All were in favor except Fantoli and Krich who opposed. MOTION PASSED.

- 3) **approve a change in the cost allocation split for the Finance Office from 60/40 to 50/50.**

DeVivo MOVED, Underwood, seconded, to approve a change in the cost allocation split for the Finance Office from 60/40 to 50/50. All were in favor except Fantoli and Krich who opposed. MOTION PASSED.

- c. **Discuss and possibly approve a date and location change for the service of liquor by Shaboo Productions, Inc., for a non-profit fundraising event on Town property: from Saturday and Sunday, June 25 & 26, 2016, at Recreation Park, to Friday and Saturday, October 24 & 25, 2016, at Jillson Square. All other terms and conditions of Council approval remain the same.**
DeVivo MOVED, Underwood seconded, to approve a date and location change for the service of liquor by Shaboo Productions, Inc., for a non-profit fundraising event on Town property: from Saturday and Sunday, June 25 & 26, 2016, at Recreation Park, to Friday and Saturday, October 24 & 25, 2016, at Jillson Square. All other terms and conditions of Council approval remain the same. All were in favor. MOTION PASSED UNANIMOUSLY.

15. New Business.

- a. **Discuss and possibly approve a Memorandum of Understanding between the Town of Windham and Post University.**

DeVivo MOVED, Underwood seconded, to approve a Memorandum of Understanding between the Town of Windham and Post University. All were in favor. MOTION PASSED UNANIMOUSLY.

- b. **Discuss and possibly approve a contract with Celtic Energy for \$8,575 to do energy usage benchmarking in certain Town buildings.**

Doyle MOVED, Fantoli seconded, to approve a contract with Celtic Energy for \$8,575 to do energy usage benchmarking in certain Town buildings. All were in favor. MOTION PASSED UNANIMOUSLY.

16. Future Agenda Items

- a. **Tuesday, November 10, 2015:** African American Affairs Commission presentation regarding racial profiling.

17. Citizens and Delegations: Public Comment.

Dawn Niles, North Windham, spoke about a student event taking place at 6:00 P.M. at North Windham School for Heritage month. She also thanked the group who put together the Traffic Calming Committee. In addition Ms. Niles thanked Council Member Underwood for his many years of service to the community and Democratic Town Committee.

Joe Underwood suggested the cameras be adjusted to show the full Town Council during the meetings to allow viewers to see everyone at the table.

Paul Hongo, Human Resource Director, noted he had received an email for the Library Director today regarding the Security Guard at the Library and he explained the situation.

Charles Krich expressed his thanks and regrets on the resignation of Council Member Underwood.

18. Adjournment

DeVivo MOVED, Fantoli seconded, to adjourn the Windham Town Council Regular meeting at 8:40 P.M. All were in favor. MOTION PASSED UNANIMOUSLY.

Submitted By:

Barbara J. McKinney
Clerk of the Town Council