

WINDHAM TOWN COUNCIL MINUTES

WINDHAM TOWN HALL MEETING ROOM

Tuesday, February 15, 2011 - 7:00 P.M.



1. **Call to Order**

Mayor Eldridge called the Town of Windham Council meeting to order at 7:01 p.m.

Town Council members present: Mayor Ernest S. Eldridge, Erika Haynes, Jerry Iazzetta, Arnaldo Rivera, N. Joseph Underwood, Charles Krich, Christel Donahue and Lorraine McDevitt

Town Council members excused: Mike Lessard, Kevin Donohue and Teresa Santucci

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**

Bill Rood, North Windham, spoke regarding an article in last night's newspaper about consolidation. He stated after living through consolidation he is very dismayed that it is coming up again. He questions how much regulation is enough. He noted he will fight consolidation again if need be.

Dawn Niles, North Windham, reported on the HeartSafe Committee. She noted through the recent classes 75 individuals were certified or re-certified in CPR and AED. She stated she is very proud of everyone who took part and noted over \$100 was raised in donations. In addition, she stated she too is dismayed about the article in last night's newspaper about consolidation. She stated we are consolidated and have been for a long time. She feels the problem is the Willimantic Service District can't afford the services they have and they want the Windhams to take it on. She thinks the Windhams could take on the Willimantic Police Dept but as far as the Willimantic Fire Department she does not want that. She is happy with the Fire Departments that are in the Windhams.

Charlie Kratt, Willimantic, agrees with Bill Rood and remembers the bitterness and anxiety caused from consolidation. Mr. Kratt also expressed a safety complaint on Windham Street. He would like to see parking enforcement in that area. He also noted a complaint in front of the Nathan Hale Building on Main Street with icy sidewalks.

Larry Kellogg, is concerned with the tax breaks the Town is considering giving to WCMH. He feels taxes are being put on the citizens and not on the businesses where they should be.

Lori Jeffers, Willimantic, asked for a re-vote on the Magnet School. She also spoke about paying Norm Benjamin for taking minutes at the Magnet School meeting, making up school days, the distribution of trash cans, holding one position on any Board/Commission, the legality of the January 4th meeting, shoveling of sidewalks by the old Willimantic Lumber & Coal building and the way the Service Districts vote on issues.

Bernie D'Auteuil, Willimantic, spoke of a train incident in Ohio carrying 28 containers of ethanol and bursting into flames. He would like the Town to ensure the entity of the railroad does not stall and cause a third incident in Town.

4. Adoption of Minutes

a. Discussion and possible action to adopt the January 18, 2011 Town Council regular meeting minutes

Underwood MOVED, McDevitt seconded, to adopt the January 18, 2011 Town Council regular meeting minutes with the following correction: N. Joseph Underwood being present rather than excused. All were in favor except Krich and Rivera who abstained. MOTION PASSED.

5. Resignations

NONE.

6. Appointments

a. Discussion and possible action to appoint Nina Ricardez to the Board of Finance.

Underwood MOVED, McDevitt seconded, to appoint Nina Ricardez to the Board of Finance. MOTION PASSED UNANIMOUSLY.

b. Discussion and possible action to appoint Laura L. Lambert to the Willimantic Public Library Board of Directors with term ending December 2, 2011.

Krich MOVED, Underwood seconded, to appoint Laura L. Lambert to the Willimantic Public Library Board of Directors with term ending December 2, 2011. MOTION PASSED UNANIMOUSLY.

7. Presentations & Special Reports

NONE.

8. Mayor's Report

Mayor Eldridge reported on the fabulous success of the Chocolate Festival. He thanked Erika, Tom and Dawn as well as Joe Courtney for attending.

Mayor Eldridge also reported he had attended the 80th birthday party of a descendant of the Elderkin's who were one of the founders of Windham and presented a proclamation to her.

In addition, Mayor Eldridge reported Lynn Duval had received the Citizen of the Year award from the Elks Club.

Mayor Eldridge also stated Steve and Faith Kenton were a great choice for Cupid. He thought the Cupid ceremony was a lot of fun and noted most of the Cupids were present.

9. Town Manager's Report

Mr. Beets explained the process of Charter Revision. He noted certain issues that may be of interest for Charter Revision: consolidation, number of votes needed to enact an ordinance or resolution and the question of whether a Town Meeting votes on proposed budgets or they automatically recess to referendum. He also stated some concerns were the size of the Charter Revision Commission, the appointment process and the length of time the commission has to fulfill its task.

10. Discussion and Review of Communications

a. Letter from Windham Conservation and Open Space Commission regarding the Shetucket Greenway.

Correspondence Noted.

11. Resolutions and Ordinances

a. Discussion and possible action to set a new Town Meeting date for Thursday, February 24, 2011 at 6:45 p.m. in the Town Hall Auditorium for the CL&P easements per Resolution # 2526. (The originally scheduled town meeting was cancelled due to inclement weather.)

Underwood MOVED, Rivera seconded to set a new Town Meeting date for Thursday, February 24, 2011 at 6:45 p.m. in the Town Hall Auditorium for the CL&P easements per Resolution # 2526. MOTION PASSED UNANIMOUSLY.

b. Discussion and possible action on a Resolution authorizing the Social Service Block Grant Program.

McDevitt read the Resolution and moved for its adoption.

McDevitt MOVED, Rivera seconded to adopt Resolution #2527 authorizing the Social Service Block Grant Program.

BE IT RESOLVED by the Town Council THAT

The Town Manager, Neal Beets, is empowered to enter into and amend contractual instruments in the name and on behalf of the Town of Windham with the Department of Social Services of the State of Connecticut for a Social Services Block Grant program.

MOTION PASSED UNANIMOUSLY.

b. Discussion and possible action on a Resolution approving a tax abatement for a medical office building on the campus of the Windham Hospital.

Haynes read the Resolution and moved for its adoption.

Haynes MOVED, Rivera seconded to adopt Resolution #2528 approving a tax abatement for a medical office building on the campus of the Windham Hospital.

BE IT RESOLVED by the Town Council TO

Offer a Tax Assessment Agreement with Windham Medical Associates LLC as follows:

WHEREAS, Pursuant to Connecticut General Statutes Section 12-65b, which allows the Town to fix real estate tax assessments, is intended to encourage the development and expansion of businesses in Town to promote economic development and attract businesses that will generate additional tax revenues, create employment opportunities for the Town and improve the quality of life for its citizens by expanding the array of goods and services available; and

WHEREAS, a representative of **Windham Medical Associates** (to be formed as an Limited Liability Corporation) has submitted a request to the Town seeking a Tax Abatement as an incentive to attract medical providers to a new medical office project to be located behind the Windham Community Memorial Hospital/Hatch Corporation property with an address of 112 Mansfield Ave., Willimantic on property identified as 605 Valley St. The developer proposes to construct a new 29,840 square foot Class ‘A’ Medical Office building behind the Hospital to include the construction of an internal street system, and the installation of a new twelve-inch water line for a distance of approximately 2,000 feet from the Tower Rd. water tower facility. The new water line will be built during the first phase of construction – the building to which this resolution shall apply – after which it will be dedicated to the Town of Windham Water Department for the public’s benefit. The investment in land acquisition, construction costs, building and site improvements is estimated at \$6,500,000.00; and

WHEREAS, the Windham Economic Development Commission considered the request and made its findings as follows: The project will increase the number of doctors to the area who could complement and expand on the services available in order to create a stronger regional Hospital. The developer assured the Commission that any tax abatement will be used to directly reduce the lease rate to the medical providers who will occupy the building. The project will result in new high quality jobs for the long term, and will result in improvements to the Town’s infrastructure by linking water lines, and possibly other utilities. Given this information, the Commission determined that this request deserves its recommendation, and that a tax assessment agreement be offered to **Windham Medical Associates LLC** as an economic incentive.

NOW, THEREFORE, BE IT RESOLVED that the Windham Town Council hereby authorizes the Town Manager to enter into an agreement pursuant to Connecticut General Statutes Section 12-65b to fix the real estate tax assessment for the proposed project of **Windham Medical Associates LLC**. The terms of the agreement will be that the assessment for the property and the improvements to be erected thereon, which is estimated to be \$3,607,920, be fixed each year at 50% of the assessed value for a period of five (5) years. The estimated tax benefit reduction will be approximately \$66,150 annually; and

BE IT FURTHER RESOLVED that the Windham Town Council’s offer to **Windham Medical Associates LLC**, and the agreement, shall be conditioned upon (1) constructing and connecting,

at Windham Medical Associates' sole cost and expense, the twelve inch water line from the Tower Road facility as indicated on the site plans and dedicating it to the Town at no cost to the Town, (2) minimum spending by the developer of at least \$5,000,000.00 in construction costs, building and site improvements for the project, (3) continuous use and operation at the real property for ten (10) years from the date the Certificate of Occupancy is issued; (4) using the tax abatement to reduce the lease prices offered and charged to the tenants at the real property during the period of the tax abatement, permitting the town manager access to records for compliance; (5) entering into the agreement, which shall contain, in addition to these requirements, usual terms and conditions for such agreements; (6) that the agreement apply only to the Medical Office Building referenced above; and (7) waiving rights to appeal to the board of tax review and to the Superior Court the basis of any assessment, but may appeal only the value established after a revaluation by the Assessor, if any. If **Windham Medical Associates LLC** fails to meet these conditions, **Windham Medical Associates LLC** shall refund the Town of Windham all of the tax benefit reductions it received, and said amount shall be thereupon liens upon the real property in the same manner as municipal tax liens.

All were in favor except Underwood, McDevitt and Iazzetta who opposed. MOTION PASSED.

12. Reports of Committees, Boards and Commissions

a. Magnet School Building Committee

Mr. DeVivo reported the Committee had passed the ZBA unanimously and he thanked the Town Manager for his support. He stated they are also on the Planning & Zoning Commission agenda for 2/24/2011 for a Site Plan Approval.

Mr. DeVivo addressed the concerns of the lack of a recording secretary for the February meetings, a meeting held in October that was not posted properly and an FOI complaint regarding the cost of bleachers. He also noted the proposed Governor's budget had no bearing on this project and assured the Council the project would be funded by the State.

In addition, Mr. DeVivo reported the Education Specs would be available at Town Hall. Mr. DeVivo also noted the Committee had their first bid document for clearing of trees, grubbing, leveling the site, etc and it had been sent to the Bureau of School Facilities for approval. Mr. DeVivo also handed out a Conceptual Schedule.

b. Administration & Finance, Health and Human Services Subcommittee

Haynes reported the Committee had reviewed the grants in Item 13a, inquired about Charter Revision and are looking at land value taxing and other taxing methodology.

c. Public Safety, Recreation and Public Works Subcommittee Administration & Finance, Health and Human Services Sub Committee

Mr. Iazzetta reported the Committee held a Special Meeting on February 9, 2011 to discuss the Kramer Building and its use. He noted the committee is gathering more information and hopes to have a recommendation at the March meeting.

Mr. Iazzetta also reported the Committee reviewed Items 14a thru 14e as well as a list of energy efficient projects of town buildings and their projected cost which was given to the Committee by the Town Engineer.

In addition, the committee went into executive session to select Cupid and discussed the criteria used.

13. Old Business

a. Discussion and possible action to approve the outside agency funding and in-kind services totaling \$329,926 for FY 11-12, per the recommendation of the Administration & Finance, Health and Human Services Subcommittee.

Councilwoman Haynes explained the process of how the agencies were selected for funding.

Underwood MOVED, Rivera seconded, to include in the draft budget the outside agency funding and in-kind services totaling \$329,926 for FY 11-12, per the recommendation of the Administration & Finance, Health and Human Services Subcommittee. All were in favor except McDevitt who opposed and Haynes who abstained. MOTION PASSED.

14. New Business

MOTION: McDevitt MOVED, Iazzetta seconded to accept Items 14a thru 14e as they stand, given the great consideration that the committee gave to each one.

MOTION PASSED UNANIMOUSLY.

a. Discussion and possible action to sell Old Buffalo-Springfield roller to Big Boy Toys, LLC, in the amount of \$1,000 with funds being placed in the Public Works Restoration fund, per the recommendation of the Public Works, Public Safety, and Recreation Subcommittee. See Motion Above.

b. Discussion and possible action to purchase a Snapper Pro model S800 lawn mower for \$11,800 plus trading of a 1999 Grasshopper lawn mower model 928D worth \$2,450, per the recommendation of the Public Works, Public Safety, and Recreation Subcommittee. See Motion Above.

c. Discussion and possible action to purchase a 2011 Ford F-350 with a plow from Columbia Ford totaling \$35,116 plus trading of a 1995 Ford F-250 and a 1996 Ford Ranger worth \$800, per the recommendation of the Public Works, Public Safety, and Recreation Subcommittee. See Motion Above.

d. Discussion and possible action to purchase a 2011 John Deere 323D from W. I. Clark for 43,150 plus trading of a 1996 New Holland-skid-steer model LX486 and a 1985 Kobelco Loader model LK200 worth \$5,000, per the

recommendation of the Public Works, Public Safety, and Recreation Subcommittee. See Motion Above.

- e. **Discussion and possible action to spend up to \$20,000 for the repairing of the lights on the softball and hardball fields at Recreation Park, which includes the bid award to repair the conduit to the field lights on the softball and hardball fields to Ray's Electric for \$10,688.28, per the recommendation of the Public Works, Public Safety, and Recreation Subcommittee. See Motion Above.**

15. Future Agenda Items

- a. **Special Meeting of the Town Council on Thursday, February 24, at 7 pm in the Town Hall Auditorium, to receive the Town Manager's recommended budget for the Town General Government for FY 2011-12.**
- b. **Special Meeting of the Willimantic Service District on Thursday, February 24, in the Town Hall Auditorium immediately following the Special Meeting of the Town Council at 7 pm, to receive the Town Manager's recommended budget for the Willimantic Service District for FY 2011-12.**

16. Citizens and Delegations

Lori Jeffers, Willimantic, voiced her concerns with the Magnet School Committee regarding bleacher reimbursement, posting of meetings and a missed deadline on submitting paperwork.

Bernie D'Auteuil, Willimantic, stated his concerns regarding the hospital tax abatement.

17. Adjournment

McDevitt MOVED, Rivera seconded, to adjourn the Town of Windham Town Council meeting at 8:58 pm. MOTION PASSED UNANIMOUSLY.

Submitted By:

**Barbara J. McKinney
Clerk of the Town Council**