

# MINUTES OF THE WINDHAM TOWN COUNCIL REGULAR MEETING



**Windham Town Hall Bellingham Auditorium, 2<sup>nd</sup> Floor  
Tuesday, February 17, 2015 - 7:00 P.M.**

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**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, Tony Fantoli, Mark Doyle (arrived at 7:14 P.M.), Tom DeVivo, Joseph Underwood, Lorraine McDevitt, Michael Lessard, James Flores and Christel Donahue

Charlotte Patros was absent

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.**

Barbara McGrath, Windham Center resident and Attorney for the Windham Switchboard Association stated they will be meeting with the Town of Thursday to continue working on the agreement between the two. She also noted the importance of having a contract for other Towns to join. In addition Attorney McGrath is hopeful to have this as an agenda item for the March 3<sup>rd</sup> Town Council meeting.

Dawn Niles, North Windham, stated HeartSafe CPR/AED training will be held tomorrow and next Wednesday. She noted there are over 20 people for each class and she was not sure if there will be another class scheduled at a later time. Ms. Niles also spoke about the Town's Affirmative Action Plan and explained that there needs to be an independent board to review the hiring or the plan is basically worthless. She urged the Town Council to create a committee.

Lloyd Niles, 26 Fairway Drive, North Windham, stated it was great working with the Public Works department during the last storm and he noted the excellent job that was being done. He also thanked Town Manager Beets.

Lorraine McDevitt reported she has had three complaints from residents concerning the lack of visibility at the intersection of Summit Street & High Street. She noted it was



extremely dangerous and asked if the snow could be removed in an effort to prevent accidents from occurring.

Andrew Martin stated his complaints and concerns regarding Public Works and believes Main Street should be the first priority for snow removal. He also noted the damage he has had to his apartment from the snow. In addition, Mr. Martin spoke about the need for an ordinance regarding ATV's.

Jim Preston, resident of South Windham and owner of A Cupcake for Later, spoke about the Tin Tsin lot and shared his concerns over the recent decisions that have been made to sell the lot. He also spoke about the revenue the Town is making having instituted the parking program and his concerns regarding a fellow business owner and the parking issue.

Cheryl Preston, resident of South Windham and owner of A Cupcake for Later, stated she is disappointed with the Town Council and Town Manager with regards to the Tin Tsin lot. She also expressed her opinions on the parking issue and stated the parking monitor was told not to ticket people in the Tin Tsin lot.

Kathy Dubay, resident and small business owner, stated she was disgusted with the Town Council regarding their handling of 9 Bolivia Street. She questioned why they did not accept her bid and asked them to reconsider. Ms. Dubay also complimented the Public Works department on the great job they have been doing.

**4. Town Council Comment.**

Joe Underwood commented on the very high snow banks at the bottom of Union Street.

Mayor Eldridge noted there are problems everywhere with high snow banks and dangerous intersections and the Town is doing their best to resolve the problem. He also stated he was unaware of the parking monitor not ticketing people in the Tin Tsin lot and he addressed the concerns on parking in the Cafemantic area.

Tom DeVivo commented on the dangerous walking conditions due to the snow and asked that residents please clear their sidewalks. He also noted there are people willing to shovel for those who need help.

**5. Adoption of Minutes.**

- a. Council Meeting on January 6, 2015.**
- b. Council Meeting on January 13, 2015.**
- c. Council Meeting on January 20, 2015.**

DeVivo MOVED, Underwood seconded, to adopt the minutes for the January 6, 2015, Windham Town Council Special Meeting. All were in favor except Fantoli and Donahue who abstained. MOTION PASSED.

Underwood MOVED, DeVivo seconded, to adopt the minutes for the January 13, 2015, Windham Town Council Work Study Meeting. All were in favor. MOTION PASSED UNANIMOUSLY.

DeVivo MOVED, Underwood seconded, to adopt the minutes for the January 20, 2015, Windham Town Council Special Meeting. All were in favor except Lessard who abstained. MOTION PASSED.

**6. Resignations.**

None

**7. Appointments, Reappointments.**

**a. Council President Joe Underwood to the Town Manager Review Committee.**

**b. Councilmember Tom DeVivo to the Town Manager Review Committee.**

**c. Councilmember Mark Doyle to the Town Manager Review Committee.**

McDevitt MOVED, Fantoli seconded, to take Items 7a-7c as one item. All were in favor. MOTION PASSED UNANIMOUSLY.

McDevitt MOVED, Fantoli seconded, to appoint Council President Joe Underwood, Councilmember Tom DeVivo and Councilmember Mark Doyle to the Town Manager Review Committee. All were in favor except Underwood, DeVivo and Doyle who abstained. MOTION PASSED.

**8. Presentations & Special Reports.**

None

**9. Mayor's Report.**

Mayor Eldridge reported on the great success of the Chocolate Festival. He also noted there is a Blues Festival on Saturday at the Elks Club and tickets are \$20. The Mayor also wished his Mother Happy Birthday!

**10. Town Manager's Report.**

Town Manager Beets noted the Public Works department will be removing snow on Thursday night starting at 10:00 P.M. first focusing on Main Street. He reported there are approximately 20 intersections in Town that resident's and schools have reported are dangerous and he noted they will try to clear as many as possible. Town Manager Beets appreciates the concern and assured the residents that public safety is the Town's #1 concern. He also reported the snow budget is approximately \$30,000 over the \$100,000 initially budgeted for.

Town Manager Beets reported the police have taken another suspect into custody in a recent robbery and explained the suspect had been taken to a facility for a psychiatric evaluation after the suspect threatened suicide.

Town Manager Beets noted the appointment of the Economic Development Director was on tonight's agenda under Item 15a. He stated the Town Council was provided the resume and noted the gentleman had accepted the position.

Town Manager Beets also answered questions from the Town Council regarding who is responsible of clearing the sidewalks on Valley Street in the area of Ashton Towers, the parking ban and the availability of salt.

**11. Discussion and Review of Communications.**

Tom DeVivo thanked the Town Manager for providing the minutes of the Boards/Commissions in the packet. He also commented on the State Police Report from Troop K and noted the numbers did not add up. He also stated the Windham First Taxing District has had questions regarding the Town of Windham Fire Marshal and he asked how the Town Manager was responding to their questions.

Tony Fantoli referred to the Board of Finance minutes which stated they were considering closing the parking lot by Nita's and shared his concerns.

Town Manager Beets responded to questions from Councilman DeVivo and Councilman Fantoli.

**12. Resolutions and Ordinances.**

- a. Discuss and possibly adopt a Resolution authorizing the Town Manager to sign a grant agreement with the State of Connecticut under which the Town will receive \$23,400 from the State and the Town will join the Nutmeg Network.**

DeVivo read the Resolution and moved for its adoption

DeVivo MOVED, Underwood seconded, to adopt Resolution #2656 to authorize the Town Manager to sign a grant agreement with the State of Connecticut under which the Town will receive \$23,400 from the State and the Town will join the Nutmeg Network. All were in favor.

The Town Council of the Town of Windham, Connecticut, hereby resolves as follows:

Authorizing Town Manager Neal Beets to sign the grant award from the State of Connecticut, under which the Town will receive \$23,400 from the State of Connecticut to help build out a fiber network enabling the Town to connect to the state's Nutmeg Network.

**MOTION PASSED UNANIMOUSLY.**

**13. Reports of Committees, Boards and Commissions.**

- a. Minutes and reports from various committees, boards, and commissions.**

DeVivo reported the Magnet School Committee was moving along quickly through their list and expects to have it completed within the next 15 days. He is anticipating they will be asking to be released from their charge in April.

DeVivo also reported there will be one more meeting for the Windham High School Roof Building Committee and they too will be asking to be released from their charge.

In addition, DeVivo reported the Natchaug School Roof is complete.

DeVivo also noted that after the Magnet School Committee has been released they will be having a ceremony at the end of May for the planting of a white oak tree in memory of Nancy Tinker.

**14. Old Business.**

**a. Discuss and possibly approve the sale of Town-owned property at 9 Bolivia Street.**

DeVivo MOVED, Krich seconded, to sell the property to Staff Sergeant Neil Mesick Jr. for \$56,000. All were in favor except DeVivo, McDevitt, Underwood, Eldridge, Flores, Doyle and Lessard. MOTION FAILED.

DeVivo MOVED, Doyle seconded, to sell the property to the Access Agency for \$51,752 contingent on language in the purchase agreement drafted by the Town Attorney to insure the property goes to the intended buyer. All were in favor except McDevitt, Fantoli, Underwood, Lessard and Donahue who opposed. MOTION FAILED.

Krich MOVED, DeVivo seconded, to sell the property to the highest bidder at \$57,700. Krich was in favor and all others were opposed. MOTION FAILED.

DeVivo MOVED, Fantoli seconded, to reconsider the bid from Staff Sergeant Neil Mesick Jr. for \$56,000. All were in favor except Lessard and McDevitt. (Flores had stepped out of the room and did not vote). MOTION PASSED.

**b. Discuss and possibly approve an RFP (Request for Proposals) for the sale and development of the Tin Tsin lot, a/k/a Chapman Block, 804 Main Street.**

Krich MOVED, Underwood seconded, to approve the Request for Proposal as presented in the packet as Item 14b.

A lengthy discussion followed.

Underwood MOVED the question, Lessard seconded. All were in favor except Flores who abstained. MOTION PASSED.

A vote was taken on the original motion. All were in favor except Fantoli, McDevitt and Underwood who opposed. MOTION PASSED.

**MOTION:** Underwood MOVED, McDevitt seconded, to add to the agenda Item 14e, discussion and possible action on maintaining the Chapman Block as a parking lot. All were in favor. MOTION PASSED.

**c. Discuss and possibly approve the purchase of laptops for Councilmembers, and a Council policy governing the use of the laptops and the distribution of Council agendas and information packets.**

Underwood MOVED, DeVivo seconded, to approve the purchase of laptops for Council members and a Council policy governing the use of the laptops and the distribution of Council agendas and information packets. All were in favor except Krich and Flores who opposed. MOTION PASSED.

- d. **Discuss and possibly approve option 1, signage saying “School Zone Ahead, Fines Doubled,” or another option, for a ConnDOT school speed zone study on state route 203 near Windham Center Elementary School and North Windham Elementary School.**

DeVivo MOVED, Lessard seconded, to approve option 1, signage saying “School Zone Ahead, Fines Doubled, for school zone signage on Route 203 near Windham Center Elementary School and North Windham Elementary School. All were in favor. MOTION PASSED UNANIMOUSLY.

- e. **Discussion and possible action to maintain the Chapman Block as a parking lot.**

Underwood MOVED, Flores seconded, to maintain the Tin Tsin lot at 804 Main Street. All were in favor. MOTION PASSED UNANIMOUSLY.

**15. New Business.**

- a. **Confirm the appointment of the Economic Development Director.**

DeVivo MOVED, Doyle seconded, to confirm the appointment of James V. Bellano as the Economic Development Director. All were in favor except Flores who opposed. MOTION PASSED.

- b. **Discuss and possibly approve a contract to renovate portions of the Animal Control Shelter and Public Works Buildings.**

DeVivo MOVED, McDevitt seconded, to award the contract to Dynamic Engineering for \$36,633.00 to renovate portions of the Public Works Garage and the Animal Control Shelter. All were in favor. MOTION PASSED UNANIMOUSLY.

- c. **Discuss and possibly approve a contract to purchase a new generator to replace an ancient generator that currently powers the Town’s fuel pumps in an electricity outage, while the new generator will power those pumps as well as other equipment at the Public Works Building.**

DeVivo MOVED, McDevitt seconded, to award a contract to Carboni Plumbing and Heating to install a new propane fueled auxiliary generator at Public Works. All were in favor. MOTION PASSED UNANIMOUSLY.

**16. Future Agenda Items**

- a. Memorandum of Understanding that the Town will continue to be serviced by the Willimantic Switchboard Association until an agreement is reached.
- b. Discussion and possible action regarding the bathroom issues at Recreation Park.

**17. Citizens and Delegations: Public Comment.**

James Preston thanked the Town Council for making the decision to care for the Tin Tsin lot. He also noted he was not happy with the Mayor’s comments about the parking in front of his and his wife’s business or about the comments the Mayor made about the lady regarding the purchase of the Bolivia Street property.

James Flores stated he was disappointed with the Council for considering selling the property to the highest bidder who is from North Stonington. He also does not

understand why a background check was not done on the newly appointed Economic Development Director when one is required of people who hold a lesser position. He urged the Council to do their homework and suggested the policy be reviewed on when a background check should be required.

Henry Crane, Windham Street, Willimantic, thanked the Town Council for selling the Bolivia Street property to a veteran.

Cheryl Preston thanked those who voted to keep the Tin Tsin lot cleared and noted that all they ever wanted was to have a place for their customers to park.

**18. Adjournment**

Underwood MOVED, Flores seconded, to adjourn the Windham Town Council regular meeting at 9:07 P.M. All were in favor. MOTION PASSED UNANIMOUSLY.

**Submitted By:**

Barbara J. McKinney  
Clerk of the Town Council