

WINDHAM TOWN COUNCIL MINUTES

WINDHAM TOWN HALL MEETING ROOM

Tuesday, March 20, 2012 - 7:00 P.M.



1. Call to Order

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

Town Council members present: Mayor Ernest S. Eldridge, Charles Krich, Tony Fantoli, Tom DeVivo, Lorraine McDevitt, N. Joseph Underwood, Kevin Donohue, Arnaldo Rivera, Mark Doyle, Christel Donahue and Jerry Iazzetta

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

Mike Westerfield, Willimantic, Chair of Conservation, Open Space and Agriculture Commission, thanked Brad Wojick and Public Works for installing 2 new canoe & kayak entries, one at Lauter Park and one at Plains Road Park which he believes adds to Willimantic as a recreation destination. He also spoke on the hazardous waste facility at UCONN and noted the Conservation Commission believes although it is being operated properly it should be moved due to being located within the watershed of Willimantic.

John Walker, owner of the Shoe Smith, stated he had purchased property on Chapman Street and made improvements to the property however when he tried to apply for tax abatements there was no department handling such applications. He asked that a system be designated for this.

Mary Gallucci, Willimantic, asked the Council how they would be raising funds for Teach for America and if fundraising was done for other Town positions. She stated she is trying to get information out to parents and citizens about school reforms and expressed her dislike for Teach for America.

Harry Carboni, Willimantic, spoke in support of a new Senior Center. He noted the Town has spent over \$10,000,000 on the Mills over the years and is now considering spending money on renovations to Town Hall for the purpose of creating space for the Probate Court and Board of Education. He also questioned whether there were contingency funds in the budget to cover those costs. He asked that we put our seniors first and give them a new Senior Center.

Jeff Viens, stated Dr. Adamowski spoke about the Teach for America program on a recent TV show and suggested people direct their questions to him regarding the program. He also is against the Town taking over Mill Site 4 and stated it is a Superfund Site. He believes people have other priorities they would like to see for example; a new Senior Center, a parking garage and Main Street cleaned up.

Peter Quercia, 300 Walnut Street, Willimantic, told a story of a King and his Court and he believes the King has too much control. He stated people with impeccable credentials are applying to be members of committees but are being denied or overlooked.

Pam Viens, Columbia resident and Windham taxpayer, stated she had plugged into the NRZ and she received several emails. She urged the Council to read the NRZ and stated it was all about revitalizing the Town and bringing the community together.

Jean deSmet, Willimantic, spoke on the redistricting and noted she had been taken out of Willimantic because of the redistricting. She also thanked the Mayor for putting her on the agenda for reappointment to the Energy Commission. She noted the Commission has been working as a task force due to a lack of membership and thanked Councilmen Rivera and Donohue for participating in the Neighbor to Neighbor Challenge. Ms. deSmet also believes the Mills parcel should be a priority for the Town.

Henry Crane, Willimantic, shared a story of theft in the workplace and does not support the reinstatement of a Public Works employee.

Susan Johnson, State Representative, thanked the Council for putting the Mill #4 Site on the agenda, for giving Attorney Testa the opportunity to speak on the issue and for having Attorney Cody in attendance. She also explained the changes in the law with respect to Brownfield's. In addition, Ms. Johnson thanked the Council for their work and the resources that were made available to the Senior Center to help in transitioning them from a Regional to a Town Senior Center. She also noted she would try to secure funding when a new location was dedicated for a Center.

Doug Lary, 183 Summit Street, Willimantic, spoke on agenda item 12c, a resolution accepting the two State Representative districts. He noted he is concerned with how a small portion of South Street Ext is split and doesn't believe we should make our polling sites identical.

Chris Vials, Willimantic, noted he was applying for a seat on the Energy Commission. and noted he would be honored to serve the Town. He briefly explained the changes he sees being made at the State and Town levels and would like to help in finding additional ways to help fund costs for energy.

Lori Jeffers, Willimantic, would like the Council to consider moving the agenda item for Mill #4 Site up on the agenda in an effort to save Attorney fees. She stated with regards to the Mill Site there is a bridge needing extensive repair and also noted the parking lot

behind Town Hall needs repaving. Ms. Jeffers also noted she is a new member of the Board of Assessment Appeals and was recently told improvements to properties are being taxed at the 2005 rate.

Laurel Freeman, noted she had applied to be on the Conservation Commission and explained she had been on the Housing Authority and other Commissions through the years. She thanked the Council.

Mary Lou DeVivo, Ash Street, Willimantic, agreed with Harry Carboni and spoke in support of a new Senior Center. She would like to see ideas for the location of a new center.

Dennis O'Brien, Willimantic, shares the concerns that Mary Gallucci expressed with regards to education. He noted he is tired of hearing ads bashing teachers and believes if we keep relying on Corporate America to reform our educational system we are making a mistake. He also believes we have to work in stages where the Senior Center is concerned and it must be a Town Senior Center rather than a Regional Senior Center. Mr. O'Brien also stated people must be respectful of others even if they disagree with them. He feels our State Representative was insulted earlier tonight and doesn't believe that should be tolerated.

4. Town Council Comment

Jerry Iazzetta questioned a motion made at the last Council meeting regarding the creation for an Interfund Transfer Out-Police item and asked for an explanation.

Tom DeVivo explained why the Interfund Transfer Out-Police fund was created.

Charles Krich noted the salaries and hours associated with the positions regarding the Interfund Transfer Out-Police line item.

Lorraine McDevitt, stated residents have approached her and they are hoping the money saved from snow plowing and such are being put in a fund for next year. She also agreed with Ms. Gallucci. Ms. McDevitt noted she has a daughter and a grandson who teach in the Windham School system who don't get paid top dollar, have to buy their own supplies and are excellent at what they do. She too is tired of hearing teachers being criticized and thinks people should attend the meetings to understand what really goes on so we aren't wasting money on referendums to get the school budget passed.

Tom DeVivo commented on the supportive housing at the west end of the City and would like to do everything we can to help our Windham residents and noted we have a large homeless population that could benefit from supportive housing. He also spoke of someone from another area that was interested in getting into our housing but thinks we should make our Windham residents priority.

Mayor Eldridge explained the parking lot in the back of Town Hall belongs to SNET, he noted however we are trying to purchase it. He also stated the Economic Development Commission had replaced the office that handled abatement applications and noted the Commission is currently working on the abatement application process. Mayor Eldridge also stated he was not the King and does try to fit people into the proper place when it comes to serving on a Commission.

5. Adoption of Minutes

a. Discussion and possible action to adopt the minutes for the March 13, 2012 Town Council meeting.

DeVivo MOVED, Underwood seconded, to adopt the minutes for the March 13, 2012 Town Council meeting. All were in favor except K. Donohue, C. Donahue and Iazzetta who abstained. MOTION PASSED,

6. Resignations. Receive the resignation of:

a. Nancy Tinker, Inland Wetlands and Watercourses Commission.

NOTED

7. Appointments

a. Discussion and possible action to appoint Christopher Vials to the Energy Commission with term ending April 20, 2013.

b. Discussion and possible action to appoint Laurel Freeman to the Conservation, Open Space and Agriculture Commission as a full member with term ending January 1, 2015.

c. Discussion and possible action to reappoint Jean deSmet to the Energy Commission with term ending April 20, 2017.

d. Discussion and possible action to reappoint Grace Adams to the Energy Commission with term ending April 20, 2016.

Underwood MOVED, Rivera seconded, to take Items 7a-7d as one. All were in favor. MOTION PASSED UNANIMOUSLY.

McDevitt MOVED, DeVivo seconded, to appoint/reappoint Christopher Vials, Laurel Freeman, Jean deSmet and Grace Adams to each respected Commission. All were in favor. MOTION PASSED UNANIMOUSLY.

8. Presentations & Special Reports

a. Presentation from Bankruptcy Attorney Lou Testa updating the Council about the Mill #4 site, and possible Council discussion and action.

Attorney Lou Testa gave a brief presentation on Mill Site #4. He explained the history of the site and reviewed the procedures needed to move forward with the property.

MOTION: Underwood MOVED, McDevitt seconded, to move Item 14a up on the agenda to follow Item 8. All were in favor except Fantoli and Iazzetta who opposed. MOTION PASSED.

14. a. Discussion and possible action to convene an executive session with Town Attorney Richard Cody and Town Manager regarding Windham Mills Bankruptcy pending litigation.

DeVivo MOVED, Rivera seconded, to convene an executive session at 8:01 PM with Town Attorney Richard Cody and Town Manager regarding Windham Mills Bankruptcy pending litigation. All were in favor except Krich, Fantoli, Underwood and Iazzetta who opposed. MOTION PASSED.

McDevitt MOVED, Iazzetta seconded, to come out of executive session at 8:32 PM. All were in favor. MOTION PASSED UNANIMOUSLY.

No Action was taken.

9. Mayor's Report

Mayor Eldridge reported several new businesses have opened in Town and noted the cupcake lady has sold out every day since she opened. He also stated he was pleased with the Planning & Zoning Commission and the Economic Development Commission for their efforts in helping the Town to move forward.

10. Town Manager's Report

No Report.

11. Discussion and Review of Communications

NONE

12. Resolutions and Ordinances

a. Discussion and possible action on a resolution naming April as Fair Housing Month in Windham.

Krich read the Resolution and moved for its adoption.

Krich MOVED, DeVivo seconded, to adopt Resolution #2562 with the following amendment: to include in paragraph four, line two after the word sex, the words gender identity or expression. All were in favor.

BE IT RESOLVED by the Town Council THAT

FAIR HOUSING

Whereas, The month of April is recognized as Fair Housing Month; and

Whereas, All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

Whereas, Federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, The Town of Windham is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

Whereas, The Town of Windham hereby reaffirms its commitment to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

NOW THEREFORE, BE IT RESOLVED,

That the Windham Town Council proclaims April 2012 to be Fair Housing Month in Windham and will reaffirm this each year.

MOTION PASSED UNANIMOUSLY.

b. Discussion and possible action on a resolution approving a Social Services Block Grant program for Windham.

Rivera read the Resolution and moved for its adoption.

Rivera MOVED, Doyle seconded, to adopt Resolution #2563 approving a Social Services Block Grant program for Windham. All were in favor.

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.

c. Discussion and possible action on a resolution accepting the two State Representative districts.

Democratic Registrar of Voters, Paulann Lescoe gave a brief explanation of redistricting.

Fantoli read the Resolution and moved for its adoption.

Fantoli MOVED, DeVivo seconded, to adopt Resolution #2564 accepting the two State Representative districts. All were in favor except Iazzetta who opposed.

BE IT RESOLVED by the Town Council THAT

The Town accept the new redistricted lines put forth by the Special Master, Nathaniel Persily, on January 19, 2012. Windham will have two state representative districts, the 49th and the 48th.

MOTION PASSED.

13. Reports of Committees, Boards and Commissions

a. Administration, Finance, Health and Human Services Subcommittee

K. Donohue reported the Committee is working on two issues; the evaluation of the Town Manager and the potential integration of the Board of Education and the Town of Windham Finance departments. Mr. Donohue stated the Committee has nothing to bring to the Council at this time. He also answered questions from the Council.

b. Public Safety, Public Works, Culture and Recreation Subcommittee

Mr. Iazzetta reported the Committee will be meeting next week.

c. Tri-Board

McDevitt reported the Tri-Board had sent a document forward regarding an ordinance on the Towns bidding procedures and were looking to have a Town Meeting scheduled.

d. Magnet School Building Committee

Tom DeVivo gave an update on the status of the Magnet School. He also noted the Committee held a neighborhood meeting and had also visited the Annie Fisher STEM Magnet School. Mr. DeVivo answered questions from the Council.

e. Economic Development Commission

Bill Hettinger, Chair of the Economic Development Commission gave a brief update on what the Commission is currently working on including: tax incentives, corrections to old ordinances, signage and crosswalks. He also noted “Marketing” was one of the major goals for the Commission in 2012.

14. Old Business

- b. Discussion and possible action to convene an executive session with Town Manager Neal Beets, Personnel Director Don Muirhead and Public Works Superintendent Brad Wojick to discuss pending litigation with Teamsters Local 493.**

DeVivo MOVED, Doyle seconded, to convene an executive session at 9:00 PM with Town Manager Neal Beets, Personnel Director Don Muirhead and Public Works Superintendent Brad Wojick to discuss pending litigation with Teamsters Local 493. All were in favor. MOTION PASSED UNANIMOUSLY.

Underwood MOVED, Iazzetta seconded, to come out of executive session at 9:32 PM. All were in favor. MOTION PASSED UNANIMOUSLY.

- c. Discussion and possible Town Council direction regarding pending litigation with Teamsters Local 493.**

Doyle MOVED, Rivera seconded, to adopt the settlement presented to them in executive session regarding the Town of Windham and the Teamsters Local 493. All were in favor except Iazzetta and DeVivo. MOTION PASSED.

15. New Business

- a. Discussion and possible action to set a Public Hearing at 6:30 p.m. on April 17, 2012, in the Town Meeting Room for the 2012 Small Cities Grant Application of the Town of Windham.**

Underwood MOVED, McDevitt seconded, to set a Public Hearing at 6:30 p.m. on April 17, 2012, in the Town Meeting Room for the 2012 Small Cities Grant Application of the Town of Windham. All were in favor. MOTION PASSED UNANIMOUSLY.

- b. Discussion and possible action to set a Public Hearing at 6:30 pm on April 17, 2012, in the Town Hall Meeting Room for the proposed Town of Windham Bidding process ordinance per the recommendation of the Tri-Board of Intergovernmental Programs & Operations.**

Krich MOVED, Iazzetta seconded, to refer the proposed Town of Windham Bidding process ordinance per the recommendation of the Tri-Board of Intergovernmental Programs & Operations to the Administration, Finance, Health and Human Services Committee. All were in favor except McDevitt, Underwood and C. Donahue who opposed and Eldridge who abstained. MOTION PASSED.

- c. Discussion and possible action to authorize Town Manager Neal J. Beets to submit an application to the Town of Windham Probate Court on behalf of the Town Council requesting funds in the amount of \$100,000 from the Cemetery Trust Fund to repair leaking roof of storage building at Old Willimantic Cemetery and to pave deteriorated drives at the New Willimantic Cemetery.**

Krich MOVED, Iazzetta seconded, to refer requesting funds in the amount of \$100,000 from the Cemetery Trust Fund to repair leaking roof of storage building at Old Willimantic Cemetery and to pave deteriorated drives at the New

Willimantic Cemetery to the Public Safety, Public Works, Culture and Recreation Subcommittee. All were in favor except McDevitt and Underwood who opposed.
MOTION PASSED.

16. Future Agenda Items
NONE

17. Adjournment
Underwood MOVED, McDevitt seconded, to adjourn the Town of Windham Town Council meeting at 9:40 P.M. MOTION PASSED UNANIMOUSLY.

Submitted By:

Barbara J. McKinney
Clerk of the Town Council