

WINDHAM TOWN COUNCIL MINUTES

Windham Town Hall, Meeting Room

Tuesday, May 6, 2014 - 7:00 P.M.



1. Call to Order

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

Town Council members present: Mayor Ernest S. Eldridge, Charles Krich (arrived at 7:13), Tony Fantoli, Tom DeVivo, Lorraine McDevitt, Joseph Underwood, Mark Doyle (arrived at 8:06), James Flores, Charlotte Patros and Christel Donahue

Michael Lessard was 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

Tom McNally, Windham's representative for WRTD, explained his appointment to WRTD many years ago and spoke about the people of the community that he represents as well as some of his duties as a representative for Windham. He stated he does not understand why he is being replaced however he hopes his successor has the same commitment to Windham and its residents.

Tracy Lambert, 255 Mansfield Avenue, Willimantic and Chair of the Board of Education, spoke about the budget and the ECS money. She noted the \$800,000 had already been anticipated when the Board of Education budget was prepared and wanted to clarify that they are not receiving any extra money.

Amy Vas Nunes, shared her thoughts regarding WRTD and her support of Mr. McNally. She also shared her thoughts on the dog park and why she believes Young's Park is not being considered for the park.

Bernie D'Auteuil, 168 Walnut Street, Willimantic, brought a statute that he calls "Tadpole" to the microphone with him. He noted he had gotten him at the Public Works Transfer Station. He feels "Tadpole" is a representation of the struggles of the Town. He asked that the Mayor and Town Manager consider putting the parking monitor position back on the agenda for discussion. He believes it is a needed position for the safety of our Town. He also asked that the on street parking be addressed.



Mary Lou DeVivo, Willimantic, stated she is concerned with the amount of boarded up houses on Maple Avenue and fears there may be more fires. She asked that the landlords be told to address the issue or that they tear the houses down.

Terry Coonradt, Serwan Avenue, Willimantic, introduced himself and stated he had applied for what he thought was an open position on the WRTD board and it was not his intention to force anyone out.

4. Town Council Comment

Mayor Eldridge explained the dog park has been part of the Noznick Park plan for some time now and that Young's Park was recently brought forth by other individuals who are interested in having a dog park. He also believes there may be some issue with ZBA if a dog park is put at Young's Park due to the impact it will have on residents. The Mayor also spoke about WRTD and the lack of communication from Windham's representative on that board to the Town Council. He also explained the term dates of the board and how positions are replaced.

James Flores does not feel it is fair that Mr. McNally cannot respond to any questions from the Council. He asked the Council for humanity and courage to give Mr. McNally a fair trial. He does not want a one man show to make the decision. He also wants to encourage Tom DeVivo to bring this issue to a discussion at the Administration and Finance Sub-Committee meeting. He is wanted to make a motion to ask the Council to table Item #7A until they can get clarification on this position. Flores also noted this is not about Mr. Coonradt but about Mr. McNally and his position as a member of the WRTD board.

Mayor Eldridge explained that Mr. Flores should be making his motion before Item 7A and not during Town Council comment. He also stated he feels there is a conflict of interest because Mr. Flores works for WRTD and Mr. McNally stated he represents the drivers of WRTD.

James Flores does not agree with the Mayor's comments regarding him having a conflict of interest and noted he is not voting but simply asking for discussion on the issue.

Charles Krich thanked the Town, especially the Town Manager and Neida Rosado for making the Town Hall available on Wednesday, May 14th for a town hall meeting on Racial Profiling. Mr. Krich explained this task force which he serves on has been holding town hall meetings around the State. Krich stated the meeting is mainly to start a conversation with the public. He noted it will be an educational meeting and will provide some insight on the laws regarding racial profiling.

Tom DeVivo explained the difference between tabling and postponing an item on the agenda. He also stated as Chair of the Administration & Finance Sub-Committee or for any other committee the Chair is fairly amenable to put something on the agenda. DeVivo also spoke about the college party that took place over the weekend in the hill section. He explained the police had been called and there were 5 State Troopers called in for backup. He asked the Town Manager to provide documentation (call logs) from ECSU at the WSD meeting next week as to why there was no response from ECSU. He also asked that the Council keep in mind the behavior and lack of respect the students

have for our community and police officers when they come before the Council complaining about parking issues or other matters. In addition, DeVivo noted Riverfest will be held on May 17th and stated there were plenty of available canoes if anyone was interested. He also explained what the trip will entail and how much fun it is.

Lorraine McDevitt also spoke about the college party over the weekend and agreed with the comments of Mr. DeVivo. She noted there is no mutual respect and again the police had to be called last night. She stated she is aware that the Mayor and Town Manager have been to ECSU a number of times however ECSU needs to understand that something must be done.

Charlotte Patros noted she and Lorraine McDevitt attended the opening of the hospital based health center. She was disappointed however that nobody else attended and noted it was a very nice affair.

Tom DeVivo noted there was an opening on the Windham High School Building Committee. He also stated in the last two weeks the Town has lost two members of the community, Armand Martineau, a longtime Councilmember and Nancy Tinker, who served on many committees. He asked that everyone stand for a moment of silence.

James Flores reminded everyone of the budge referendum next week on the 13th and asked if the Town could spend some money for a billboard on Jillson Square to remind people of the referendum and to remind them to vote.

5. Adoption of Minutes

a. Discuss and possibly move to adopt the minutes for the April 15, 2014, regular Town Council meeting.

DeVivo MOVED, McDevitt seconded, to adopt the minutes for the April 15, 2014, regular Town Council meeting. All were in favor except Fantoli and Underwood who abstained. MOTION PASSED.

6. Resignations.

None

7. Appointments.

a. Terry Coonradt as the Town's representative on the Board of Directors for the Windham Region Transit District, with a term ending June 1, 2018.

Flores MOVED, Donahue seconded, to postpone the consideration of the appointment of Item #7A. All were in favor except Eldridge who opposed. MOTION PASSED. (Flores accepted the modification of the motion under protest).

8. Presentations & Special Reports.

a. Presentation from Tara Risley about Noznick Park development.

Scott Clairmont, Deputy Superintendent of Public Works gave a brief presentation regarding the Noznick Park development. He and Town Manager Beets explained the location of the property and what each Phase of the project will encompass. Both Mr. Clairmont and Town Manager Beets answered questions from the Council.

b. Presentation from the BOE about the renovation and re-purposing of Windham High School.

Tracy Lambert, Chair of the Board of Education and Bob Roach, Architect from Friar Associates gave a power point presentation about the renovation and re-purposing of Windham High School. They explained the overall objectives and additional goals of the facilities plan including the four phases of the project. Mr. Johnson, Finance Director, also explained the reasons the Town may want to take advantage of the low interest rates and generous reimbursement from the State. Ms. Lambert, Mr. Roach and Mr. Johnson also answered questions from the Council.

9. Mayor's Report.

Mayor Eldridge reported that Wednesday at 5:00 PM was the ribbon cutting for the No-Freeze Shelter. He also reported that the SAMA Graduation will be next Tuesday at 11:00 A.M.

10. Town Manager's Report.

None

James Flores noted he was asking the Town Manager a question and asked that the answer be recorded for the record. He stated he and the Town Manager had talked regarding the billing of WRTD and the Town Manager had also said publicly that he accepted the whole issue of the billing of Dial-a-Ride and that at one time the Town didn't send an invoice. Flores asked if he was correct with this statement.

Town Manager Beets responded: First of all, we never had a contract. Second of all, we did not bill them every month but we sent them plenty of bills that they did not pay.

11. Discussion and Review of Communications.

None

12. Resolutions and Ordinances.

a. Discuss and consider adopting a Resolution creating a Sweeney Elementary and Middle School Micro-Grid Building Committee.

McDevitt MOVED, Underwood seconded, to waive the reading of the Resolution. All were in favor except Krich who opposed. MOTION PASSED.

DeVivo MOVED, McDevitt seconded, to adopt Resolution #2635. All were in favor.

**A Resolution of the Windham Town Council
Creating a Building Committee for the Micro-
Grid Project at Sweeney Elementary and the
Windham Middle School**

WHEREAS, Town Meeting for the Town of Windham has approved a Micro-Grid Project on the campus of the Sweeney Elementary School and the Windham Middle School; and

WHEREAS, the Connecticut Department of Energy and Environmental Protection has approved a Micro-Grid grant to the Town of Windham for \$709,350;

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

Section 1. Ad Hoc Sweeney Elementary and Windham Middle School Micro-Grid Building Committee Established.

There shall be an ad hoc Sweeney Elementary and Windham Middle School Micro-Grid Building Committee (the Committee) having the powers and duties set forth in this Resolution. The Committee shall foster effective public communication and decision-making regarding the construction of the Micro-Grid project at these schools.

Section 2. Composition.

- (a) The Committee shall consist of no less than three (3) and no more than seven (7) members.
- (b) The Mayor shall appoint Committee members subject to concurrence by the Council.
- (c) Upon a vacancy occurring, the Mayor shall appoint a successor subject to the concurrence of the Council.
- (d) Committee members shall serve without compensation or reimbursement of expenses incurred.
- (e) Committee members may consist of members of the Town Council, the Board of Finance, the Board of Education, and other persons interested in educational and environmental excellence, fiscal restraint, design distinction, construction contracting quality, and decision-making transparency.

Section 3. Powers and Duties.

The Committee shall have the following enumerated powers and duties, and all powers and duties necessary or appropriate to accomplish effectively these enumerated powers and duties:

- (a) To authorize conceptual and final drawings, plans, and specifications for the Micro-Grid Project, and to assure that they comply with all applicable codes and standards;
- (b) To approve all budgets and expenditures for the Micro-Grid Project;
- (c) To select, evaluate, and direct the work of Project contractors;
- (d) To review and approve the start-up operation of the Micro-Grid and to assure that it performs according to specifications;
- (e) To complete and file all paperwork required by the state Department of Education's Bureau of School Facilities and the Department of Energy and Environmental Protection;
- (f) To keep itself and the community accurately informed about the status of the Micro-Grid Project, responding to all public questions and concerns about the project;
- (g) To work with Windham Board of Education and State officials to preserve and implement the funding grant by which approximately 80 % of eligible school construction costs are paid for by the state;
- (h) To request the assistance of the Superintendent of Schools and the Town Manager, their staff, or persons under contract with the Board of Education or the Town, in order to construct the best Project we can.

Section 4. Sunset.

The ad hoc Sweeney Elementary and Windham Middle School Micro-Grid Building Committee shall sunset upon final acceptance of the Micro-Grid Project at the Sweeney Elementary and Windham Middle School.

MOTION PASSED UNANIMOUSLY

- b. Discuss and consider adopting a Resolution approving, and authorizing the Town Manager to sign, a contract with the State of Connecticut for the Child Day Care Program operated by the Connecticut Office of Early Childhood.**
McDevitt read the Resolution and moved for its adoption.
McDevitt MOVED, Doyle seconded, to adopt Resolution #2636. All were in favor.

BE IT RESOLVED by the Town Council THAT

RESOLVED: That the **Town Manager, Neal Beets**, is empowered to enter into or amend contractual instruments in the name and on behalf of **Town of Windham**, with the Connecticut Office of Early Childhood for a **Child Day Care** program, if such an agreement is offered, and to have the corporate seal affixed to all documents required as a part of any offered agreement.

MOTION PASSED UNANIMOUSLY

13. Reports of Committees, Boards and Commissions.

- a. Administration, Finance, Economic Development, Health, and Human Service Committee (C. DeVivo)**

DeVivo reported the Committee had met on April 21st and under Citizens and Delegations, Melinda Perkins from WRTD had spoken and explained the challenges WRTD had been facing regarding State reimbursement. She also explained the position of WRTD regarding the billing issues with the Town.

DeVivo also reported that the Director of Code Enforcement, Matt Vertefeuille, briefly spoke about the proposed Housing Code changes and the timeline for the changes. Mr. Vertefeuille also spoke of a recent fire on Chapman Street that had taken place two days after an inspection. Mr. Vertefeuille believes lives may have been saved because of that inspection.

In addition, DeVivo reported Housing Authority Director, Kim Haddad, gave a brief presentation requesting the Small Cities grant be used to rehabilitate the Jonathan Trumbull property. He explained the grant will allow them to apply for other grants however he noted there is a catch to do this because it will not allow the Town to help the poor community with renovations to their homes. He also noted the Committee will be taking a tour of the Jonathan Trumbull property.

DeVivo also reported the Committee had discussed the contract for the Textile Museum and noted the recommended changes for the contract.

DeVivo noted the Committee will meet next Monday and he answered questions from the Council.

Flores questioned the status of the agreement between the Town and WRTD.

DeVivo responded that the agreement had been voted on by the full Council and be sent to WRTD.

Town Manager Beets responded that the changes that had been voted on at the last Council meeting had been made and the agreement had been sent to WRTD however there has been no response from WRTD.

Barbara McKinney read the motion from the last meeting.

Mr. Flores requested that the response from both gentlemen be recorded for the record.

b. Public Works, Public Safety, Environment, Recreation, and Culture Committee (C. Krich)

Krich reported the Committee had met on April 23rd. He stated Energy Chair Jean de Smet had given a presentation regarding the Capital Improvement Plan and she suggested in future years more money be added for energy improvements.

Krich also reported Town Engineer Joe Gardner updated the Committee on the bike trail and the challenges they are facing with the State DOT. He noted they asked the Town Manager to write a letter to ask that the requested documentation be waived and to forward the correspondence on to our State Representatives and State Senator.

In addition, Krich reported the Committee had discussed the issue of school signage. Krich noted the Town Engineer reported to the Committee there was adequate signage at all the schools. Krich stated the Committee had asked the Town Manager to request from the State DOT that the State conduct a traffic study to reduce the speed limit at the schools and to ask for more enforcement from the State Police.

Lorraine McDevitt gave a brief update on the agreement with the Dispatch Center. She noted Attorney Barbara McGrath has given the Dispatch Center the first draft of the agreement and has also been in contact with Town Attorney Cody. McDevitt reported the agreement is expected to be ready by July as planned and they have had a lot of discussion about the expectations of the Town.

McDevitt also reported Mrs. Miles has been with the center for 18 years and has been promoted to Director of the Dispatch Center. McDevitt stated Mrs. Miles will be observed and evaluated after six months. McDevitt answered questions from the Council.

c. Building Committee for the Windham High School Roof (C. DeVivo)

DeVivo reported the Committee had had a couple of meetings. He noted the High School roof was not any more money than budgeted and that the roof was a 30 years old. DeVivo explained the Committee had voted David Walencewicz as Chair and himself as Vice Chair. He also stated they will be removing the

asbestos and that although they were being encouraged to put in solar panels they had not been funded for that.

DeVivo reported there will be a meeting of the Magnet School Building Committee next Monday. He also reported they had received a blue ribbon award for the building.

d. Status of an Urban Action Grant for a Downtown Parking Garage (C. DeVivo)

DeVivo reported on the Status of an Urban Action Grant for a Downtown Parking Garage. He explained he had been working with the Town Manager, Town Engineer Joe Gardner and WINCOG Director Mark Paquette on an \$8,000,000 urban action grant to fund the parking garage. He noted forms had been filled out and sent in, letters had been written and State Representative Susan Johnson and several other representatives have signed on to support the grant. He also explained this will be an Inter-model Transportation Center.

14. Old Business.

a. Discuss and possibly move to send written Council comments to the Capital Improvement Action Tri-Board about the Long-Range Capital Plan recommended by the Capital Improvement Action Tri-Board.

DeVivo MOVED, Underwood seconded, to be included in the letter to be sent to the Capital Improvement Plan Action Group that it is significantly too much money for the Board of Education offices as presented in Phase 1A. All were in favor except Doyle and Flores who abstained. MOTION PASSED.

Krich MOVED, DeVivo seconded, to be included in the letter to be sent to the Capital Improvement Plan Action Group that we fully support the Noznick property park proposal and to include the dog park in Phase 1 of the development. All were in favor except Doyle who abstained. MOTION PASSED.

DeVivo MOVED, McDevitt seconded, to be included in the letter to be sent to the Capital Improvement Plan Action Group that we support the Inter-model Transportation Center located on Walnut Street. All were in favor except Fantoli who opposed and Doyle and Flores who abstained. MOTION PASSED.

McDevitt MOVED, DeVivo seconded, to be included in the letter to be sent to the Capital Improvement Plan Action Group that we support the Library. All were in favor except Doyle who abstained. MOTION PASSED.

15. New Business.

a. Discuss and possibly move to approve a “walking audit” event by the North Central Health District to provide Windham with information about making downtown more walkable, as well as bicycle-friendly, as recommended by the Economic Development Commission.

DeVivo MOVED, McDevitt seconded, to approve a “walking audit” event by the North Central Health District to provide Windham with information about making downtown more walkable, as well as bicycle-friendly, as recommended by the

Economic Development Commission. All were in favor. MOTION PASSED UNANIMOUSLY.

- b. Discuss and possibly move to approve a new lease with the Windham Textile and History Museum, as recommended by the Administration, Finance, Economic Development, Health, and Human Service Committee.**

Krich MOVED, Underwood seconded, to amend the lease to require that the tenants or to whoever is renting the property comply with the Towns alcohol use policy. All were opposed except Eldridge, Krich and Flores who were in favor. MOTION FAILED.

DeVivo MOVED, McDevitt seconded, to approve the Windham Textile and History Museum lease as presented. All were in favor except Eldridge, Krich and Flores who opposed. MOTION PASSED.

16. Future Agenda Items

None

17. Citizens and Delegations: Public Comment

Henry Crane, Windham Street, Willimantic, spoke against the school budget.

Kevin Hoxie, Ridgewood Road, Willimantic, spoke about the college party over the weekend and the lack of support from ECSU. He also spoke about the education budget and the proposed Noznick Park project.

James Flores, Willimantic, verified that the audio was on because at the last meeting it was not on and people could not hear his comments. Flores stated “for the record,” the reason he keeps asking for answers to be on record is because he doesn’t want the community to make their decisions based on the paper. He believes there is a direct connection between TV and the Town but everybody makes their judgement based on the newspaper. He wants people to make their judgement based on our record and that is the reason he wants everything to be clear. For example he wants people to know about money for programs therefore everything must be on record. He is also concerned about Tom McNally. He believes we should bring this issue to the lawyer or the lawyer should be here with us not just with the Mayor. Flores would like the lawyer to have a discussion with the board members and McNally to discuss their opinions. He would like transparency. He asked that the Mayor, as a representative of the Town, the possibility of discussing this issue with the full board.

18. Adjournment

DeVivo MOVED, McDevitt seconded, to adjourn the Town of Windham Town Council regular meeting at 9:52 P.M. All were in favor. MOTION PASSED UNANIMOUSLY.

Submitted By:

Barbara J. McKinney

Clerk of the Town Council