

WINDHAM TOWN COUNCIL MINUTES

Windham Town Hall, Meeting Room

Tuesday, June 3, 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, Tony Fantoli, Tom DeVivo, Lorraine McDevitt, Joseph Underwood, Mark Doyle, Michael Lessard, James Flores and Charlotte Patros

Christel Donahue was excused

Executive Administrator Neida Rosado was also in attendance in the absence of Town Manager Beets.

2. Pledge of Allegiance

Mayor Eldridge led all in the Pledge of Allegiance.

3. Citizens and Delegations: Public Comment

Tracy Lambert, Willimantic and Chair of the Board of Education, spoke in support of Paul Kalajian as a new member of the Board of Education. She also noted the Board of Education was holding a Public Forum tomorrow night to discuss the renovations to the High School and to give tours to the public.

Mary DeMarco, South Windham, spoke in support of the appointment of Joshua Eves to the Ethics Commission.

Dawn Niles, North Windham and Democratic Town Committee Chair, noted the Committee had unanimously voted for Paul Kalajian as a replacement for Nancy Tinker and she asked for the Council's support of the appointment. Ms. Niles also noted she had been asked to help find people to serve on Boards and Commissions and noted Joshua Eves is on the agenda for appointment to the Ethics Commission and she is working to find others to serve.

Joshua Eves, Willimantic, introduced himself and expressed his interest in serving on the Ethics Commission.

Erika Haynes, Willimantic and past Chair of the Charter Revision Commission, commended all the members of the Charter Revision Commission for their dedication and hard work. She also asked the Council to support the revisions to the Charter and to move it forward to the people for their vote.

4. Town Council Comment

Lorraine McDevitt reminded everyone of the purchase made for the musical instruments for the Board of Education and passed around the article that was written in the Norwich Bulletin about the performances of the students. She stated the investment in the instruments has certainly been money well spent.



Charles Krich stated he had received an email from Sally Mileus from the Community Gardens and mentioned the Grow Windham Project. He explained the project and suggested the Town Council get involved in the project. He also noted free plants were being given away on Saturday and if anyone was interested they could contact him.

James Flores wanted to set the record straight and spoke about the radio show on WILI on Thursday night. He noted he watches cartoons instead of listening to the show because it helps him with his English. He stated on the WILI radio show one of the gentleman said he was an angry man. Mr. Flores agreed that he was angry and explained why. He noted between Windham Public School and the Town of Windham there were 800 workers and only 3 were black. He noted he is not happy with that statistic. He stated black people were here with the Mayflower and they have been in this Country a long time. He stated for the record he is an angry man because he cannot accept only 3 black out of 800 workers.

Tom DeVivo noted on June 17th there will be a walk with Mark Fenton and they would like to have everyone meet at 5:30 for the walk prior to the Town Council meeting at 7:00. He also noted that was also the day of the Budget Referendum.

5. Adoption of Minutes

a. Discussion and Possible Action to adopt the minutes for the May 20, 2014, regular Town Council meeting.

DeVivo MOVED, Underwood seconded, to adopt the minutes for the May 20, 2014, regular Town Council meeting. All were in favor. MOTION PASSED UNANIMOUSLY.

6. Resignations.

a. Cathleen Eldridge from the Economic Development Commission.

Noted

Mayor Eldridge also noted that it has been directed by the Staff Attorney at the Secretary of the State that all resignations must be in writing and submitted to the Town Clerk's Office. Mayor Eldridge noted that emails will no longer be accepted.

Mayor Eldridge also asked State Representatives Susan Johnson and Linda Orange to look into the wording of Section 7-103 of the CGS. He read the section and noted it referred to "his" and not "his/her" and feels in is a little antiquated and could possibly be changed to reflect his/her.

7. Appointments.

a. Discussion and Possible Action to appoint _____ as a member of the Board of Education, replacing Nancy Tinker, with a term ending November 17, 2015, as recommended by the Democratic Town Committee.

b. Discussion and Possible Action to appoint Michael Desjarlais and Corey Krohn as regular members of the Sweeney Elementary School and the Windham Middle School Micro-Grid Building Company, with a term to end upon final acceptance of the project.

c. Discussion and Possible Action to appoint Joshua Eves as a regular member of the Ethics Commission, with a term to end on December 15, 2014.

DeVivo MOVED, McDevitt seconded, to vote on Items 7a-7c as one Item. All were in favor. MOTION PASSED UNANIMOUSLY.

DeVivo MOVED, McDevitt seconded, to appoint Paul Kalajian as a member of the Board of Education, replacing Nancy Tinker, with a term ending November 17, 2015, as recommended by the Democratic Town Committee, Michael Desjarlais and Corey Krohn as regular members of the Sweeney Elementary School and the Windham Middle School Micro-Grid Building

Committee, with a term to end upon final acceptance of the project and Joshua Eves as a regular member of the Ethics Commission, with a term to end on December 15, 2014.
All were in favor. MOTION PASSED UNANIMOUSLY.

8. Presentations & Special Reports.

a. Presentation from Chairman Dennis O'Brien and Vice-Chairman Doug Lary regarding the report of the Windham Charter Revision Commission. (Briefing, no action at this time.)

Chairman Dennis O'Brien thanked all the members past and present who have served on the Charter Revision Commission. He also thanked the Town Manager Neal Beets, the Town Council and Town Staff for all their help through the process. Mr. O'Brien noted Councilman DeVivo and Mayor Eldridge had attended the Public Hearing and stated their suggestions and comments had been heard and considered by the Commission. Mr. O'Brien then briefly reviewed the procedures and time schedule the Commission must follow and asked the Town Council to study the draft proposal and bring forth any questions they may have. He also noted the Commission had broke down the revisions into five questions and suggested they be put on the ballot separately.

Vice-Chairman Doug Lary thanked Councilman DeVivo and Mayor Eldridge for attending the Public Hearing and noted their input as well as the public's input was very helpful. Mr. Lary then reviewed the sections of the Charter that the Commission is proposing for change

b. Presentation from State Representative Susan Johnson about the most recent Legislative Session. (Briefing, no action at this time.)

State Representatives Susan Johnson and Linda Orange gave a brief presentation on the recent Legislative Session. They explained the 2014 Public Acts affecting Education and Municipalities which included Bonding, PILOT funding, Energy and Utilities, Public Safety, Senior Citizens, Veterans and Military Services as well as many others acts passed by the General Assembly. State Representatives Johnson and Orange also answered questions from the Council.

c. Presentation from Avery Lenhart, homeless advocate, about identifying land for use for a homeless community. Discussion and Possible Action.

Homeless Advocate Avery Lambert gave a brief presentation regarding our homeless community and the need to identify a piece of land for use for the homeless. Ms. Avery explained the challenges a homeless person faces on a daily basis and noted the importance of being close to City and Town services. She also explained that the No Freeze shelter is not available year round due to the lack of funding and is requesting the Town designate a piece of land for the homeless.

Flores MOVED, Krich seconded, to bring this issue to the Public Works, Public Safety, Environment, Culture and Recreation Committee for discussion. All were in favor. MOTION PASSED UNANIMOUSLY.

9. Mayor's Report.

Mayor Eldridge reminded everyone that the Budget Referendum will be held June 17th and noted people can register to vote up until 5:00 PM the day before.

Mayor Eldridge reported the Memorial Day Parade was very successful and he thanked all who attended.

Mayor Eldridge also reported he had received a letter from the Natchaug School students thanking him for his participation with their planting project.

10. Town Manager's Report.

Executive Administrator Neida Rosado reported there may be a conflict on the time June 17th with regards to the walk with Mark Fenton because of meetings being held.

Ms. Rosado also reported the summer schedule for the Council had not yet been decided on however one could be noted on the next agenda if the Council requested.

In addition, Ms. Rosado explained there was an agreement on tonight's agenda regarding the patio area behind Lefty's Restaurant and asked that the Council add it to the agenda and act on the request tonight.

She also noted the Governor has announced new grants will be available for Municipalities to connect to the Nutmeg Network and we are waiting for the applications.

Flores questioned the procedures regarding the bidding process. Ms. Rosado responded to Mr. Flores and explained the process. She also read a previous motion made by the Council.

MOTION: Krich MOVED, Doyle seconded, to add to the agenda Item 15d, discussion and possible action concerning a Revocation Use Agreement at 877 Main Street. All were in favor. **MOTION PASSED UNANIMOUSLY.**

11. Discussion and Review of Communications.

None

12. Resolutions and Ordinances.

a. Discussion and Possible Action to adopt a Resolution pertaining to an easement, and to set a Special Town Meeting on Tuesday, June 17, at 6:30 PM in the Town Hall Meeting Room.

McDevitt gave a summary of the Resolution.

McDevitt MOVED, DeVivo seconded, to adopt Resolution #2640 pertaining to an easement, and to set a Special Town Meeting on Tuesday, June 17, at 6:30 PM in the Town Hall Meeting Room. All were in favor.

BE IT RESOLVED by the Town Council of the Town of Windham

THAT the Town of Windham grant a permanent easement to the Estate of Georgia Styger, Bank of America, N.A. Executor, her heirs and assigns, for the construction and maintenance of a driveway and for the installation of all customary utilities and appurtenances common to a residential home as shown on a map entitled "Easement Survey Prepared for Carol Mobley, 67 Sundale Drive, Windham, Connecticut; Date May 16, 2014; Scale 1" = 20'; Book No. 469; Disc No. 14-44. CRD;CAD dwg 14-044-E; Drawn JHB; Designed JHB; Checked MDM; Sheet No 1 of 1; Job No 14-044" as prepared by Towne Engineering, Inc. Civil Engineers and Land Surveyors, South Windham, Connecticut, said map is on file in the Windham Town Clerks office.

AND THAT:

A Town meeting be held on June 17, 2014, at 6:30 p.m., in the Windham Town Hall, Main Meeting Room regarding the following:

MOTION PASSED UNANIMOUSLY

- b. **Discussion and Possible Action to adopt a Resolution pertaining to expansion of the Enterprise Zone within the Town of Windham, as recommended by the Economic Development Commission.**

DeVivo read the Resolution and moved for its adoption.

DeVivo MOVED, McDevitt seconded, to adopt Resolution #2641 pertaining to expansion of the Enterprise Zone within the Town of Windham, as recommended by the Economic Development Commission. All were in favor.

Whereas: The Town of Windham established an Enterprise Zone to promote Economic Development as outlined under CT General Statutes Section 32-70 in October 1987; and

Whereas: The Windham Enterprise Zone was designated in an area that is largely residential and does not offer much opportunity for Commercial or Manufacturing, there is now a need to expand the Windham Enterprise Zone boundaries; and

Whereas: The Commissioner of the Connecticut Department of Community and Economic Development has the authority to approve any modification of such Enterprise Zones;

Now, therefore, BE IT RESOLVED by the Town Council, that the Town Manager is directed to send a formal request to the Commissioner of the CT DECD outlining the desire of the Town to expand the Windham Enterprise zone as indicated on the attached map on behalf of the Town.

MOTION PASSED UNANIMOUSLY

13. Reports of Committees, Boards and Commissions.

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

DeVivo noted the Committee's next meeting will be June 7th at 10:00 AM at the Housing Authority on 49 West Avenue. He explained the Committee will be touring an apartment as part of a request for the use of the Small Cities Grant from the Housing Authority.

- b. **Public Works, Public Safety, Environment, Recreation, and Culture Committee. (Councilmember Krich)**

Krich reported the Committee had heard an update from Public Works Assistant Superintendent Scott Clairmont regarding the condition of the playing fields in Town. He explained Mr. Clairmont's findings and noted the budgetary constraints that contribute to the maintenance of the fields.

Krich also reported Victor Funderburk gave the Committee a brief presentation on improving the Town's Arts and Entertainment District. Krich noted a motion had been approved and will be on the Council's next meeting agenda.

Krich noted there were two action items on tonight's agenda for discussion regarding sidewalks and an HVAC system.

Krich also reported the Town had been hit with two new requirements by the State DOT regarding the Hop River Trail. He stated the Town was asked to complete an Archaeological Survey as well as a Historical Structure Survey on the bridge near the trail. Krich noted the Committee had asked the Town Manager to write a letter to the Commissioner of the State DOT and Councilmember Patros had the brilliant idea to also send the letter to our State Representatives who then worked it out with the Commissioner to limit the requirements. Krich reported the Archaeological Survey is still needed however it will be paid for by the State and the Historical Structure Survey is no longer required. He thanked everyone who was involved in the project.

In addition, Krich reported the Committee had also heard from Mr. Powers concerning signage at Beaver Brook Pond. He noted the Town Manager has requested that Mr. Powers and Fire Chief Niles meet to discuss whether there is a need to write to our State DOT regarding the signage.

Krich also noted the issue of the homeless community will be put on the Committee's next agenda.

Krich acknowledged the concerns of Councilmember Flores for bi-lingual staff at the Dispatch Center. McDevitt then explained the Center was currently interviewing applicants for two part time positions. For the record Councilmember Flores asked Neida Rosado if she had received four or five bi-lingual applications to the Dispatch Center and noted he had sent four or five bi-lingual people to apply for the position.

Krich also answered questions from the Council.

c. Capital Action Tri-Board. (Councilmember Doyle)

No Report. Doyle stated the Board is waiting for the results of tomorrow night's Board of Education meeting.

14. Old Business.

None

15. New Business.

- a. Discussion and Possible Action to approve the service of alcohol by TIPS-certified servers on Friday, July 25, 2014, and Friday, August 29, 2014, from approximately 4:30 PM until 7 PM, on the Town of Windham's Jillson Square, as part of the event "Happy Hour POP UP Market," coordinated by the Thread City Development Corporation in conjunction with the Coventry Regional Framers' Market.**

DeVivo MOVED, Underwood seconded, to approve the service of alcohol by TIPS-certified servers on Friday, July 25, 2014, and Friday, August 29, 2014, from approximately 4:30 PM until 7 PM, on the Town of Windham's Jillson Square, as part of the event "Happy Hour POP UP Market," coordinated by the Thread City Development Corporation in conjunction with the Coventry Regional Framers' Market. All were in favor. MOTION PASSED UNANIMOUSLY.

- b. **Discussion and Possible Action to award a Contract for Sidewalk Installation to New England Concrete, Inc., in the amount of \$799,989.39, funded through the Street Bond, as recommended by the Public Works, Public Safety, Environment, Recreation, and Culture Committee.**

DeVivo MOVED, Underwood seconded, to award a Contract for Sidewalk Installation to New England Concrete, Inc., in the amount of \$799,989.39, funded through the Street Bond, as recommended by the Public Works, Public Safety, Environment, Recreation, and Culture Committee. All were in favor. MOTION PASSED UNANIMOUSLY.

- c. **Discussion and Possible Action to award a Contract for an HVAC Control System at the Safety Complex to Emcor Services, New England Mechanical, in the amount of \$126,995.00, funded through the Energy Fund, as recommended by the Public Works, Public Safety, Environment, Recreation, and Culture Committee .**

DeVivo MOVED, Doyle seconded, to award a Contract for an HVAC Control System at the Safety Complex to Emcor Services, New England Mechanical, in the amount of \$126,995.00, funded through the Energy Fund, as recommended by the Public Works, Public Safety, Environment, Recreation, and Culture Committee. All were in favor. MOTION PASSED UNANIMOUSLY.

15. d. **Discussion and Possible Action concerning a Revocation Use Agreement at 877 Main Street**

DeVivo MOVED, Underwood seconded, to authorize the Town Manager to sign a revocable Use Agreement with Walter Okoney of Lefty's Landing LLC for an outdoor dining area. All were in favor. MOTION PASSED UNANIMOUSLY.

16. **Future Agenda Items**

None

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

Joe Marsalisi questioned the way we apply for the PILOT funding and is concerned with the proposed change to the Charter if Willimantic becomes a Taxing District.

Neida Rosado addressed the question brought forward by Councilman Flores regarding the hiring at the Dispatch Center. Ms. Rosado explained the Town of Windham is not responsible for the hiring or firing at the Dispatch Center. She noted Helene Chapman had asked for help and she simply assisted her in revising the applications. She also noted the Town had received three or four applications and in turn sent them to the Dispatch Center. Ms. Rosado stated she does not know if the applicants were bi-lingual.

Krich noted the good catch of the Mayor on the Statute regarding sexist language. He did however state the Statutes were very long and noted a provision in Section 1-1 that addressed the language. He stated he is involved in revising one subpart of Title 46a and noted the difficulty in trying to update language. Krich nonetheless thanked the Mayor for pointing it out.

Henry Crane, Willimantic, spoke about the discussion on the homeless community and is glad the issue will be put on the Sub-Committee agenda.

Flores congratulated the Assistant Town Manager Neida Rosado for accepting the responsibility to speak up and not be censured by the Mayor. He thanked Ms. Rosado for being a strong Latino woman that stands up for what is right.

18. Adjournment

DeVivo MOVED, Underwood seconded, to adjourn the Town of Windham Town Council regular meeting at 8:52 P.M. All were in favor. MOTION PASSED UNANIMOUSLY.

Submitted By:

Barbara J. McKinney

Clerk of the Town Council