WINDHAM TOWN COUNCIL MINUTES

WINDHAM TOWN HALL MEETING ROOM

Tuesday, July 19, 2011 - 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, Erika Haynes, Jerry Iazzetta, Arnaldo Rivera, N. Joseph Underwood, Kevin Donohue, Charles Krich, Christel Donahue and Lorraine McDevitt
Town Council members excused: Mike Lessard and Teresa Santucci

Town Manager Neal Beets was also in attendance.

2. Pledge of Allegiance

Mayor Eldridge led all in the Pledge of Allegiance.

Mayor Eldridge stated comments made under Citizens and Delegations should not be racially charged or pointed at one Council member. He stated he is open to Freedom of Speech however when it causes real problems he doesn't feel it is necessary or proper and he will not stand for it.

3. Citizens and Delegations Public Comment

Dawn Niles, North Windham, thanked Joe Gardner and the staff for the guardrails in Windham. Ms. Niles also read a statement she had written explaining the history of the ambulance fund and how the funds are supposed to be used. She noted some funds had been transferred in previous years which were not an allowable under the fund designation. Ms. Niles stated she would like to be assured this fund is now used only for what it was set up for and she also asked that the Council put public safety at the forefront of all their decisions.

George Gillette, Windham Center, shared his concerns with regards to the Willimantic Fire Department's rescue boat being used by the State and the DEP to conduct a study. He stated he couldn't fathom what would happen if the boat was needed for a rescue and wasn't available. He also mentioned he read an email that was sent to the three Windham Fire Department's stating they should get together to see if they could downsize and get rid of a couple of trucks to buy an ambulance. He said that was not going to happen. He noted the trucks were owned by the Fire Departments not the Town and they were each designed for a certain purpose. Mr. Gillette also agreed with Mrs. Niles about the ambulance fund.

Don Muirhead, Personnel Director for the Town, stated he had asked the Mayor to keep the meeting tonight short due to a non meeting-meeting with the Insurance Broker that would be held immediately following to discuss strategies for negotiations. Mr. Muirhead also noted the meeting was not open to the public under FOI.

Kate Fortier, Access Agency Representative, explained the Heart and Soul Grant and noted the deadline for applying for the grant was tomorrow.

Axel Oschmann, Brooklyn Turnpike, Windham and member of the Windham Conservation and Open Space Commission. Mr. Oschmann thanked Jennifer Kaufman and other fellow members of the Commission who are working to give local farmers a voice. He feels farming is a good benefit for everyone and especially to our children. He noted he appreciates the support of the Council.

Lori Jeffers, Willimantic, thanked Lorraine McDevitt and Christel Donahue for attending the Public Hearing. With regards to the Sidewalk Ordinance she also questioned the number of buildable lots in Willimantic. In addition, Ms. Jeffers noted the Charter states no Board of Finance member shall hold any elected or other appointed office in the Town and questioned why there are Board of Finance members on the Tri-Board committee. She also questioned the legality of the agenda that was posted for the Tri-Board.

Henry Crane, Windham Street, Willimantic, spoke in support of the Heart & Soul Grant. He feels it will be helpful to find out the needs of the community.

Peter Quercia, Walnut Street, Willimantic, noted it irked him when things aren't accurate and used the Library hours as an example. He also feels sidewalks and storm drains are needed and he agrees with Ms. Jeffers, if she is accurate, that the people on the Finance Board can't be appointed to the Tri-Board.

Arnaldo Rivera, Willimantic, wrote and read a statement in response to comments made at the June 21, 2011 meeting. (See Attachment A)

Jerry Iazzetta, South Windham, noted at the last meeting a vote was taken on the ambulance with 5 affirmative and 5 against. Mr. Iazzetta stated according to the Charter with 10 Council members seated 5 affirmative votes are all that is needed and he asked for clarification.

4. Adoption of Minutes

a. Discussion and possible action to adopt the June 21, 2011, Town Council public hearing minutes.

Underwood MOVED, Rivera seconded, to adopt the June 21, 2011, Town Council public hearing minutes. All were in favor except McDevitt, Iazzetta and Haynes who abstained. MOTION PASSED.

b. Discussion and possible action to adopt the June 21, 2011, Town Council regular meeting minutes.

Underwood MOVED, Rivera seconded, to adopt the June 21, 2011, Town Council regular meeting minutes with the following correction: to include the outcome of the vote on item #6f. All were in favor except McDevitt and Iazzetta who abstained. MOTION PASSED.

5. **Resignations**

The following resignations were received:

Barbara McGrath, Tri-Board

Resignation Noted.

6. **Appointments**

a. **Discussion and possible action to appoint BOE Member Murphy Sewall to the Tri-Board.**

K. Donohue MOVED, Rivera seconded, to appoint BOE Member Murphy Sewall to the Tri-Board. MOTION PASSED UNANIMOUSLY.

b. **Discussion and possible action to appoint BOF Member Charles Pennewill, Jr. to the Tri-Board.**

K. Donohue MOVED, McDevitt seconded, to appoint BOF Member Charles Pennewill, Jr. to the Tri-Board. All were in favor except Krich who abstained. MOTION PASSED.

7. **Presentations & Special Reports**

NONE.

8. **Mayor's Report**

Mayor Eldridge reported the Boom Box Parade was a great success. He believes that the restrictions put on this year's parade were positive and would result in an even bigger parade next year.

Mayor Eldridge also noted he visited the new Church located in the old Polish Club building. He stated the Church looked fantastic and the people involved did a great job. He feels it will also help to transform the neighborhood. He noted there will be a Celebration next week at the Church from Wednesday through Friday to speak about the Church and he encouraged people to try to stop by.

He also reported he attended the 3 on 3 basketball tournament on Saturday at Rec Park and noted people were there from New York and Boston and the turnout was great.

In addition, Mayor Eldridge reported the display case at Town Hall was set up with memorabilia from the Windham Police. He noted the Windham Police disbanded in the early 1980's because they would have had to attend the Police Academy to be constables and they didn't want to pursue that. Mayor Eldridge noted he would be interested in getting more history on the Windham Police and asked if anyone had any information on them.

9. **Town Manager's Report**

a. **Update on the Town General Government and Willimantic Service District Budgets for FY 11-12.**

Town Manager Neal Beets reported on the Town General Government and Willimantic Service District Budgets for FY 11-12. He noted the budget process began in December and went through the various Boards before a Referendum vote took place which brought no increase in taxes in the Town General Government budget and only a 2 cent increase in the Willimantic Service District budget. He reported there would be no cuts in State aid given to Towns therefore our projections looked good and we could move forward with our approved budgets. He noted the following work would begin: Guild Field fence, painting the cemetery fence, purchasing one squad car, the energy conservation measures and the non-profit agency allocations. Mr. Beets thanked the Council and the Legislature for their work.

10. **Discussion and Review of Communications**

NONE.

11. **Resolutions and Ordinances**

a. **Discussion and possible action to adopt a resolution for the Neighborhood Assistance Act for FY 11-12.**

Haynes read the Resolution and moved for its adoption.

Haynes MOVED, McDevitt seconded to adopt resolution #2540 for the Neighborhood Assistance Act for FY 11-12.

BE IT RESOLVED by the Town Council THAT

AGENCIES SUBMITTING TO
THE TOWN OF WINDHAM
FOR THE
NEIGHBORHOOD ASSISTANCE ACT
FISCAL YEAR 2011-2012

AGENCY NAME	PROGRAM TITLE	NAA FUNDING REQUESTED	PROGRAM DURATION
Access Community Action Agency, Inc.	Family Asset Development	$ 20,000	7/1/11 – 6/30/12

Community Economic Development Fund Foundation, Inc.	Small Business Counseling & Skills Training Institute; Community Development	$ 150,000	7/1/11 – 6/30/12
United Connecticut Action For Neighborhoods, Inc.	CLiCK (Commercially Licensed Co-operative Kitchen)	$150,000	7/1/11 – 6/30/12
United Services, Inc.	Domestic Violence, Education, Community Outreach	$ 40,000	10/1/10 – 9/30/11
Windham Hospital Foundation, Inc.	Technology upgrades & Flex Unit	$ 100,000	1/1/11 – 12/31/11

MOTION PASSED UNANIMOUSLY.

b. Discussion and possible action to adopt a resolution to apply for the Heart and Soul Community Planning Grant.

McDevitt read the Resolution and moved for its adoption.

McDevitt MOVED, Rivera seconded to adopt a resolution to apply for the Heart and Soul Community Planning Grant.

BE IT RESOLVED by the Town Council THAT

The Town Manager, Neal Beets, is authorized to apply for grant funds for the Heart and Soul Community Planning Grant and is empowered to enter into and amend contractual instruments in the name and on behalf of the Town of Windham.

With one yes vote from Mayor Eldridge and eight no votes from Haynes, Iazzetta, Rivera, Underwood, K. Donohue, Krich, C. Donahue and McDevitt.

MOTION FAILED.

c. Discussion and possible action to adopt a resolution for the Connecticut State Library Historic Documents Preservation Grant.

Iazzetta read the Resolution and moved for its adoption.
Iazzetta MOVED, Krich seconded to adopt resolution #2542 for the Connecticut State Library Historic Documents Preservation Grant.

BE IT RESOLVED by the Town Council THAT

Neal J. Beets, Town Manager, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for a Historic Documents Preservation Grant.

MOTION PASSED UNANIMOUSLY.

d. Discussion and possible action to set a public hearing on August 16, 2011 for a proposed ordinance establishing the Windham Conservation, Open Space and Agriculture Commission.
Underwood MOVED, McDevitt seconded to set a public hearing on August 16, 2011 at 6:30 PM for a proposed ordinance establishing the Windham Conservation, Open Space and Agriculture Commission.
MOTION PASSED UNANIMOUSLY.

e. Discussion and possible action to adopt a resolution approving a grant application for Transit-Oriented Development along the Rail Line from New London, CT to Brattleboro, Vermont.
Krich read the Resolution and moved for its adoption.
Krich MOVED, K. Donohue seconded to adopt resolution #2541 approving a grant application for Transit-Oriented Development along the Rail Line from New London, CT to Brattleboro, Vermont.

BE IT RESOLVED by the Town Council THAT

WHEREAS, the Towns of Mansfield, New London, Norwich, and Windham have met to discuss collaboration on a Transit-Oriented Development Grant opportunity, and

WHEREAS, these and other towns, as well as universities and a tribal nation, would benefit from transit-oriented development along an enhanced rail line from New London, CT, to Brattleboro, VT, and

WHEREAS, the Connecticut Office of Policy and Management (OPM) has advertised a grant opportunity for funding a feasibility study of transit-oriented development,

Now, therefore, the Town Council of Windham, Connecticut, HEREBY RESOLVES that:

1. The Windham Town Manager, Neal J. Beets, is authorized on behalf of the Town of Windham, CT, to work with other affected towns to prepare, sign, and submit a joint application containing a planning grant proposal in accordance with the OPM TOD Pilot Program Request for Applications.

2. The Windham Town Manager, Neal J. Beets, is authorized on behalf of the Town of Windham, CT, to enter into and, if necessary, to amend a Memorandum of Understanding (MOU) with WINCOG (Windham Council of Governments), SECOG (SouthEast Council of Governments) or any successor organization, which incorporates the requirements outlined in the TOD Pilot Program Request for Applications.

3. The Windham Town Manager, Neal J. Beets, is authorized to do such acts as are necessary and appropriate to obtain and expend TOD grant funds from OPM.

MOTION PASSED UNANIMOUSLY.

12. Reports of Committees, Boards and Commissions

a. Administration & Finance, Health and Human Services Subcommittee

No Report.

b. Public Safety, Recreation and Public Works Subcommittee

Mr. Iazzetta reported the Subcommittee had not met this month, however he noted several items were still pending. He stated the Subcommittee had not received the information requested with regards to WINCOG or the Kramer building and the criteria for choosing Cupid is also still pending. He also stated there would be no meeting next month. In addition, Mr. Iazzetta questioned whether the Subcommittee had been relieved of the charge on the Kramer building.

13. Old Business

NONE.

14. New Business

a. Discussion and possible action to award the Guild Field fence project with the additive alternates to the low bidder, The Fence Man & Sons, Inc., in the amount of $31,585.00.

Iazzetta MOVED, Underwood seconded to award the Guild Field fence project with the additive alternates to the low bidder, The Fence Man & Sons, Inc., in the amount of $31,585.00. MOTION PASSED UNANIMOUSLY.

15. Future Agenda Items

a. Consider adding a Tri-Board report under Reports of Committees, Boards and Commissions

b. Consider having a representative from the Planning and Zoning Commission at the next meeting to give the Council an update.

c. Consideration on the Kramer Building Usage.

16. Citizens and Delegations Public Comment

James Finger, Town Planner, appealed to the Council with regards to the Heart and Soul Grant. He noted they had learned of the grant in May however it wasn't brought forward due to budget constraints. He stated Access Agency would help with monetary issues and commitments and that Kate Fortier had worked very hard on this grant and had given a great presentation. He urged the Council not to throw this away.

Mayor Eldridge turned the meeting over to Councilmember Underwood.

Ernie Eldridge, South Windham, noted he tries to give a lot to the community. With regards to the boat, Mayor Eldridge explained DEP and UCONN had asked to use the boat to conduct a study on the Shetucket River and he shared his feelings on the matter.

Mayor Eldridge took back control of the meeting.

George Gillette, Windham, thanked Council member Rivera for his statement. He also shared his feelings on lending the boat to DEP/UCONN. In addition, he questioned why people were only given 3 minutes to speak at Council meetings and why it took two Public Works employees to water the plants on Main Street.

Michael Rohan, Windham, expressed his concerns about the rescue boat. He believes the Town would be liable if something happened and the rescue boat was not available.

Lori Jeffers, Willimantic, stated the two community meetings that took place were held on Easter and Memorial Day weekends which were difficult weekends for people to attend. She also asked if the Council was ever going to follow the Charter.

17. Adjournment

Underwood MOVED, Rivera seconded, to adjourn the Town of Windham Town Council meeting at 8:25 pm. MOTION PASSED UNANIMOUSLY.

Submitted By:

Barbara J. McKinney
Clerk of the Council

"Attachment A"

Windham CT Town Council

Tuesday, July 19, 2011

Freedom of speech is a beautiful "right" to have, but with this precious right comes a level of responsibility and awareness. With this in mind, it is my opinion and belief that Bigotry, xenophobia, and provoking odium from one group racial group to another is not the best exercise of "freedom of speech". Furthermore, we as citizens should be thankful for the freedoms and rights we have obtained and in turn practice them safely and courteously.

It may be known by us that in many countries –such as France—that hate speech is not tolerated and any citizen may be prosecuted by law for doing so.

With this being said, It is not the first time I have heard personal attacks against a particular member of the council, but it was the first time hearing an attack to an important sector of our community. During citizens and delegations we exercise our right to express our ideas, opinions, they way we think, and feel about certain issues. This is great, it is part of living in a democratic society, with freedom and liberty. For this reason we should respect and act with decorum. Since this incident happened, I think we should have a careful and serious review of citizens and delegation guidelines in order to avoid the misuse of this valuable right. I was shocked in the last council meeting, listening to what to me was a clear and flagrant attack to one sector of this community by a citizen, blaming Puerto Ricans for the problems this town faces.

It is a sad thing that I have to spend time, mine and yours in an issue that I thought was buried, and dead long time ago, especially in this town founded by so many immigrants groups, now most of them proud citizens of this great nation. I guess we have a selective memory when it comes to attack certain groups, in particular, the ones without power and authority. I think is easy to forget where we came from, who were our ancestors, and what they did to achieve what we have today, some good things that we should be proud of, and some we don't even want to remember. That is why it is so important we look at our history. This will help us to conduct ourselves properly, before we start accusing and casting that first stone. Sometimes poverty put us in situations that are not conducive to develop the best of us. This has been shared by all ethnic groups that have helped to form this country; this is a country that has been enriched by many different cultures and nationalities. Denying this fact is a display of majuscule ignorance.

We should take a look to ourselves, and get humble, and realize that is wiser to confront our financial reality as one entity is more productive than looking for escape goats to cover our own frustrations. I think we should call for unity instead of blaming one sector of community due to race, ethnicity, or religious beliefs. United we will make a better Windham.

Arnaldo RiveraWindham

CT. Council Member