



Tanya Lane
Acting Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR ROY ZARTARIAN

MINUTES

NEWINGTON TOWN COUNCIL
Conference Room L-101 Lower Level – Town Hall
7:00 P.M.

February 23, 2016

Mayor Zartarian called the meeting to order at 7:00 p.m.

I. PLEDGE OF ALLEGIANCE

Mayor Zartarian asked that all present remain standing for a moment of silence in memory of Town Councilor, Mayor, State Representative Dominic Mazzoccoli who passed away last week.

II. ROLL CALL

Councilor Anest
Councilor Budrejko
Councilor DelBuono
Councilor Klett
Councilor Manke
Councilor Marocchini
Councilor Serra
Mayor Zartarian

Staff Attendees:

Tanya Lane, Acting Town Manager
Chris Greenlaw, Town Engineer
Craig Minor, Town Planner
Steven Clark, Chief of Police
Jaime Trevethan, Asst. to the Town Manager - Administration
Susan Gibbon, Council Clerk (Substitute)

III. AWARDS/PROCLAMATIONS

A. Proclamation: Patricia Frost

Mayor Zartarian moved the following.

WHEREAS, a residential structure fire occurred at 37 Pheasant Run Drive on January 25, 2016; and

WHEREAS, a passerby, Mrs. Patricia Frost, noticed heavy smoke pouring from the home; and

WHEREAS, Mrs. Frost stopped at the residence with the intent to notify the occupants of the smoke, noticed an explosion in the garage, continued to the front door and subsequently entered the home to successfully alert the residents of the fire; and

WHEREAS, prior to Mrs. Frost's warning, the residents had no knowledge of the spreading smoke and fire conditions; and

WHEREAS, upon ensuring that both occupants were making efforts to exit the home Mrs. Frost returned to her vehicle to dial 911 and complied immediately when arriving police units asked her to move her vehicle from the driveway; and

WHEREAS, fire personnel arrived on the scene moments later and further assisted the homeowners and their dog to safety; and

WHEREAS, although the residents indicated that a passerby had alerted them to the fire, personnel had no knowledge as to the identity of the Good Samaritan until the following day;

NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby honors Mrs. Patricia Frost for her courageous actions on January 25, 2016 and extends its sincere appreciation for her selflessness and quick thinking.

Mrs. Frost: I was glad I was coming up the road seeing my daughter. When I saw the smoke coming out the attic vent, I never knew my car could turnaround so fast. When I went back down Pheasant Run and pulled into the driveway that is when the explosion happened and I went into action and did what I had do to help the people and I am just glad everyone is ok and I was glad that I was there and also to save their little dog. Thank you so very much for the honor.

Motion by Councilor DelBuono, seconded by Councilor Klett and passed 8-0 (Councilor Nagel absent)

B. Presentation of Chairs: Former Town Councilors

Mayor Zartarian moved the following.

WHEREAS, the members of the 2013-2015 Newington Town Council voluntarily provided service to the Town and did so professionally and proudly; and

WHEREAS, these community leaders placed the interests of the Town above their personal lives, sacrificing major events in the daily activities of their spouses, children and families to attend numerous Town Council, Board, Commission and other public meetings and gatherings; and

WHEREAS, these dedicated public servants diligently performed their role, knowing that the future of our Town was affected by their actions; and

WHEREAS, former Mayor Steve Woods and former Town Council members Chris Banach, Aden Baume, Terry Borjeson, Clarke Castelle, Dan Dinunzio and Beth McDonald are to be recognized for their loyal service; and

WHEREAS, over the years an official Town of Newington chair has been presented to former Councilors in recognition of their work and to serve as a symbol of the Town's gratitude;

NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council, on behalf of the residents of the Town of Newington, hereby presents an honorary chair to the former members of the Town Council and extends sincere appreciation to them for a job well done.

Motion by Councilor Klett, seconded by Councilor Marocchini and passed 8-0 (Councilor Nagel absent)

Former Mayor Woods thanked the council and everyone he served with. It was a good 4 years, I think we did a tremendous amount of good and it's your job now to carry that on. I had the pleasure of serving with Myra Cohen who is no longer with us. She was an amazing woman who dedicated many years of her life to public service and it was an honor to sit with her and watch how her mind worked. I wish you the best of luck.

Mr. Borjeson thanked Steve and team, very pleased with the accomplishments over 4 years. Lived in town over 30 years, have gotten to know a lot of people. Very impressed with town employees, with the 2,500 volunteers in town and a lot of good people I have met. It was an interesting experience, thank you very much.

Ms. McDonald: Thank you. It was a great honor and privilege to serve this community, not only here at Town Council, but Board of Ed before that. I would like to personally thank Carol Anest and John Kelly and the nominating committee for taking a serious look at me when I went to interview for an alternate position on the Conservation Commission. It has been quite a journey because of the result of that and it has been an honor and privilege to work with these gentlemen in the best interest of the community and those of you around the table who were on the Council when I was a part of it. I am pursuing other interests now and wish each of you well in your continued service to this Town. I appreciate and respect the time and how much you are doing to continue the good work that we started. Thank you.

Mr. Castelle thanked Mayor Zartarian and the council for maintain tradition of the chairs. Want to thank the resident of Newington for 4 years of opportunity to serve on the council and manufacture of the chairs for not discontinuing the rocking chair and was happy to see he wasn't the only one getting a rocking chair.

Mayor Zartarian: thank you all for your service.

IV. PUBLIC PARTICIPATION — IN GENERAL (In Person/Via Telephone: 860-665-8736) (3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)

John Bachand, 56 Maple Hill. It just occurred to me when someone mentioned former councilor Myra Cohen, you should have had a chair for her, maybe give it to her husband since it is a tradition. Just a recommendation.

Gary Bolles, 28 Burdon Lane, Newington. Good evening Mayor, town council members. Asking about agenda Item 5B regarding the MDC project on Cedar Street. Know that gate on Alumni Road will only be opened at night, requesting that the gate be opened during the day as well to alleviate bottleneck that could occur between Willard Avenue and the east entrance of Old Farm Drive. Also, would help police and fire it that were open. For west bound traffic only, only permit right turn at Alumni Road onto Cedar Street.

Cece Borjeson, 45 Glenview Drive. I am here to speak about the proclamation of the presentation of chairs and the outgoing council and to congratulate the new council. You are off to a good start. Our Town motto is Growth and Progress. Several of you who are now serving also served in the last 4 years with my husband. When he was elected in 2011 I had no idea how many hours he would be putting in to the job or how interesting town politics really was. I want to do a recap of what the 4 years under Steve Woods accomplished: Charter Revision, Blight Ordinance Revision, upgraded performance appraisal process, \$2 million grant obtained for National Welding remediation, obtained funds to improve and upgrade senior housing, obtained money for Newington Junction site, tax relief for seniors and veterans were accomplished, new charging station in the new town center, prescription drug program, Firestone, Bonefish Grill, Chipotle, Starbucks plaza, and a member on the Fastrack committee to ensure Newington had a voice in the process. Growth and Progress is town motto, I congratulate you all on your November election, I think the members who are still serving and to thank Mayor Zartarian for moving us forward, more growth and progress. Good luck.

Councilor Klett: Before we move on, I usually the council has an opportunity to speak to the proclamation. I was wondering if you would indulge us. First, I have to say what Mrs. Frost did is absolutely amazing, most people don't usually go into a place that is burning. There is no doubt in my mind that she helped save human life and would like to personally thank her for that. As far as the council members that are here tonight, I really do understand how much sacrifice is involved and the things you give up in your personal life. Those of us committed to ensuring that our community stays the way it is. Some did it, for what I consider a short time, for 4 years, I would have to say that the person who stands out the most is Mayor Woods who has spent almost 30 years of his life as a Board of Education member, BOE chairperson and mayor. Many just do it for one to two terms because it is not always a fun place to be and it really does take a lot of commitment. Every time somebody leaves, we

most definitely lose a lot of valuable information, people and thoughts. Even though don't always agree, not doubt people that served at this council table, board of education table, they do it because they want to ensure that Newington remains a good community. I have to thank you all for the time you gave, even if we weren't always on the same side of an issue. Perhaps maybe we will see some of you back again at some point.

Councilor DelBuono: That is hard to follow, I will be brief. Just want to thank you for all your service. You do give up a lot of hours and I know all that you did to support the town and fulfill your position here as well as all the other committees you serve on as part of this job and that's the part a lot of people don't see, the behind the scenes piece of what it takes. Just want to simply say thank you and I wish you all the best.

Councilor Budrejko: As for the first proclamation, again Mrs. Frost, it is hard to go on auto pilot and have no consideration for her own safety but was thinking others. I admire her and thank her for her service. As far as the former mayor and council, I really do thank you, because when you were sitting up here and I was there, you were role models. The way you welcomed or at least listened when I was nervous and came up to speak, the way you engaged with us, I learned a lot of what to do and what not to do. I always felt able to participate. You are the reason I am here. Thank you for that.

Councilor Anest: I would like to thank the councilors for everything you did over the last 2, 4 years. It is not easy being up here. You guys did what you thought was best, did what was best and I wish you good luck in your future endeavors and maybe we will see you back again. Thank you.

Mayor Zartarian. Let me conclude with my own two cents worth. I drive up Pheasant Run almost every day and I've seen the house that Ms. Frost ran into and it is ok shape and the damage was confined to a small area, it's a relatively small house and it wouldn't have taken much for that fire to spread. I want to echo the gratitude expressed by fellow councilors to those of you who went before us. In order to know what someone goes through you have to walk a mile in their shoes and believe me, Steve, I have been walking a mile in your shoes and my feet hurt already. Again, thank you very much.

Councilor Anest: Councilor Banach couldn't be here tonight and he just wanted me to express his gratitude and thank you for the chair as well.

Councilor Klett: Former councilor Dan Dinunzio sent me a text, he couldn't be here as well.

V. CONSIDERATION OF OLD BUSINESS (Action May Be Taken)

A. ICMA-RC 401 Money Purchase Plan & Trust Restatement Adoption

Mayor Zartarian: This is something that was discussed at our last meeting and it is required to keep us on the right side of the Internal Revenue Service. I believe whatever questions had been raised have been answered.

Councilor Marocchini moved the following:

WHEREAS, the Town of Newington as the Employer has employees rendering valuable services; and

WHEREAS, the Town of Newington has established a qualified retirement plan for such employees that serves the interest of the Town of Newington by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Town of Newington has determined that the continuance of the qualified retirement plan will serve these objectives; and

NOW THEREFORE BE IT RESOLVED, that the Town of Newington hereby amends and restates the following qualified retirement plans (the "Plans") in the form of The ICMA Retirement Corporation Governmental Money Purchase Plan & Trust:

Plan #107978 (Town Manager)
Plan #109160 (Police Officers in Local 443 for private duty)
Plan #106331 (Administrative Employees)

BE IT FURTHER RESOLVED, that the assets of the Plan shall be held in trust, with the Town of Newington serving as trustee ("Trustee"), for the exclusive benefit of Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The Trustee's beneficial ownership of Plan assets held in VantageTrust shall be held for the further exclusive benefit of the Plan participants and their beneficiaries;

BE IT FURTHER RESOLVED that the Town of Newington hereby agrees to serve as trustee under the Plan.

Motion by Councilor Marocchini, seconded by Councilor DelBuono and passed 8-0 (Councilor Nagel absent)

B. Update: MDC Water and Sewer Improvement Project — Cedar St./Willard Ave. Area

Representatives from the MDC discussed various components of the proposed project, as outlined in the attached letter. The Council discussed the action it will need to take on the MDC 8-24 report regarding an easement to the MDC at 90 Welles Drive North,

Councilor Klett: I would like to offer this up as a suggestion. This is something that will be like a 15 minute discussion, we don't have to wait if the TPZ takes action tomorrow night, we could have a special meeting to get it done so they can get their RFP out.

Councilor Marocchini: We can't add it to Monday right, because that is a special meeting.

Councilor Klett: Why not, we have enough time to act.

Tanya Lane: You won't have 24 hours to post the notice.

Councilor Anest: Can we do it Monday night?

Mayor Zartarian: Monday is a special meeting.

Councilors: We have a budget meeting.

Councilor DelBuono: Can't we post it for 6:30? Have a 6:30 special meeting?

Tanya Lane: For Monday, yes.

Councilor DelBuono: Most of the questions I've gotten are in relation to the night work and the noise piece, so I am wondering if you can talk a little bit more. I was not able to be at the other meeting, curious what the public input was on that.

Councilor Klett: I don't think it was as concerning as, the council I think were more concerned then the public. The people there were supportive of the project, no doubt about that. I do agree with Beth, about the noise factor for those people that for instance don't have air conditioning, when you are opening your windows you are listening to that.

MDC: I can't make any guarantees. We will be right in the middle of a residential neighborhood for the most part. We have talked about security issues, noise issues. Communication solves a lot of problems. When they know we are going to be out there at a certain place, at a certain time, people plan accordingly. One of the reasons you may not have the level of concern the councilors had is because they are the ones who will be directly benefited by the project. They understand for a limited period of time they are going to be inconvenienced, but they also know once that is over, they are going to have a sewer system that doesn't back up. If you have ever experienced that experience, you will know why they are ready for us to go. This is something the MDC has to do, it is not a wish list item, it is on a need

list, a must list.

Mayor Zartarian: I, for one, would like to avoid a replay of the Church Street Soilgate episode. Can we work up an agreement in writing, not necessarily a contract, call it a memorandum of agreement, as to what the MDC will provide so that both sides are clear as to what is going to happen and when, particularly in regard to noise abatement, traffic control, security, any other issues. I know noise abatement for me is one. I know traffic is going to be an issue during the period of the work. Most of that is going to effect people who are passing through Newington from between Route 9 and Route 15, not necessarily the residents and local traffic. I would like to see something specifically listing what is going to be done so we have an agreement in place.

Councilor Budrejko: The work that is going to be done from June to August, that is concurrent work during the day and the night work will begin from August to December, correct?

MDC: It will begin as soon as both pipes get there. Hoping that they will be there roughly the same time in August or September.

Councilor Budrejko: And the work that is going to be done next year is going to be night or day?

MDC: In 2017 it will be all day time work. Only work they see at night is paving, typically done during evening hours, especially on those roads. Also, two locations where we are doing trenchless installation, will be setting up jacking on either side of some culverts that go under Cedar Street near Old Farm Road and there is another near Veterans which we will have to excavate on either side of culverts and install a pipe underneath it and with those we don't stop once you start so those could be 24 hour operations.

Councilor Budrejko: During the winter shutdown from December to April, what will the condition of the area be?

MDC: We require that all construction equipment, vehicles, any material storage all be taken off site. The roads will be completely swept, cleaned. We also so an assessment of all project before winter shutdown begins and if the pavement is a concern we will have a skim coat put over it. The DOT will probably regulate that to make sure that the roads are passable and clear.

Councilor Manke: For clarification, what months is most of the night work going to happen?

MDC: Late summer, early fall.

Mayor Zartarian: Are you going to have another public information session before starting construction?

MDC: Yes, as soon as we get the contractor on board and we award the contract we will ask them to come in and we will invite the same 450 people we invited to the public information meeting a couple of weeks ago. We will have a lot more information in terms of detailed scheduling so they will know what to expect for timing.

Mayor Zartarian: My consensus, we are looking at a special meeting on Monday.

MDC: The worst thing that can happen tomorrow is that they don't do anything.

Mayor Zartarian: At this time I ask for a waiver of the rules so we act on Agenda Item VI-C - Streetscape Phase VI Oversight Committee which is something we have to act on because we are appointed two counselors to a body that doesn't exist. We have to go through our usual procedure of waiving of the rules which involves councilor comment plus the opportunity for public comment and then we will go on to act upon the agenda item itself.

Councilor Manke: I move we waive the rules to move Item VI-C up to Item V-C; seconded by Councilor Serra. Motion passes 8-0 (Councilor Nagel absent).

C. Streetscape Phase VI Oversight Committee (Action Requested)

Councilor Anest moved the following

RESOLVED:

That the Newington Town Council hereby creates a Streetscape Phase VI Oversight Committee, consisting of two members of the Town Council, to assist Town staff in overseeing work related to the Streetscape Phase VI project.

BE IT FURTHER RESOLVED:

That the Newington Town Council hereby validates the following appointments as indicated in the minutes of the January 26, 2016 Town Council Meeting:

Streetscape Phase VI Oversight Committee

Name	Address	Party	Term	Replaces
NTC Rep: Carol Anest	30 Harding Avenue	D	NTC Term	vacant
NTC Rep: Gail Budrejko	21 Isabelle Terrace	R	NTC Term	vacant

Motion by Councilor Anest, seconded by Councilor Klett and passed 8-0 (Councilor Nagel absent).

D. Town Center Streetscape Phase VI Project

Mayor Zartarian: We have our Town Planner with us, he is going to present the work that the staff and council committee have been working on and have come up with a design.

Craig Minor, Town Planner: Good evening ladies and gentlemen. The oversight committee would like to present a presentation on the Streetscape Phase VI Project. What we are hoping for your approval tonight is for the concept plan will be presented. With me is Town Engineer Chris Greenlaw and making the bulk of the presentation will be Rob Pinckney of BSC, he is the Manager of Transportation Services at BSC Group. BSC Group is a national engineering company, they are headquartered Boston and Rob works out of their Glastonbury office and with that I turn it over to Rob.

Rob Pinckney, BSC Group: Good evening, thank you it is great to be here, I appreciate the time. I will make the presentation that is on the board. I am the project manager for BSC, with me is Frank Vacca who is one of our civil engineers as well as a Newington town resident, unable to attend tonight is Curt [?] our principle. Just quickly tonight we are going to go through what we have been doing, now we got to where we are, looking at the progress to date and then looking at where do we go from here. This is the grant application the town made to the DOH, Department of Housing, looking to obtain funding for the streetscape project. They were successful in obtaining \$470,000 in grant money, with that the town then solicited for RFQ or Request for Qualification for professional engineering services. With that we were selected through the panel and we began the design services. As you can see on this graphic, it is a fairly sparse approach to what was out there, so one of the first steps when we began the process was just talking with the committee on what would be the long-term plan, what would be the hope taking nods from what has already been done with both the parking lot and the Market Square streetscape, recognizing we may or may not project that same exact theme. The project goal is to improve the use through the corridor for all users. A lot of time you hear these days complete streets or multi-modal. The idea is that we are now accommodating projects for pedestrians as well as bicycles, in addition to motor vehicle. The project is trying to make it a safer, more viable corridor, continuing the theme from the Market Square project with the pavers, sidewalks, street lighting, landscaping, benches, traffic calming as well addressing the speed issue along the corridor. There is a bus service on Constance Leigh. Since we have been out working, we have done an existing conditions survey, so we've actually been in the field and surveyed everything in 3 dimensions, coordinate, plus elevation so we have a working plan for the whole corridor, we will begin to use that for the final design plans. We have had working sessions with the committee members on September 17, November 4, December 10th. During those meetings we talked about a range of different design components. Right of way is 60', how do we utilize that? Curb to curb is 40', how do we utilize that? Keeping in mind a \$470,000 budget, but also looking to what would be

desirable for the corridor. So trying to make those balances: bike lanes, pedestrian experience, whether or not with to obtain additional right of way, which was quickly dismissed because of budget constraints. Then the amenities, the type and frequency and location, spacing between the trees, between the light poles. We started with 14 different options, whittled it down to 10, talking about things like parallel parking, no parking, one way, all sorts of different options how to utilize the corridor and from that we went down to two and then finally down to one which is Option 4C. *[Slide presentation]* The design team reviewed these phasing concepts with both the mayor, and the town manager, did have a public information meeting on February 3, in council chambers where we heard some input from the public as well as some of the councilors that were in attendance and from that meeting we moved to preferring the segmental concept, which will be building the first half of the corridor from Cedar to Market Square, in a fairly close to full build scenario, taking cues as far as the budget. If you look at the right side of Lowrey Place, we don't to ignore that section because that is one of the keys to the project. At this time, painted sidewalks versus a paver sidewalk because of cost and knowing that the hope is that there would be another phase called Phase VII that would do the next block, basically from Market Square to Lowrey and potentially beyond. We want to improve that intersection but not do work that would be destroyed at a later time. Everything there is more of a painted, flush condition, whereas maybe some of the final design details in the full build will be either a raised crosswalk or a full height bump out similar to what is in Market Square. The 40' that is out there from curb to curb right now is basically divided into two lanes of traffic, so you have a 20' lane in each direction, and if it obviously a very straight corridor which leads to higher speeds. Part of this whole process is to bring it down to a much more manageable scale, speed for the pedestrian, bicycle and vehicle experience so it is improving safety for everyone. *[Further description of slides/project as attached]*. I did indicate we talked about a few other alternative for the phasing concept, I just wanted to make sure that we did touch on them. Talked about building the west side only, with very little going on the east side. What can we do to stretch the dollar to touch the 1,100 feet of corridor. It was determined the segmental approach was a better option. *[Further description of slides/project]*. The conclusion of what we have done to date, we are trying to wrap up preliminary design, get to a final design stage where we would be looking to put the contract plans together, publicly advertise and bid the project and move into a construction phase. We are asking for the council to approve the segmental approach. With that I open this up for any questions.

Councilor Marocchini: I have one question - easements?

Craig Minor, Town Planner: One easement would be needed for the Market Square Apartments to expand the width of the driveway so it would be a full two lanes out.

Rob Pinckney: If you look at the driveway into the municipal lot right now, it is shown as three full lanes, the lanes are substandard and don't function well for a left turn, right turn. We are looking to widen those to be more functional. A final design asset will be to build a gateway sign, what that means is still being discussed, but it will say "Welcome to Newington" or "Welcome to Town Center", that would be located on the corner of Cedar and Constance Leigh.

Mayor Zartarian: I have a concern that was conveyed to me during one of my office hours. There are residents in the high-rise who use wheel chairs for mobility and there is a concern expressed the compatibility of wheel chairs and pavers rather than the slab sidewalks that are already in place. Would you address that please?

Rob Pinckney: The pavers that would be specified would be ADA compliant. Our specification in our details would lock those in to being an ADA compliant surface for a wheelchair user.

Councilor DelBuono: Just a comment. I remember when we did the Market Square piece a few years back there was a concern after the project was completed where with the placement of the trees and the width of the sidewalks at those points for handicapped accessibility. I just want to make sure we are looking at that ahead of time.

Rob Pinckney: Just to address that - you need to have 36 inches or three feet as a minimum to pass a wheel chair or ADA compliant passed any tree furniture, including a tree, a bench, a trash can so we will take that into account as well.

Councilor Budrejko: There was a problem out in front of Steve's Place where there was a fire hydrant and a light pole that was placed in a position that was deemed dangerous for a kid riding a bike, not sure

if that is a concern.

Rob Pinckney: I will talk with committee members to see what that was and will try to address that in this phase.

Mayor Zartarian: Anything else? Are we looking for action tonight? Where is the resolution? Councilor Budrejko would you like to read the resolution.

Councilor Budrejko moved the following:

RESOLVED:

That the Newington Town Council hereby authorizes Town staff to proceed with the "Segmental" option as the next phase in Newington's multi-year "Town Center Streetscape Program", Phase VI (Constance Leigh Drive) project.

Motion by Councilor Budrejko, seconded by Councilor Manke and passed 8-0 (Councilor Nagel absent).

VI. CONSIDERATION OF NEW BUSINESS (Action May Be Taken by Waiving the Rules)

A. CCM Update: Overview of State Budget

Mayor Zartarian: Our next item is an update from CCM on the State of the Budget. I would like to introduce Mr. Kevin Maloney who is Director of Communications and Member Relation for the Connecticut Council of Municipalities.

Kevin Maloney, CCM: I appreciate the opportunity to come before you again. Some new faces, it gives us a chance to earn your trust and respect and very much want to continue to work for you. The state budget has generally when it came the state numbers for Newington are not that bad. There is an increase of \$1.4 million, about half of that increase is keeping the town whole for the capping of motor vehicle taxes. In essence, it is replacing what would have been your local revenues, so in reality, there is a \$700,000 increase. There were some cuts in categorical grants, but it was replaced by new revenue sharing from the state based on the sales tax. Part of that is going to pay for the replacement for capping the motor vehicle tax and part of it is actually going to be new additional money. But as we know with the states precarious financial at this point in time, how much can that new money be depended upon going forward in the second and third year and that is part of what we are fighting on your behalf and on behalf of other towns to find a way to keep that money whole. Especially on the motor vehicle side because one that money is capped then if the state starts chipping away the replacement money we have seen that situation before. We are trying to keep everyone's feet to the fire on that issue. The state's financial picture is iffy at best, they don't expect big growth in state revenues, either in sales tax revenues or income tax revenues, capital gains, corporation taxes, they are as usual their wait and see what the tax situation is post the tax filing deadline in mid-April so that is going to provide a place and time. We are in a short legislative session which will hopefully end at the beginning of May. The appropriations committee and the finance committee will report at the end of March which is just about 30 days away and they may, or may not, adjust those state aid numbers somewhat. It is also dependent upon the state needing negotiated givebacks from the state employee unions. That is what we are being told and if they can't get everything they need on that front, they may come back and look at municipal money. Two things we didn't see coming, nor did anyone else I met, we are fighting back against now is the proposal from the Governor to forget having DMV being able to stop people from registering their cars if they owe motor vehicle taxes, that would cost cities and towns across that state about \$40 million. Working closely with assessors and tax collectors, many of them are projecting it would place about 5% of their motor vehicle grand list in jeopardy. So it is a battle, in essence we are throwing ourselves in front of the bus on. We have to make that proposal dead on arrival. There is another troublesome proposal that can be argued on either side about exempting the first, for business with under \$10,000 in personal property taxes, exempting those taxes as a means of hopefully stimulating economic development. That also would, in essence, tax some money out of local revenue, so we are looking at that very uncertainly. One possibility is it is presented as a local option, where it makes sense for your community on an economic development front you would have perhaps an option to do that, but you wouldn't be required to give those revenues up. We are dealing with a significant new law that is going to come on to the books a

year from now which is being described as a municipal spending cap, which will limit increased spending to 2½% or the rate of inflation whichever is greater. Our membership which is 159 towns and cities in theories is pushing us to have this law repealed. If we can't get it repealed, they are pushing us to have it pushed back a couple of years, if we can't get it pushed back they are looking to have additional items exempted from under the cap which we hope will give towns a little bit more flexibility. We are trying to work with the speaker; it was basically his bill last session as part of a trade off for trying to share more revenues with town. We repeatedly made the argument that when you look at the state budget and you look at town budgets, the town should be giving advice to the state not the other way around on how to live within your means. Many of the mayors, first selectman, town managers are saying we manage our funds quite well, we can live a spending cap but we need to have some flexibility when there are needs within the community that we want to address. Everyone we talked to, that the rebounding of the economy has been tepid at best. The days of big growth in state revenues has gone by the board for now and the precarious state of this state budget is probably going to be around next year, it is probably going to be around the following year and we are trying to find where we need to fit in with your needs and the level of state aid and our degree of fighting what new mandates within this new level of normal. The Governor being a former mayor, I think he is sensitive to the issue and even though he cut certain categorical state aid programs, he did try to introduce some additional new municipal revenue sharing based off the sales tax. But how much can those funds be depended upon within the upset nature of state finances going forward the next couple of years. When we talked to various mayors and first selectman around the state, the notion of how to budget, it used to be traditional that you could budget the governors state aid numbers as dependable low water mark and the legislature would do a little bit better, those days, at least for the foreseeable short term future are somewhat over. You simply can't depend on those numbers as you once could. Not because of this governor or that governor, it is just the state of putting forth that budget proposal within the uncertain economy that Connecticut continues to remain in. Some of the mayors and first selectman are telling us they are not budgeting, if they see an increases and most are, they are saying we are not budgeting any of it, we are going to put it aside or we are going to budget some of it, or budget some if it but not put it into a line item we are going to put it into a capital program that would more focus on a particular need. That is the x-factor I am presenting as an issue. For you to be in somewhat of a good position, if we can kill off that motor vehicle lost tax revenue and some other things that you are at least in a position where you can held harmless and have some additional money and then try to find the best way to plan going forward for the next couple of years in what everyone is telling us, we are not coming out of this up and down of state budget for a couple of years. That is basically everything I know. I am more than willing to take any questions and anything I can't answer, I'll go back and get your answers and get them back to you electronically as soon as we can.

Mayor Zartarian: Ok folks, the floor is open, ask him if he has any other good news.

Kevin Maloney: Holding on to the increase in your state aid will be our major work. We don't want the state coming back and looking at the municipal money as they try to scrape out their situation and there is going to be a lot of pressure with negotiating with state employee unions so our biggest job is going to be keeping towns held harmless and letting them at least for the next fiscal year keep that revenue sharing and our big job is going to be how to sustain that. Because, frankly, even when the state had a more robust economy, they didn't have a great track record of not whittling away at certain state aid programs, pilot funding, even ECS funding which is not touched in this budget has been in previous. There has been some movement toward trying to provide more monies to town with the revenue sharing that is not related to education which I frankly see as good. For many years when towns were being hit on state aid front, it was on the money for general government, because the education money was considered more sacred.

Mayor Zartarian: Any action, one way or the other, on unfunded mandates and are there any new ones coming down or any existing ones that are hopefully being chopped.

Kevin Maloney: The two that we are fighting against are the mandated cut in the personal property tax for business which you can argue is a good thing and we just want to make a situation where if a town wants to they can but it shouldn't be mandated. This mandate that you can't stop delinquent tax payers from registering cars would be a major mandate, it would be a major change in the state and local relationship. That is probably one of the best examples of the state and towns working together and it just, it blows my mind that that is where they are looking. You know why to a certain degree, because of the troubles that are going on at DMV, we are just shaking our head that why we have to pay the price for the problems that are ongoing right now at the DMV. We have traditionally tried to put forth legislation that would put in statute the notion of you can't pass an unfunded mandate unless you accompany with funding, so we are

out there pushing that again. We are trying to get the threshold increase for the prevailing wage law which would push up those threshold which haven't been adjusted in probably 20 years so we are working on that front. We are faced with two significant firefighter mandates that we were battling last session for cancer presumption and for post traumatic stress, we are in negotiation with firefighters on the cancer presumption but we are not, we don't have an agreement at this point because anything we put on the table would still be a major cost to towns to have to pay it when we are trying to find a way to not have to face up that, so we are working on both of those as we did last session. Trying to work with the union on it, but not going to compromise our position in terms of protecting you from increased costs where we don't think it valid.

Councilor Budrejko: Does any see a problem with putting a cap on municipal spending and yet having, from what I understand, an excess of 20 unfunded mandates being proposed since the beginning of this session. Anyone see a problem with that?

Kevin Maloney: We are making that point loud and clear on Tuesday, March 1. We are having a day on the hill at the Capital. If any of you are available we are going to be meeting with legislatures to push that particular issue and others during a very informal breakfast from 8 - 10:30 in the old judiciary room at the state capital to try and point out to them that contradiction certainly, because if you insist upon, the municipal spending cap is on the books, it is not coming home to roost this July, but it is going to be year from now and the notion that you can pass that law, yet put out there 20 new unfunded mandates is mind boggling. It is amazing that some people may not know that. I couldn't agree with you more, we need to bring that home significantly within the next 30-45 days when we walk up to the appropriations and finance committee deadlines. Right now through the end of March when the bulk of the public hearings are, we need to have our positions brought forth and as much as CCM we believe does a good job it is never as good as if you were saying it, or the mayor is saying it, or the mayor of Hartford is saying it or the first selectman of North Haven is saying it, so when we can get you guys up to the capital, your message, our message resonates even more but you can be sure that that particular one is thorn our side. It is not just your perspective or mine, there is wide consensus on that so we are hopeful that as that becomes more apparent, that will help these other mandates at least walk away, it is a contradiction.

Councilor Klett: I don't know, I haven't heard you talk about dollars, but I have heard that the short fall is just about double of what was predicted and that I have heard a number for next year and I was wondering if you heard the same information.

Kevin Maloney: Certainly different numbers are being reported and different numbers were always reported in past years to an extent, but now that is accelerated even more so I don't have a great answer on that, the notion of what is being called a current services budget has sort of fallen away because it used to be a built in increase of things that were going to cost more and the budget is going to be that much more, now I think even the state is trying to figure out how to hold itself harmless and flatten out its own budget. They are still looking at a deficit for the current fiscal year and a projected deficit going into next year. Maybe I am being an optimist, but I just hope that two more fiscal years of this and somehow things will start to even out. But you can get a lot of people arguing that they think I am being naïve, but I refuse to throw the towel in that what we are in now is going to continue for five years, I can't bring myself to agree with that. We have to figure out a better way and that between who we have at the local level and who we have at the state level we should be able to do that. One of the things our board of directors has talked about in the past has been trying to put together a list from local officials about efficiencies that the state could do help straighten out their situation, because towns just have a longer history of operating in a balanced budget and doing what they need to do, so someday something like that may be coming forth. It may not be received well initially, but there are a lot of smart people in local government and they have been doing a good job at balancing their budgets for a long time and it has been an ongoing challenge for the state more recently.

Councilor Klett: I think the issue is more than balancing budget. I hear that 52% of the income in the state is less than \$25,000. The trend is people are moving out. I think we need to talk about why people are leaving Connecticut and what to do to turn that around. Not just a CCM issue, people with money leaving state. Turn state around to place people want to stay. Not sure if CCM can solve that problem.

Kevin Maloney: We did convene, we had a "summit" meeting in November where we brought together labor unions, business community, CBIA, all the Chamber of Commerce, other trying to brainstorm on ways to grow the CT economy, trying to make CT more economically viable, see it as a place where there

are job opportunities. With the departure of GE, we have to do some more actions that deal with employment and opportunity. GE leaving shook people up, even though in Fairfield, it reverberated. Another part of the equation is the level of taxation which can drive people to go to other states.

Councilor Klett: Also, everything can't be solved off the backs of state employees. I understand negotiations are not going well.

Kevin Maloney: I don't disagree and don't mean to imply that, just stating what I understand to be realty. Trying to get concessions and our people tell us if they can't get concessions, they are going to go over municipal money.

Councilor Klett: It is important to keep in mind that the 9th Senatorial District of which we are a part of, has a many state employees.

Councilor Anest: Is there any look at the getting rid of the mandates that have been voted on that we have to abide by, to go back and reverse mandates.

Kevin Maloney: We have some hope of moving is trying to change the Prevailing Wage law.

Councilor Anest: There are so many others out there that effect the police, etc. I think that is one of the problems. I think the legislatures are trying to legislate too much which is putting the burden on the back of the taxpayers and they need to take care of their business first before they put more burden on us.

Kevin Maloney: I apologize I'm not able to tell you more. I will talk to staff and try to get a list of current mandates that we are trying to get off the books or lesson in terms of their impact.

Mayor Zartarian: That will be very informative and very helpful, we look forward to seeing that. Anyone else?

Councilor Budrejko: We will be starting our budget deliberations next Monday, any advice you can give us regarding state reimbursement.

Kevin Maloney: I would suggest, as I said earlier, about half the increase in state aid is being used to make you whole on capping the motor vehicle. That is putting money back that was being taken away which leaves you with approx. \$700,000 increase. I would think about either putting that increase and wait to see or putting part of it aside and use the other part for a capital project versus a line item. We have a legislative committee which is comprised of 50-60 mayors and first selectman who meet with us monthly and that is what I am hearing from them. Cannot count on governor's number any longer. When we meeting in February; that is that is a topic of discussion. Most towns are getting a small increase.

Town Manager Lane: This is my first budget, I'm not sure the council hasn't seen it so I don't have any comments. I will take note of what you said and take another look at budget prior to releasing it.

Kevin Maloney: Some poor towns got cut, can't understand the reasoning behind that action. Can't depend on budget numbers. Worst case scenario is what you have this year. Cannot see you getting less than what you have now. Will you hold on to that increase? Not sure. If you need us to come back at any point or to bring other staff in to help you understand, we can always do that. I appreciate the opportunity tonight. Our job is to help you make sure you have the money you need to do the things you do in your community.

Mayor Zartarian: Our Councilors can contact you if they have any questions.

Kevin Maloney: Absolutely, I will get back to you with the short list of mandates that we are working on to try to get some relief on that are on the books now.

Mayor Zartarian: I would like a motion to table Item VI-B, the discussion on Renewal of Kellogg Eddy House Lease, the town attorney needs more time to research a couple of issues he discovered.

Motion by Councilor Anest, seconded by Councilor Klett and passed 8-0 (Councilor Nagel absent).

B. Discussion: Renewal of Kellogg Eddy House Lease (tabled)

VII. RESIGNATIONS/APPOINTMENTS (Action May Be Taken)

A. Appointments to Boards and Commissions

Councilor DelBuono moved the following

RESOLVED: that the Newington Town Council hereby makes the following appointment(s):

Aging & Disabled Commission

Name	Address	Party	Term	Replaces
Urania "Rani" Nicholson	40 Standard Street	R	12/01/15 – 11/30/17	Vacant

Human Rights Commission

Name	Address	Party	Term	Replaces
Jayne Boulay	782 Main Street	R	12/01/15-11/30/17	Vacant

Motion by Councilor DelBuono, seconded by Councilor Marocchini and passed 8-0 (Councilor Nagel absent).

Councilor Anest moved the following

RESOLVED: that the Newington Town Council hereby makes the following appointment(s):

Environmental Quality Commission

Name	Address	Party	Term	Replaces
Michael J. Fox	1901 Main Street	D	Immediate-11/30/17	Himself
Stein Ramstad	555 Main Street	D	Immediate-11/30/17	Himself

Motion by Councilor Anest, seconded by Councilor Marocchini and passed 8-0 (Councilor Nagel absent).

VIII. TAX REFUNDS (Action Requested)

Councilor Manke moved the following.

RESOLVED: That property tax refunds in the amount of \$278.17 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

Motion by Councilor Manke, seconded by Councilor DelBuono and passed 8-0 (Councilor Nagel absent).

IX. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

Mayor Zartarian: Ms. Lane, anything for us?

Town Manager Lane: No, just that the budget is done and I am grateful for that. After CCM's overview I will go back and have a conversation with Ann, just to make sure that we haven't overlooked anything, but I think we are in pretty good shape.

X. COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Budrejko reported that the Open Space Committee meeting. We met and reviewed an April

2015 map of open space and discussed on how protected some of the open space actually is. The town planner informed us that there are several degrees of protection, which lead to the discussion of what is exactly protected open space. Discussion will be continued at the next Open Space meeting. Also talked about a town wide open space management strategy, felt need for oversight in management, but again requires a consensus on what is an open space, something we will be working on, open space means different things to different people. Also talked about designating some areas in town be part of the CT greenways, by designating as a greenway it can allow Town to apply for grants to protect area. Regarding TPZ. There is a bit of discussion about food vendor trucks on public versus private property. It appears that there may be some confusion on what particular town agency has authority to make approvals. The discussion is basically a communications issue where TPZ, Board of Health and the police will have to get a communication going.

Councilor Anest: They will have to sign off on a form, like other towns have a specific form that when they come before have to go to the TPZ, Board of Health and then police department to do final sign off. When police sign off, they know other agencies have reviewed it, because there have been some issues with one of the food trucks on the Berlin Turnpike which has sparked this whole discussion. They got a form from another police and are trying to incorporate that form here. It is up to the council to determine location of food trucks, so I have requested a list of the locations, one of them is on Constance Leigh, I was under impression it was only east side of street, however, it can be on either side of street. My concern is when they come before police department, they say yes, you have approval to park on street, doesn't say where. Something to look at after budget, refresh locations, maybe only designate one side of the street.

Councilor Klett: You are saying it is the Councilor's responsibility? Because in 30 years, I never had a discussion with council about food vendor trucks.

Councilor Anest: Last time was 1992.

Councilor Klett: I have never seen anything about food vendors come to the town council.

Councilor Anest: The locations, in 1992.

Councilor Klett: 1992? If I am not mistaken in 1992 there was an issue with a food vendor down on Pane Road.

Councilor Anest: No, that was in 2006. According to some information I received, I will forward out to everybody, it shows that the town council passed. I will send out what I received yesterday to everybody.

Councilor Klett: Is it an issue?

Councilor Anest: No it is not, we are just concerned about...it's a discussion for another time.

Councilor Budrejko: Just two more things on zoning. There is a petition regarding Starbucks at the Fenn Road bus station, that petition has come before the TPZ and will be discussed at the meeting tomorrow night, I believe. First development on Fastrack bus way. Also a petition for an adult day care center that the Temple on Church Street was denied on the basis that it was a commercial enterprise in a residential zone.

Councilor Marocchini: The fire commissioner meeting on the 11th of the month, their ISO rating went up to a level three, which is the highest possible level a volunteer fire department can be at. They also recognized Mrs. Frost for her great duties to town. In process of planning 100th anniversary which is next year. Had 3 fires this year so far during the day and had 30-40 fires respond to calls. The 911 memorial is being redesigned to accommodate the amount of bricks, which is less than anticipated, but will have room to add more and they are still for sale. Planning on having that done by Memorial Day parade.

XI. PUBLIC PARTICIPATION — IN GENERAL (In Person/Via Telephone: 860-665-8736) (3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)

John Bachand, 56 Maple Hill. Regarding the MDC project and the Alumni Road question, several

people raised it at the public meeting and it seems like they didn't take it very seriously. It pretty much has to be open, don't want to encourage south bound traffic on Willard, you can take people off Cedar Street heading west. Don't forget they are going to reduce a four lane road down to two lanes. It is going to be a serious problem. Locals will know to avoid it, but you can take some of the traffic heading west on Cedar, maybe detour it. There should be a sign and detour system all around it. I live on Maple Hill, I hate to see it, but I think there is going to have to detour traffic onto Maple Hill to Robbins to go around and avoid as much as possible. Traffic going west at center, go up to Dowd and then jog over onto Alumni. Going to have to try to push as much as that traffic away from intersection, because it will become gridlock. When school gets out they are going to try to go south on Willard. Need serious traffic plan. Seem to be mostly concerned about getting approval to allow them to do their work. There needs to be a plan in place before we realize it's a nightmare. Then on the Constance Leigh thing, I didn't follow it too closely, but thinking we should invest the money on the east side of the road, seems like to trying to envelope the center of town, would have liked to see it go all along the west side of the road, instead of blocking the view of an nice open field at the children's hospital camps an the mountain. I understand both points of view. Thank you.

Rose Lyons, 46 Elton Drive (via telephone). Good evening, Rose Lyons, 46 Elton Drive. I would like to thank NCTV for allowing me to sit on my couch with my feet up watching you nice and comfortably as you had your presentations tonight. Kudos to them for the hours they put in to bring you and me. I will save my questions for the Town Manger during the week. I don't think you need it tonight. Thank you so much.

XII. REMARKS BY COUNCILORS

Councilor Klett: I would like to thank the Town Manager for all the work on the budget and her staff, because it was an tremendous amount of hours that go in to trying to make it work for us, so in advance, I thank you all. I would like to congratulate the Newington High School boys' varsity basketball team for winning the CCC South Division Champ and request that we put together a proclamation and invite them to come in and honor them.

Mayor Zartarian: It is in the works already.

Councilor Budrejko: Another shout out to the Newington High School team, and hope that they go forward to the State Championship. I'm betting on them.

Councilor DelBuono: A couple of things. I too want to congratulate the boys' basketball team. It is amazing to see the amount of publicity, not just on the paper, but on Facebook and around town the buzz that their undefeated season has created is phenomenal. To be warned ahead of time to get to the game early, to have to send a message like that is incredible. Both my kids are high school students and were at the game and commented on what a great atmosphere it was. Kudos to the coach who deserves a lot of credit for what he did with that team over the years too. I want to comment on the fire house tour that we had last Tuesday. The fire commissioners and Chief Schroder took us on tours of all the fire houses in town, explained a little bit about each department, each house and what they do on a daily basis. It was a nice opportunity as a council to see it and experience it and very appreciative of fire department for taking the time for us. I wanted to comment on the chairs, I think it is a very valuable way to recognize people who have serve the town, it is a nice token and a nice remembrance for people to have, glad that this council and the town manager continue to support that efforts. One last thing, in terms of the MDC project that is in front of us, I do see the need and hear MDC asking us to give our blessing and they are certainly in a time crunch in terms of what they want to accomplish and as a town we would like the town done in front of the school during the summer time, that needs to be a focus for us, but I also don't want to rush the process. I want to make sure we are taking our time, when TPZ meets and take action, if they do make any recommendation, I would encourage all of us around the table to take those recommendations and really have good conversations so that we can make the best decisions we can. I don't want to rush it just because there is a deadline. It is a huge project as everyone keeps pointing out and there are so many facets to it. I'm not opposed to a special meeting, I just want to make sure that if we do it we have a good discussions around the recommendations that come forward. Thank you.

Motion by Councilor Klett to go into Executive Session to include the town attorney Ancona, Assistant

Town Attorney Palomino and the town manager. Second by Councilor Manke. Passed 8-0 (Councilor Nagel absent).

Mayor Zartarian: Let's meet in 5 minutes. Updated motion to include Scott Woods of the Newington EMS Committee.

Regular meeting adjourned at 9:20 p.m.

XIII. EXECUTIVE SESSION RE: LEGAL/REAL ESTATE

Councilor Manke moved to adjourn from Executive Session at 10:25 p.m. Motion seconded by Councilor Marocchini. Motion passed 8-0 (Councilor Nagel absent)

XIV. ADJOURNMENT

Councilor Marocchini moved to adjourn from the meeting at 10:26 p.m. Motion seconded by Councilor Serra. Motion passed 8-0 (Councilor Nagel absent)

Respectfully submitted,

Susan Gibbon
Council Clerk (Substitute)

Attach.



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February 16, 2016

Mayor Roy Zartarian
Members of the Newington Town Council
131 Cedar St
Newington, CT 06111

Subject: Sanitary Sewer Improvements and Water Main Installation
Cedar Street Area Project
Revisions to Contract Related to Town Council Concerns

Dear Mayor and Councilors,

In order to start construction for the above mentioned EPA mandated Clean Water Project, our final date for project advertisement is **February 25, 2016**. As you recall, it is critically important to complete that portion of the work along Willard Avenue during the school summer vacation to avoid traffic conflicts with Newington High School student and bus traffic. Another portion of the work involves night work, as presented to the Town Council a few weeks ago. For these reasons, we respectfully request that the Town Manager act favorably on our request for a waiver to the Noise Ordinance for the night work in the intersection of Willard Avenue and Cedar Street. Absent the waiver, we will not be able to advertise the project for construction this year, and as you can appreciate, any delay could be detrimental to residents who have had a history of basement back-ups in this area.

With the encouragement of the Town Staff, Town Council and CTDOT, the MDC has made significant changes to the project to limit noise and decrease overall contract time, including the following:

Sequence of Work – the contractor is now required to perform concurrent work on the sanitary sewer on Cedar Street and the water main on Willard Avenue. This will shorten the overall project duration by several weeks. The construction limits for the concurrent sanitary sewer and water main work are:

- Sanitary Sewer- beginning construction on Cedar Street at Mill Brook heading westbound to the intersection of Cedar Street and Willard Avenue; and
- Water Main- beginning construction on Willard Avenue at the intersection of Veterans Drive heading southbound to the intersection of Willard Avenue and Cedar Street.

Meeting with CTDOT – an additional meeting was held with CTDOT and the Town of Newington (Town Engineer Chris Greenlaw and Police Chief Clark). This extra coordination between CTDOT and the Town of Newington was at the request of Town Council at its January 12, 2016



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meeting. The topics discussed to shorten the project duration and enhance public safety were as follows:

- Steel Plates: contractor has been approved for the use of steel plates on both Cedar Street and Willard Avenue, consistent with all CTDOT requirements. The plating of the trench will increase production since backfill/paving will not be required at the end of each work day;
- Work Hours: current contract work hours during the day time are 8:00am – 3:00pm. Based on the meeting with CTDOT, if field observations of traffic volume warrant a discussion for revised work hours, CTDOT is willing to be flexible with longer work days; and
- Additional Officers: one additional officer will be hired for traffic control at the intersection of Alumni Road and Cedar Street during the night time detour (bringing the total to 5 officers).

Public Information Meeting – a public information meeting was held on February 2, 2016 at the request of Town Council at its January 12, 2016. The meeting was in addition to the normally scheduled public information meeting held prior to the start of construction. The following project topics were discussed and agreed upon at this meeting:

- Contractor to minimize travel with large equipment to the extent possible;
- Contractor will not drop road plates from large heights onto roadway;
- Contractor will avoid unnecessary idling of equipment and dump trucks;
- Contractor will attempt to over excavate the trenches to extent necessary to avoid pounding of trench boxes; and
- Contractor will explore alternative backfill measures such as flowable fill if compaction exceeds acceptable noise limits.

Effective Noise Control During Night time Construction – the contract specifications have been revised with specific requirements for the contractor to control/reduce construction noise during night time activities. These requirements/methods include the following:

- Back up alarms – use manual-adjustable alarms, self-adjusting alarms, or use an observer;
- Slamming tailgates – use rubber gaskets and decrease speed of closure;
- Pavement breakers – fit with manufacturer approved exhaust muffler;
- Equipment – reduce idling;
- Bypass pumps and generators – surround with construction fencing enclosed with sound dampening blankets; and
- Heavy equipment – expected to meet the requirements and dB level range as indicated in the attached document.

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An appendix will be added to the contract specification referencing the U.S. Department of Transportation, Federal Highway Administration, Work Zone Mobility and Safety Program. This program includes a section on "Effective Noise Control during Nighttime Construction". The contractor will be required and expected to follow all applicable methods of noise control.

The benefits to granting the noise ordinance waiver, based upon the revisions to the contract specifications noted above, are twofold: first, the overall contract duration has been shortened by 60 days; and second, concerns about daytime and rush hour traffic at the intersection of Willard and Cedar are eliminated.

The District is eager to begin work on this very critical project to improve our infrastructure and reduce sanitary sewer back-ups as mandated by the EPA and expected by Newington residents living in this area. Therefore, we are requesting approval from your Town Manager to move this project forward.

Feel free to contact the District's Adam Thompson, P.E. via telephone at (860) 278-7850 Ext. 3457 or via email at athompson@themdc.com should you have any further questions.

Sincerely,

THE METROPOLITAN DISTRICT

Adam Thompson, P.E.
Project Manager

pc: Jeffrey Davis, P.E. L.S., Manager of Design
Susan Negrelli, P.E., Director of Engineering
Chris Greenlaw, P.E., Town Engineer, Newington
Chris Stone, District Council
Tanya Lane, Town Manager, Newington