



John L. Salomone  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR STEPHEN WOODS**

## MINUTES

### NEWINGTON TOWN COUNCIL PUBLIC HEARING 7:00 P.M.

**August 28, 2012**

#### I. PLEDGE OF ALLEGIANCE

#### II. ROLL CALL

Councilor Borjeson  
Councilor Bottalico  
Councilor Castelle  
Councilor Cohen  
Councilor DelBuono  
Councilor Klett (absent)  
Councilor McBride  
Councilor Nagel  
Mayor Woods

#### Staff Present:

John Salomone, Town Manager  
Steve Juda, Assessor  
Ann Harter, Finance Director  
Jamie Trevethan, Executive Assistant  
Linda Irish-Simpson, Clerk of the Council

#### III. PUBLIC PARTICIPATION

Ann Clark, 25 Wilbur Drive: She requested the Town contact the State regarding a geological study of Cedar Mountain since she felt the residents should know the historical and geological properties of the site. Mrs. Clark asked about the selling of Cedar Crest Hospital and if this was offered to the Town and did the Town Council discuss the purchase. She also commented on the recent application by Tilcon for the diversion of water to allow rock excavation. She inquired about the application and was told it was not related to the potential subdivision. The company had met with Town officials several months ago to indicate long range plans for excavation of rock material and the volume of water was large enough to require a diversion permit. Mrs. Clark indicated it was important for the Town to have a closure plan for the Balf property and found a resolution dated May 23, 1989, which gave the Balf Committee the charge pursuant to the agreement between the Town and Balf. Mrs. Clark stated the Town should push for a closure plan because without one Balf could walk away from the property leaving a huge hole in the ground.

Lynn Gavrillis, 234 Church Street: She expressed her concerns regarding the issues she was having with the strikers near her property every day. She indicated she had issues with people harassing her with chants, interfering with the cutting of her grass and felt she was not, as a taxpayer, getting help from the Police when called. Ms. Gavrillis stated she had to increase her liability insurance due to the possibility of children of strikers being injured on her property. She stated the noise levels had been much better since her meeting with Town officials and that it depended on who was on the line on any given day.

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Daniel Haines – representative of Local 1199: He wanted to deny any allocations of harassment and indicated efforts had been made to limit the amount of noise and strikers had moved off sidewalks to allow children to get to school. Mr. Haines stated they were attempting to spread the strikers around the four corners of the property.

IV. CONSIDERATION OF OLD BUSINESS

A. Job Description: Animal Control Officer

Councilor Castelle moved the following:

**RESOLVED:**

**The Newington Town Council hereby approves of amendments to the “Classification and Pay Plan” by approving the amended job description for the Animal Control Officer (PS – Part-time) as recommended by the Town Manager in his capacity as Personnel Director.**

The motion was seconded by Councilor Cohen and passed 8 – 0 (Councilor Klett-absent)

B. National Welding Site Grading Rights

John Salomone stated he was comfortable with the developer who will use the fill on site for the excavation of the road. Mayor Woods indicated that the resolution would give the Town access to the National Welding site to develop it in the future.

Councilor DelBuono moved the following:

**WHEREAS, the Newington Town Council referred a proposed slope easement to the owners of a property located at 712 Cedar Street for grading rights at 690 Cedar Street to the Town Plan and Zoning Commission for an 8-24 referral report on August 14, 2012 ; and**

**WHEREAS, the Newington Town Plan and Zoning Commission’s 8-24 referral report to the Town Council, dated August 23, 2012, expressed unanimous approval to report to the Town Council favorable support for the easement with the following stipulations:**

1. The abutting property owners should be directed to use clean fill only.
2. The abutting property owners should be advised that §7.4.8 of the Newington Zoning Regulations limits the maximum allowable slope on a commercial site.
3. The Town Council should make a finding that granting these slope rights is in the best interest of the Town of Newington;

**NOW THEREFORE BE IT RESOLVED, that the Town Manager is authorized to enter into an agreement with property owners at 712 Cedar Street for a slope easement for grading rights at 690 Cedar Street.**

The motion was seconded by Councilor Cohen and passed 8 – 0 (Councilor Klett-absent)

V. CONSIDERATION OF NEW BUSINESS

A. Newington Volunteer Ambulance Presentation

Chief Jennings gave an overview of the NVA services to the Town of Newington. He stated to date NVA had been called out on 2,308 calls which was more than 2011 and they ran two ambulances every night from 6 p.m. to midnight. He stated NVA supplied the Police Department with O2 for all the cruisers and had added costs for the testing of tanks and purchasing new tanks. Chief Jennings indicated AMR to date had paid the Town \$65k in fines (assessed when they are over the allotted time getting to a call) and asked the Town Council to approve a portion of the money to repay some of their expenses.

He indicated that in 2002 NVA was involved in the radio communication program and had given 12 radios to the Police Department for reprogramming but the radios were not given back. The Chief stated they were needed for making second ambulance calls by volunteers. Another topic brought up was workmen’s comp which currently was being paid by NVA and indicated that this expense should be paid for by the Town. NVA currently was paying \$27K and in 2011 the cost of \$5K. For each call NVA goes out on, NVA currently pays \$15.68.

Chief Jennings indicated the grounds around the NVA are in need of repair, mowing and weeding. He stated the NVA would like to move forward to rectify the appearance of the property and grounds. He stated that since

AMR had not been on time for at least 95% of the calls, the contract could not automatically be renewed but must go out to bid. He said the average town contract for this type of service was between \$100K and \$200K.

Councilor Borjeson asked why NVA bought equipment for other departments, why NVA had not gotten the radios back from the Police Department and why the Town was not covering workmen's comp. The Chief stated the buying of equipment was a tradition that went back many years, and he indicated the Police Department had no radios to give NVA. Chief Jennings stated he had recently found out about the workmen's comp law and decided to bring it to the Council's attention.

Councilor Bottalico asked John Salomone about the \$40K each year allocated to the Police Department for radios and wanted to know why NVA did not have their radios. Mr. Salomone indicated he was going to look into the situation and get further information for the Council. Mayor Woods stated the money was not just for radios but also for radio equipment as well.

Councilor Nagel asked if the cutting of grass and weeding was on a regular schedule with the Town. The Chief indicated the grass has just been cut and Mr. Salomone said the side of the grounds was steep and weeding and landscaping there was difficult. Mr. Salomone stated the paving needed at NVA was in the queue to be done. The Town Manager pointed out that the NVA was able to bill third party insurance companies for any calls when the individual had private insurance so they received revenue from calls, which was different from the Police or Fire Departments, which could not do that.

Councilor DeBuono questioned if AMR would be eligible for bidding and getting the contract and the Chief said yes but it was not an automatic renewal. She asked about the negotiation process and was told the EMS Committee would draft a new contract and mail it to all interested companies who wanted to bid. John Salomone stated there were really two contracts: 1) AMR and the Town and 2) NVA and the Town. The NVA contract had been carried over but there were issues to be resolved.

Councilor Castelle wanted clarification on the workmen's comp price rising 5X and if that meant it rose five years in a row or five fold. The Chief stated it was five fold. Last year the NVA paid \$5K and this year the price was \$27K since the original company lost their CT license. Councilor Castelle indicated he was on the Standing Insurance Committee and would look into adding the NVA to the Town policy.

Councilor Cohen asked for an explanation of the relationship between AMR and NVA from the Chief. He stated AMR had been the paramedic service for approximately 13 years. During the week AMR runs 6 a.m. to 6 p.m. and maintain a presence in the NVA building, which he felt was useful as a training tool for the NVA volunteers. He stated the two groups worked together in structure fires or mass casualty situations.

Mayor Woods asked if other towns had contracts with paramedic services like AMR and Chief Jennings indicated they were supposed to. Chief Jennings stated NVA had had three workmen's comp cases last year and the higher price was due to the change in insurance companies. In 2012 there has not been a case in about six months. Mayor Woods thanked all the volunteers at the meeting for their work, their professionalism and how respected they were throughout the area.

#### B. Veterans' Tax Exemption

Steve Juda gave an overview of information he passed out regarding the veterans' tax exemption. The first page indicated what the Town could do and what the Town had already done. The Town Council could provide an additional exemption up to \$25K over the State Income Guidelines, which were \$32,300 for singles and \$39,500 for families. The increased amounts would be either \$57K or \$64K. Currently there were 187 veterans who got the original exemption, and they would receive the increase from \$2K to \$10K. If the Council increased the amount to \$50K an additional 433 veterans would receive the exemption and if the income level was brought to \$75K, an additional 380 would be included. Mr. Juda stated the exemption was a minus from the Grand List. To raise the level to \$100K would require State legislation. He stated the exemption was on property which included real estate, vehicles and personal property and a number of veterans who would qualify for the benefit own only vehicles and not real estate. The benefit would pay for the entire vehicle tax bill for most of the veterans.

Mr. Juda stated the current exemption was \$2K and moving it to \$10K would be an increase of \$8K to the Town. On his second chart the Town could benefit 800 people for a total of \$187K.

Councilor Bottalico liked the second chart and moving to 810 approximately who would benefit and hoped the Council would move on it at the next meeting. Councilor Cohen asked about going above the \$64,500 amount and the special legislation required. He stated the Council could not go above that figure but could choose a lower amount. Mr. Juda stated they would have to apply by October 1 and thought it would be possible to extend it to January.

Councilor DelBuono stated the resolution that did not pass would have increased the level to \$50K which would add an additional \$113,065 on top of the \$50K committed. That amount would bring the total to approximately 600 veterans and to get to 800 veterans the Council would have to go to the \$60K level. She hoped to reach more veterans and was looking at increasing the amount to \$113,065. Mr. Juda explained the state reimbursement would stay the same even if the Council increased the income amount.

Mr. Juda explained the Town could absorb the full amount this October and the billing period next summer because the Grand List would fluctuate a lot. He suggested instead of listing a dollar increase amount the Town Council move to an incremental level on the income i.e. \$50K, or \$64,500 rather than try to achieve \$50K or \$100K.

#### C. FY 2012-13 Capital Projects Appropriation Transfer

Ann Harter explained that Andy Brecher at the last meeting discussed the National Welding site and trying to apply for a grant application. Along with the application there would be professional engineering services that would be required for the demolition and the abatement of the building. The estimated cost would be approximately \$20,000. There was not a line item for that expenditure, and she recommended the money come out of the CIP Fenn Road Access account, which had \$450K that was appropriated several years ago. The transfer would be a Capital Project transfer, which could be done at any time of the fiscal year. Councilor Castelle was in favor of the expenditure since he felt it was a related expense. Mayor Woods indicated the item would be on the next Council's agenda.

#### D. Transfer of Funds for Charter Revision Commission

Ann Harter explained the Town allocated a certain amount of money in the special contingency fund to put towards the Charter Revision Commission. When this is done, her department makes sure the Council is made aware of it. Last year \$5k was put in, \$1,013 was spent, which left a balance of \$3,987. The balance would end up in the General Fund. A public notice was published which cost \$4,190 and there had been some discussion on doing a town-wide mailing and will determine what the cost would be. Mrs. Harter thought the \$10,500 would be enough to do the public notices and the town-wide mailing. It would be included on the next Council agenda.

#### E. Purchase of State-Owned Land, Maple Hill Avenue and Robbins Avenue

Mayor Woods stated this item had been around for a long time and other Council's had expressed no interest in purchasing the land. The State tried to sell the land and was now offering the land to the Town again. John Salomone indicated that perhaps if the Town was interested he might be able to negotiate a lower price than \$40K the State has listed. He said it was a building lot but did not feel it was worth the asking price.

Council Nagel indicated previous Councils' felt it was such a strange size that there was not much use for the lot and did not lend itself to open space. Councilor Bottalico agreed with Councilor Nagel and felt the Town was not in the real estate business and could not see why the Town would want to purchase the lot. Mayor Woods agreed with the other Councilors and stated it would be put on the next agenda for the Council.

#### VI. RESIGNATIONS/APPOINTMENTS - none

#### VII. TAX REFUNDS

Councilor DelBuono moved the following:

#### **RESOLVED:**

**That property tax refunds in the amount of \$17,860.25 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.

The motion was seconded by Councilor Bottalico and passed 8 – 0 (Councilor Klett-absent).

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

John Salomone commented on a resident's earlier comments regarding the continuing issues on Church Street. He stated he took her issues seriously and had met with her to address her concerns. Mr. Salomone said the issues she mentioned had been addressed and resolved last week. He felt the situation would ebb and flow and currently there were two neighbors across the street who were unhappy since the strikers have moved to their side of the street. The Town would be repairing the grass median since the Town owned it after the strike was over. Mr. Salomone stated the Town had been proactive in reaching out to the schools in the area to ensure the principals knew about the situation and to communicate with parents regarding safety, etc. as well as adding an additional stop sign to slow traffic. He expected the strike to go on for a while and it would continue to be a distraction and disturbance to the neighborhood. The union had certain rights within certain parameters, which were being enforced by the Town.

Councilor McBride was concerned about the number of strikers sitting on the sidewalk and especially the west side of the street with children going and coming from school and was gratified to see the Town Manager had reached out to the schools to ensure the safety of the children. If residents have any further issues with children walking to school, they should contact the Town Manager's office to act as a liaison.

IX. COUNCIL LIAISON/COMMITTEE REPORTS - None

X. PUBLIC PARTICIPATION – IN GENERAL

Rose Lyons, 46 Elton Drive: She thanked the Mayor for allowing the residents to speak at the meeting without interrupting and was glad that Councilor Bottalico was back. She felt the Park and Rec Department should be held accountable for not cutting the grass at the NVA and the Senior Center. Mrs. Lyons also wanted to know if a low income resident received the senior tax credit as well as the veteran benefit.

XI. REMARKS BY COUNCILORS

Councilor Bottalico thanked the Town Council for the fruit basket and thanked Jamie, John, Charlene, Jeff and the residents who sent him cards.

XII. ADJOURNMENT

Councilor Bottalico moved to adjourn at 9:00 p.m. and the motion was seconded by Councilor DelBuono. The motion passed 8 – 0 (Councilor Klett – absent).

Respectfully Submitted,

  
Linda Irish-Simpson  
Clerk of the Council

Cc: T. Lane, Town Clerk



## **NEWINGTON VOLUNTEER AMBULANCE CORPS TOWN COUNCIL PROPOSAL**

**AUGUST 14, 2012**

### **SUPPLIES**

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Newington's call volume continues to rise exponentially each and every year.

NVA supplies the Newington Police Department's EMRs. NPD O<sup>2</sup> tanks account for: **33.3%** of NVA's oxygen supply bills.

Amount of PD supplies already purchased: **\$1,561** in less than one month.

AMR overage penalties up to August 2012 have totaled: **\$65,000.**

NVA is requesting 30% of the overage fines to offset rising demand and costs of emergency medical supplies.

### **COMMUNICATION**

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In 2002 NVA signed into a town wide radio agreement between the Police Department, Fire Department, and the Town of Newington.

NVA, in order to fill the needs of its members is requesting **12 RADIOS** with NPD support to program the necessary channels for use.

### **WORKER'S COMP**

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After meeting with NVA contracted auditors, worker's comp costs were found to have risen **5 TIMES** due to the new insurance policy.

Worker's compensation is a state mandated support item from the town of Newington.

### **PARAMEDIC CONTRACT**

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AMR can not rebid their paramedic contract with the town of Newington.

Average cost of a paramedic contract: **\$150,000 – \$250,000.**

**Sec. 7-314a. Death, disability and injury benefits. Presumption.** (a) Except as provided in subsections (e) and (f) of this section, active members of volunteer fire departments and active members of organizations certified as a volunteer ambulance service in accordance with section 19a-180 shall be construed to be employees of the municipality for the benefit of which volunteer fire services or such ambulance services are rendered while in training or engaged in volunteer fire duty or such ambulance service and shall be subject to the jurisdiction of the Workers' Compensation Commission and shall be compensated in accordance with the provisions of chapter 568 for death, disability or injury incurred while in training for or engaged in volunteer fire duty or such ambulance service.

**Sec. 7-314b. Collection of workers' compensation benefits by volunteer firefighters and members of volunteer ambulance services.** (a) Any active member of a volunteer fire company or department engaged in volunteer fire duties or any active member of an organization certified as a volunteer ambulance service in accordance with section 19a-180 may collect benefits under the provisions of chapter 568 based on the salary of his employment or the amount specified in subsection (b) of section 7-314a, whichever is greater, if said firefighter or volunteer ambulance service provider is injured while engaged in fire duties or volunteer ambulance service.

(b) As used in this section, the terms "fire duties" includes duties performed while at fires, answering alarms of fire, answering calls for mutual aid assistance, returning from calls for mutual aid assistance, at fire drills or training exercises, and directly returning from fires, "active member of a volunteer fire company or department" includes all active members of said fire company or department, fire patrol or fire and police patrol company, whether paid or not paid for their services, "ambulance service" includes answering alarms, calls for emergency medical service or directly returning from calls for the emergency situations, duties performed while performing transportation or treatment services to patients under emergency conditions, while at any location where emergency medical service is rendered, while engaged in drills or training exercises, while at tests or trials of any apparatus or equipment normally used in the performance of such medical service drills, and "active member of an organization certified as a volunteer ambulance service in accordance with section 19a-180" includes all active members of said ambulance service whether paid or not paid for their services.

(c) The provisions of subsection (a) of this section shall only apply if the volunteer firefighter or volunteer ambulance service provider is unable to perform his regular employment duties.