



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR STEPHEN WOODS

NEWINGTON TOWN COUNCIL

**Conf. Room L-101 (Lower Level) – Town Hall
131 Cedar Street**

AGENDA

August 11, 2015

7:00 p.m.

-
- I. PLEDGE OF ALLEGIANCE
 - II. ROLL CALL
 - III. PUBLIC PARTICIPATION – IN GENERAL (**In Person/Via Telephone: 860-665-8736**)
(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)
 - IV. CONSIDERATION OF OLD BUSINESS (**Action May Be Taken**)
 - A. Indian Hill Lease Update
 - B. New Ordinance – Student Technology Insurance Fund
 1. Set a Public Hearing Date
 - C. Consideration of Cancelling the August 25, 2015 Town Council Meeting
 - V. CONSIDERATION OF NEW BUSINESS (**Action May Be Taken by Waiving the Rules**)
 - A. Administrative Group Performance Evaluations/Merit Increases
 - B. Update on Open Space
 - VI. RESIGNATIONS/APPOINTMENTS (**Action May Be Taken**)
 - A. Appointments to Boards and Commissions
 1. Affordable Housing Monitoring Agency
 2. Commission on Aging and Disabled
 3. Balf-Town Committee
 4. Board of Education Roof Replacement Project Building Committee
 5. Board of Ethics
 6. Capitol Region Council of Governments
 7. Central Connecticut Health District Board of Directors
 8. Committee on Community Safety
 9. Conservation Commission
 10. Development Commission
 11. Downtown Revitalization Committee
 12. Employee Insurance & Pension Benefits Committee
 13. Environmental Quality Commission
 14. Board of Ethics

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15. Fair Rent Commission
16. Newington Housing Authority
17. Human Rights Commission
18. Library Renovations/Addition Project Building Committee
19. Newington School Career Technical Program Renovation Project Building Committee
20. Open Space Committee
21. Board of Parks and Recreation
22. School Improvements Project Building Committee
23. STEM Academy PBC
24. Senior & Disabled Center Roof Replacement Project Building Committee
25. Standing Insurance Committee
26. Town Hall Renovations Project Building Committee
27. Town Plan & Zoning Commission
28. Tri-Town Community Cable Access
29. Vehicle Appeals Board
30. West Meadow Cemetery Expansion Project Building Committee
31. Zoning Board of Appeals

VII. TAX REFUNDS (**Action Requested**)

VIII. MINUTES OF PREVIOUS MEETINGS (**Action Requested**)

- A. Regular Meeting, July 28, 2015
- B. Town Hall Public Hearing, July 28, 2015

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

X. COUNCIL LIAISON/COMMITTEE REPORTS

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

XII. REMARKS BY COUNCILORS

XIII. ADJOURNMENT



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: August 6, 2015
Re: Indian Hill Lease Update- Further Discussion

There will be an item on the August 11 Town Council agenda for the Council to continue to discuss the Indian Hill lease update. No action is anticipated at the August 11 meeting.

Attach.

Law Offices of Peter J. Boorman, LLC

365 Willard Avenue, Suite 2E
Newington, Connecticut 06111

Tel. (860) 594-4433
Fax (860) 666-5112

June 19, 2015

Edward Johnson, President
Indian Hill Country Club
P. O. Box 310249
111 Golf Street
Newington, CT 06111

RE: IHCC / Town of Newington
Lease Modification
Calculation of Rent - July 1, 2015 – June 30, 2016

Dear Mr. Johnson:

Please be advised that I write to you once again in my capacity as the Newington Town Attorney and by way of follow up to our recent conferences. This letter is intended to comply with the relevant provisions of the March 27, 2014 modification of lease that required action in June, 2015. More specifically:

1. The parties agree that the annual rent for the period July 1, 2015 – June 30, 2016 is calculated based on an annual valuation of the real property and the personal property at \$2,500,000.00 which results in an annual rent of \$62,650.00 payable monthly at \$5,220.84.
2. The parties agree that IHCC shall continue/modify/implement the following enhancements (collectively hereafter referred to as “Enhancements”) upon full execution of this modification, all such enhancements to be in addition to all existing obligations under the Lease:
 - a) Increase resident play by non-member Newington Residents to include Saturday tee times starting at 1:30 pm with play continuing through dusk. Additionally, a Newington resident shall be permitted to bring up to 3 non Newington residents as his/her guests to complete a foursome for all times non-member Newington Residents are allowed access under the Lease, with rates for play to be the same for the guests as the non-member Newington Residents as set under the Lease. (Reference to paragraph C 10 of Lease).
 - b) Rates for the resident card registration fee shall remain at the current rate of \$25.00 for residents under 62 years of age and \$50.00 for residents over 62 years of age (Reference to paragraph C 10 of Lease).

- c) Continue "Newington Golf Days" to consist of 3 days each April where all Newington residents (no resident card required) and their guests can play the course at non-member Newington Resident rates with 50% of the greens fees to be donated by IHCC to the Newington High School Project Graduation (or similar non-profit TON activity if the Project Graduation no longer exists).
- d) Continue to develop an IHCC sponsored Golf League for Newington residents and their guests, with consultation from TON Park & Recreation department as to the design.
- e) Continue to further develop and enhance the existing children's program to increase participation and foster the growth of golf for the future.
- f) Continue to engage in a marketing campaign to increase overall IHCC membership with a goal of a total of 200 golf members by July 1, 2015.
- g) IHCC shall continue to keep accurate records of each of the above listed Enhancements with the intention to assess those records to quantify value received by TON.
- h) Implement a Newington Town Employee League.

The TON agrees to continue to promote, encourage and actively participate in fostering the Enhancements and the parties, together, further agree to take all reasonable steps to continue to insure the Enhancements are successful during the July 1, 2015 – June 30, 2016 period.

The parties further agree to value the Enhancements at \$1,220.84 per month during the July 1, 2015 – June 30, 2016 period. It is the intention of the parties to renegotiate the current model used under the Lease by June, 2016. If that renegotiation is not complete by June 30, 2016, then the parties shall renegotiate the value of Enhancements and determine applicability to further monthly reductions of rent (see #3 below) and/or further reductions to the rental arrearage (see #4 below). If no agreement is made as to further monthly reductions of rent then no further reductions shall apply and the Enhancements end. If no agreement is made as further reductions to the rental arrearage then no further reductions shall apply and the balance of arrearage to be paid by IHCC to TON shall be made in two equal payments, the first half no later than January 1, 2017, the second half no later than June 30, 2017.

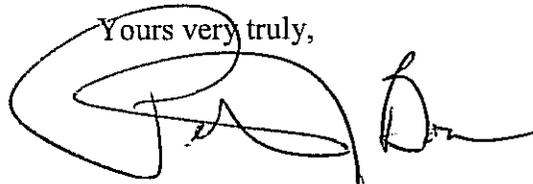
- 3. The parties agree to apply the value of the Enhancements (\$1,220.84 per mo.) to the monthly rental due (\$5,220.84) commencing with the July 1, 2015 payment, as follows: $\$5,220.84 - \$1,220.84 = \$4,000.00$. The parties agree IHCC continues monthly payments of \$4,000.00 to TON commencing with the July 1, 2015 payment and thereafter in a timely fashion (no late payments) through June 2016. Time is of the essence as to these payments.
- 4. The parties agree that a rental arrearage currently exists for the time period July 1, 2013 – December 1, 2013 of \$22,334.40. The parties herein agree to postpone payment by IHCC to TON of that arrearage until July 1, 2016, such payment further subject to the provisions below:

- a) No reduction shall occur unless IHCC complies with all obligations under the Lease as modified herein, specifically included, but not limited to, timely payment of all sums due to TON.
 - b) Beginning with the July, 2015 monthly rental payment and continuing through the June, 2016 (12 months) monthly rental payment, IHCC shall, upon payment of the monthly rent, be entitled to a monthly reduction to the arrearage of \$1,000.00. For the 12 month period the total reduction = \$12,000.00 resulting in a reduction of the arrearage to \$10,334.40 (\$22,334.40 - \$12,000.00) as of June, 2016.
5. IHCC shall continue to produce annual budgets that reflect a realistic ability to perform as indicated herein. Copies of those budgets shall be given to the TON upon request from the Town Manager. The TON and IHCC shall designate one representative each to meet quarterly (1st meeting no later than July 17, 2015) for a review of IHCC books to assess viability of IHCC for the period July, 2015 – June, 2016. At any time during the remainder of this Lease, should IHCC fail to be viable and no longer be able to perform as Tenant under the Lease, then the parties shall meet to address an orderly transition for the return of use and occupancy to the TON. IHCC agrees to fully cooperate with the TON as Landlord as to any such transition and further take all reasonable steps to insure a smooth transition.
6. TON and IHCC reaffirm all aspects of Lease except as modified above. As indicated above, it is the intention of the parties to renegotiate the current model used under the Lease by June, 2016. The parties recognize that the current model as set out in the current Lease is not sustainable. As such, it is necessary to explore all other options available with the intent of formulating a model by way of a lease that will maximize the continued success of the golf course itself as well as the facilities thereon.

Two original signature pages are provided herein. Once you have executed on behalf of Indian Hill Country Club, Inc. kindly forward one original back to me. At that time I will seek Town of Newington approval.

Please do not hesitate to contact me directly by telephone with any questions or concerns.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Peter J. Boorman', written over a horizontal dotted line.

Peter J. Boorman, Esq.
Newington Town Attorney

I, Edward Johnson, President of Indian Hill Country Club, Inc., acknowledge receipt of this letter and further, by my signature below confirm that I am a duly authorized agent of IHCC and as such, I agree to the terms specified above.

Handwritten signature of Edward Johnson in cursive script, followed by the date 6/22/15.

Edward Johnson, President
Indian Hill Country Club, Inc.
Duly authorized

I, John Salomone, Town Manager for the Town of Newington, acknowledge receipt of this letter and further, by my signature below confirm that I am a duly authorized to execute on behalf of the Town of Newington and as such, the Town of Newington agrees to the terms specified above.

_____/ /15
John Salomone, Town Manager
Town of Newington
Duly authorized



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: August 07, 2015
Re: Student Technology Insurance Fund

The attached proposed ordinance was introduced at the July 28 Town Council meeting. There will be an item on the August 11 Town Council agenda to discuss the item and set a Public Hearing date. If the Council concurs, there will be an item on the regular Council agenda following the Public Hearing to adopt the ordinance. Per the Town Charter, the ordinance will go into effect 15 days after the passage of the ordinance is published.

Please see the attached memorandum from Director of Finance Ann Harter as well as a resolution for Council consideration to set a Public Hearing date of September 8, 2015 at 6:55 p.m.

Attach.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Finance Department

Ann J. Harter
Director of Finance

Memorandum

To: John Salomone, Town Manager
From: Ann Harter, Director of Finance
Date: July 23, 2015
Re: Student Technology Insurance Fund

Attached is a draft of an ordinance to establish the Student Technology Insurance Fund.

Similar to the Employee Leave Liability Fund, Public School Capital Improvement Projects Fund and Other Post-Employment Benefits Trust Fund, ordinances provide for the creation of funds.

The purpose of the fund is to account for fees collected and related expenses connected with issuance of computer devices associated with Newington Public Schools 1:1 Technology Initiative. As suggested by our auditors, this ordinance will provide guidance for accounting of the fund in the future.

Lou Jachimowicz and I collaborated to draft the ordinance and incorporated recommendations presented by Attorney Peter Boorman. I'm requesting that the draft ordinance be introduced by Town Council at the July 28, 2015 meeting.

AGENDA ITEM: IV.B.

DATE: 8-11-15

RESOLUTION NO. _____

RESOLVED:

That a Public Hearing be held on September 8, 2015 at 6:55 p.m. to consider a proposed ordinance entitled "Student Technology Insurance Fund".

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

DRAFT ORDINANCE

Purpose.

The Student Technology Insurance Fund (the "Fund") is hereby established to account for and finance the Town's repair and replacement costs of computer devices associated with Newington Public Schools 1:1 Technology Initiative. Said fund shall serve as a means to set aside funds in accordance with Newington Public Schools 1:1 Technology Initiative.

Revenue.

The Newington Board of Education is authorized to establish fees and charges intended to generate income support for the Fund. No appropriations or transfers from the General Fund shall be deposited into the Fund. During the fiscal year, there shall be paid into the Fund:

- A. Fees charged to students and families to purchase insurance to cover accidental damage for the device as set by the Board of Education per school year;
- B. Reimbursements charged to students and families for repairs and/or replacement parts for maintenance completed by Newington Public Schools;
- C. Monies recovered from third parties, subrogation, direct recoveries or litigation;
- D. Interest earnings.

Expenditures.

The Director of Finance is authorized to draw upon the balance of the Fund to pay for uninsured losses and/or repair and replacement costs upon certification of Newington Public Schools' Chief Financial Officer as to the validity of the expenditure. No expenditures from said Fund shall be used for capital improvements or capital equipment other than successor computer devices associated with Newington Public School's 1:1 Technology Initiative. No other expenditures shall be made from the balance of the Fund, nor shall any transfers be made from the Fund for any purpose not authorized herein.

Fund balance.

The unexpended balance of the Fund together with interest earnings, may accrue and the balance thereof shall not be subject to lapsing at the close of any fiscal period. The balance of said Fund or any portion thereof may be invested separately or in conjunction with other idle Town funds, but any applicable interest earnings shall be credited to said Fund. The Town is not obligated to restore any monies from Town's operating General Fund budget. The Board of Education shall address additional funding as it deems appropriate.



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Town Manager

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131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: August 7, 2015
Re: Consideration of Canceling the August 25 Town Council Meeting

The subject of cancelling the August 25, 2015 Town Council Meeting is on Tuesday evening's agenda for possible Council action. The Council has, in the past, voted to cancel an August meeting if there are no pressing matters for consideration. A special meeting can be called in the event of any emergency or pressing matter that may arise after the cancellation.

Attach.

AGENDA ITEM: IV.C._____

DATE: 8-11-15_____

RESOLUTION NO. _____

RESOLVED:

That the Newington Town Council hereby alters its meeting schedule by canceling its regular meeting scheduled for August 25, 2015.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: August 6, 2015
Re: Administrative Group Evaluations & Proposed Amendment to Classification and Pay Plan

The Council adopted FY 2015-16 budget contains funding for an approximate 3% salary increase for eligible Administrative Group (non-union) personnel for the current fiscal year.

There are 41 employees in the Administrative Group including department heads and entry level to mid-level non-union employees such as IT department staff, social workers, Senior Center staff, Town Clerk department staff, Town Manager's Office staff, certain administrative assistants, etc.

Last year, the Town Council set as a goal for the Town Manager to conduct an annual performance evaluation (review) for each department head. These evaluations have been completed again this year and department heads' increases will be contingent upon the evaluations. In addition all other non-union/non-management employees are currently being evaluated by their Department Heads as the second phase of the employee evaluation process.

According to §902 of the Newington Charter, all amendments to the classification and pay plan, upon the recommendation of the Town Manager, must be approved by the Town Council by resolution. At the next meeting, I will be requesting a resolution implementing said change in the classification and pay plan.

As indicated above, there are sufficient funds in the approved FY 2015-16 budget to implement the changes.



John Salomone
Town Manager

TOWN OF NEWINGTON

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OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: August 07, 2015
Re: Open Space Committee

Recently, an ad hoc committee consisting of Councilors Banach and Nagel, Mayor Woods, resident Bernadette Conway and myself met to discuss the Open Space Committee; dissolving the current Committee and the formation of a new Committee that will meet the Town's current needs.

Please see the attached notes and outline with the ad hoc committee's recommendations regarding the Open Space Committee's charge and composition. This item will be on the Town Council's August 11 meeting for discussion, with action to form and charge a new Committee at a future meeting.

Attach.

MINUTES FROM OPEN SPACE COMMITTEE

DISCUSSION OF FRIDAY, JUNE 19, 2015

Present: Mayor Steven Woods, Town Manager John Salomone, Councilman Dave Nagel, Bernadette Conway

Discussion took place regarding how many members to have on the newly appointed Open Space Committee (OSC). It was decided to have 7 members total: 2 appointees from the Council with 5 citizens. The Chair should be a member of the public.

The terms will be staggered with 3 members of the public serving four year terms, 2 members of the public serving 3 year terms and the Town Council members serving 2 years of the length of their term.

The Town Council will make appointments taking recommendations from the Democratic Town Committee and the Republican Town Committee. The majority party will appoint 3 members and the minority party will appoint 2 members.

Discussion took place regarding the charge of the OSC. A memorandum dated December 2, 2009 from John Salomone and Ed Meehan with an outline of the committee was provided. The following changes were made and/or discussed:

- I. Define the committee's charge – kept the same
- II. Determine committee membership composition – change to 7 members
- III. Establish criteria for protecting vacant properties for public open space uses – kept the same
- IV. Determining Committee work schedule and reporting timelines – remove a.
- V. Acquisition costs of said property – kept the same
- VI. Report to Town Council – kept the same

Further discussion to be had at the next meeting scheduled for Tuesday, July 7th at 3:45.

Additions:

Seek out/locate open space parcels that are and/or become available
How to use open space and make recommendations to the Town Council
Define different types of open space; open space, greenway, rail system
Maintaining mountain and/or creating trails and adding signage,

Establishment of Open Space Committee Discussions of July 7, 2015

I. The Charge of the Open Space Committee

- a. Establish an Open Space Committee to assist the Town Council in its deliberations and make recommendations to said Council on the acquisition, protection, inventory, economic and social impact to the Town of Newington on _____ date.
- b. Make recommendations on how to use best utilize and maintain (all different types of) open space.

II. Appointments to the Open Space Committee

- a. Establish an Open Space Committee consisting of seven (7) to assist the Town Council it its deliberations and make recommendations to said Council on _____ date.
- b. Establish an Open Space Committee consisting of two (2) Town Council members as well as five (5) citizens to assist the Town Council and make recommendations to said Council on _____ date.
- a. The term of Open Space Committee members will be four (4) years staggered with three (3) citizens serving four (4) year terms and two (2) citizens serving three (3) year terms to start. The Town Council members will serve two (2) years or length of their elected term.

III. Establish criteria for protecting vacant properties for public open space uses

- a. Protecting natural resources.
- b. Protecting aesthetics of the community.
- c. Establishing greenways and trail systems.
- d. Passive or active recreation uses.
- e. Preservation of historical assets.

IV. Acquisition costs of said property

- a. Impact on property acquisition with or without external funding sources.
- b. Integrate timing so that preliminary acquisition of said property can be funded appropriately.
- c. Report back to Town Council.

V. Report to Town Council

- a. Report on acquisition, property values, appraisals and methods of purchase of properties in Executive Session as permitted in Chapter III section 1-1.8a(e) of the Connecticut General Statutes. Acquisition negotiations should be preliminary in Executive Session as negotiating strategy should remain confidential with the Town.
- b. Appraisals and property values can remain confidential before purchase agreements are executed.
- c. Public hearings of a financial and planning nature must be considered before final valuations are offered to potential landowners.