



John L. Salomone
Town Manager

TOWN OF NEWINGTON
131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

Minutes

Newington Town Council

March 23, 2010

Mayor Wright called the meeting to order at 7:00 pm in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present:

Councilor Banach
Councilor Casasanta
Council Cohen
Councilor Lenares
Councilor McBride
Council Nasinnyk
Mayor Wright

Councilors Absent

Councilor Nagel

Staff Present

John Salomone, Town Manager
Lou Jachimowicz, Business Manager – Board of Education
Ed Meehan, Town Planner
Jeff Baron, Director of Admin Services
Jaime Trevethan, Exec. Asst. to the Town Manager
Mary Richard, Council Clerk

III PUBLIC PARTICIPATION – ON AGENDA

Dwayne Thomas, 401 Cedar Hollow Drive – stated that he was concerned about securing the ½ million dollars in the grant not being able to use it in a timely manner. He asked the Council to consider within the budget process a minimal amount of money in terms maybe \$200,000 on top of the \$500,000 to get the ball rolling with this field. We're only asking for part of the monies to get the ball rolling, and it's not just football, but lacrosse and other programs, and this is the time to advance and make improvements to one of the fields at a minimal expense and it would be a shame to let this \$500,000 go by the wayside. There have been other programs where secured monies and within 6 months there's a shovel in the ground. This has been a two year process. The reality is that we have a chance at a minimum expense to the taxpayers to improve the field and make it for numerous kids can play on this field, in the off season, for Lacrosse and other programs. Mr. Thomas said that he is always available for questions and would be happy to explain where and how the money is used. He asked the Council to consider adjusting a few numbers and come up with a couple hundred thousand dollars now, so the money won't be pulled back because of inaction on the part of Newington.

Pam Austin, President of Newington Midget Football - reiterated the concerns expressed by Mr. Thomas in that upkeep of the field is important for the kids. She said it is not safe the way it is and again asks that the process begin now, and it can be done in stages and not all at once. She stated that right now there are only volunteers and volunteerism is down everywhere and it's very hard to maintain the field when it rains and it's important to keep it safe for the children. She stated that they've worked very hard to get this gift, and if we don't step forward and utilize it, it may not be offered again.

Councilor Banach moved to change Agenda Item XIII Executive Session to be regarding Open Space Committee and include Open Space Chairman Bowen and other members of the Open Space Committee present for the purpose of property acquisitions. Seconded by Councilor Nasinnyk. Motion passes 8 – 0 (Councilor Nagel absent)

IV CONSIDERATION OF OLD BUSINESS

A Ordinance Amendment: Insurance Reserve Fund

Councilor Lenares moved the following:

RESOLVED:

That the Newington Town Council hereby adopts amendments to the Newington Code of Ordinances Chapter 48 entitled "Funds", a copy of said amendments is attached to the resolution.

Seconded by: Councilor Nasinnyk VOTE: 8 – 0 (Councilor Nagel absent)

TOWN OF NEWINGTON PROPOSED ORDINANCE AMENDMENTS CHAPTER 48: FUNDS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWINGTON THAT

CHAPTER 48, "FUNDS" IS HEREBY AMENDED AS FOLLOWS:

ARTICLE I Insurance Reserve Fund (§48-1 - §48-4) (~~Delete §48-3~~)

§48-1 Purpose. (~~Delete: Creation of fund, revenues.~~)

The Insurance Reserve Fund was established to account for and finance the Town's obligations from uninsured losses, deductibles, and rating plan adjustments from its property and casualty insurance programs. (~~Delete: There is hereby created for the Town an Insurance Reserve Fund. There shall be paid into said fund any refunds or return premiums yielded from the Town's property and casualty insurance policies subject to retrospective rating, and any monies recovered from third parties either through subrogation, direct recovery, or litigation, provided that that portion of any such payment which would increase the fund balance above the level provided for in §48-2 shall be deposited in the Town's general fund. In addition to such payments, the Town Council shall each year appropriate an amount sufficient to sustain the maximum fund balance provided for in §48-2 based upon the financial condition of said fund as of April 1 of each year. Supplemental general fund appropriations may be made as necessary during the fiscal year.~~)

§48-2 Appropriation. (~~Delete: Fund balance.~~)

Each fiscal year the Town shall appropriate the level of funds required to meet its obligations based on an actuarial based recommendation using a 75% confidence level and additional consideration by the Town Manager of exposures not subject to the actuarial based review. The actuarial based review shall include open loss sensitive rating plans from prior years and projections for the current and upcoming policy year that are or will be subject to loss sensitive

rating plans. *(Delete: The income of the Insurance Reserve Fund shall accrue from year to year, and the balance thereof shall not be subject to lapsing at the close of any fiscal period. The balance of the Insurance Reserve Fund may be invested separately or in conjunction with other idle Town funds. Any interest earnings shall be credited to the general fund. The balance of the fund shall not exceed \$225,000.)*

§48-3 Revenue.

During the fiscal year, there shall be paid into the Insurance Reserve Fund:

1. Refunds or return premiums including adjustments from loss sensitive plans and premium audits;
2. Monies recovered from third parties, subrogation, direct recoveries or litigation;
3. Investment earnings, interest or dividends.

§48-4 Expenditures.

The Town Treasurer is authorized to draw upon the balance of the Insurance Reserve Fund to pay for uninsured losses, deductibles and/or rating plan adjustments relative to the Town's property and casualty insurance programs upon certification of the Director of Finance as to the validity of the expenditure. No other expenditures shall be made from the balance of the Insurance Reserve Fund, nor shall any transfers be made from the fund. However if, at the end of the fiscal year, the balance of the Insurance Reserve fund exceeds the amount required by the Town to meet its obligation per above by 5% and there are no known or anticipated expenditures that would bring the Insurance Reserve Fund below the required amount, the excess over that 5% shall be credited to the Town's General Fund. *(Delete: The Town Treasurer is authorized to draw upon the balance of the insurance reserve fund to pay penalty premiums or special excess loss premiums for the Town's property and casualty insurance policies subject to retrospective rating. Upon certification of the Director of Finance as to the validity of expenditure, the Town Treasurer is further authorized to pay losses incurred through insurance deductibles and uninsured property and casualty losses. No other expenditures shall be made from the balance of the reserve fund, nor shall any transfer be made from the fund for any purpose.)*

B SCHOOL CODE COMPLIANCE PROJECT

Present were Mr. Lou Jachimowicz, Business Manager of Schools, and Jeff Baron, Director of Administrative Service

Councilor Lenares moved the following:

RESOLVED:

Pursuant to Chapter 8, Article X, Section 8-45 (E), Project Building Committees, of the Newington Code of Ordinances, the Newington Town Council hereby approves the preliminary plans and cost estimates for the High School Code Compliance Project as reviewed by the Town Council on March 9, 2010 and as approved by School Code Compliance Project Building Committee.

Motion by: Councilor Lenares Seconded by: Councilor Nasinnyk VOTE: 8 – 0 (Councilor Nagel absent)

Councilor Banach moved to amend the above resolution to correct the date to read "2010".

Seconded by Councilor Cohen Vote: 8 – 0 (Councilor Nagel absent)

C HIGH SCHOOL GYM FLOOR REPLACEMENT – ASBESTOS REPLACEMENT

Mr. Baron stated that these are necessary steps required to secure State funding for the asbestos abatement portion of the Newington High School gym floor replacement project.

Councilor Lenares moved the following:

RESOLVED:

That the Newington Town Council hereby authorizes at least the preparation of schematic drawings and outline specifications for the asbestos abatement (code correction) work associated with the replacement of the gymnasium floor at Newington High School.

Councilor Cohen asked about getting the reimbursement back after the asbestos is removed.

Seconded by: Councilor Nasinnyk. Vote: 8 – 0 (Councilor Nagel absent)

2 Establish Building Committee

Councilor Lenares moved the following:

RESOLVED:

That the School Code Compliance Project Building Committee is hereby established as the building committee for the asbestos abatement (code correction) work associated with the replacement of the gymnasium floor at Newington High School.

Seconded by: Councilor Nasinnyk. Vote: 8 – 0 (Councilor Nagel absent)

3 Authorize the Preparation Of Specifications

Councilor Lenares moved the following:

RESOLVED:

That the Newington Town Council hereby authorizes at least the preparation of schematic drawings and outline specifications for the asbestos abatement (code correction) work associated with the replacement of the gymnasium floor at Newington High School.

Seconded by: Councilor Casasanta Vote: 8 – 0 (Councilor Nagel absent)

D HOMELAND SECURITY GRANT FUNDING

Councilor Lenares moved the following:

WHEREAS, the Newington Town Council is the governing body of the Town of Newington; and WHEREAS, the Town of Newington wishes to enter into a “Memorandum of Agreement Between the State of Connecticut, Department of Emergency Management & Homeland Security and the Town of Newington, Located in DEMHS Region 3, Regarding State Use of Funding Granted by the Department of Homeland Security”;

NOW, THEREFORE, BE IT RESOLVED, by the Newington Town Council that the Town of Newington may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

BE IT FURTHER RESOLVED, that John L. Salomone, as Town Manager of the Town of Newington, is authorized and directed to execute and deliver any and all documents on behalf of the Town of Newington and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not

limited to, executing and delivering all agreements and documents contemplated by such documents.

Seconded by: Councilor Casasanta. Vote: 8 – 0 (Councilor Nagel absent)

E HISTORIC DOCUMENTS PRESERVATION GRANT – FY 2011

Councilor Casasanta moved the following:

RESOLVED: That John L. Salomone, Town Manager, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for the Historic Documents Preservation grant.

Seconded by: Councilor Nasinnyk. Vote: 8 – 0 (Councilor Nagel absent)

V CONSIDERATION OF NEW BUSINESS

- A. Open Space Committee: Request for Cedar Mountain Appraisals and Submission of 2010 DEP Land and Watershed Grant Program

Present were Ed Meehan, Town Planner, and Open Space Committee members Tom Bowen, Chairman, Mr. Jay Bottalico, Ms. Carol Wotjowicz

Chairman Bowen thanked the Council for inviting them this evening and stated that Mr. Meehan would speak for the group regarding the 2010 DEP Land and Watershed Grant Program. Mr. Meehan stated that the committee has been working since January and have divided into sub-committees, working on grants and funding. He called the Council's attention to the DEP annual Land and Water Conservation fund grant. DEP is inviting applicants to submit these grants by May 3, 2010. This is a grant that Newington has been awarded twice in the past for up to \$500,000 on both occasions. This Committee is requesting the Council's guidance on going out again for a third time to seek some of the Ridgeline protection along Cedar Mountain. The format requires that the Town retain two Federally Certified appraisers and this is important because of the time element. He said that we need to document that we will be able to close on the property within six months to one year after receiving the award. By the Spring of 2011 the Town would need to be working to close this deal. He said that if we would be using Municipal funds, the Resolution that authorizes the Town Manager to apply would need to commit to the source of that funding. He said that if we go forward whatever parcel becomes the priority parcel, there should be a dialogue started with the property owners early on before the application is submitted in May and we can then report to the DEP that we have begun the conversation. Mr. Meehan suggested that the other items should be discussed at the Executive Session.

Mr. Salomone stated that the particular parcel requested be specifically noted. Councilor Klett said that she is in favor in trying to obtain grants for the community and asked if the Council is projecting a shortfall, where do we go to determine whether we can obtain the money. Mayor Wright suggested that it be discussed in Executive Session.

Chairman Bowen stated that Representative Nafis has submitted an application for some land on Cedar Mountain to the Town of Newington to the tune of about 40 acres, at little or no cost to the town.

VI RESIGNATION / APPOINTMENTS

- A. Development Commission
 - 1 Acknowledge resignation of Val Ginn

Councilor Casasanta moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Val Ginn as an Alternate member of the Development Commission, in accordance with a communication dated March 4, 2010.

Councilor Cohen commented on the accomplishments by Val Ginn. She was responsible for the annual Water Festival, for Downtown Business Association projects, Open for Business Breakfasts as well as the Farmers Market and the very successful Newington Has Talent show. Councilor Cohen encourages her to continue with her volunteer work and thanks her for her contribution to Newington.

SECONDED BY: Councilor Lenares VOTE: 8 – 0 (Councilor Nagel absent)

B TOWN TREASURER: APPOINT JOHN SALOMONE

Councilor Casasanta moved the following:

**WHEREAS: Section 609 of the Town Charter specifies that the Town shall have a Town Treasurer appointed by the Council for a term of two years, who shall have the powers and duties prescribed by the Connecticut General Statutes; and
WHEREAS: John Salomone has been designated Deputy Treasurer in the absence of a Treasurer
NOW THEREFORE BE IT RESOLVED: That the Newington Town Council hereby makes the following appointment:**

TOWN TREASURER

Name	Address	Party	Term	Replaces
John L. Salomone	16 Judge Lane	n/a	Immed.– 11/30/11	Cherie Woods (Resigned 3/31/09)

Councilor Klett said she’s not sure that this is an accepted practice for the Town Manager to act as Town Treasurer. She stated that she will abstain because she doesn’t have enough information to support it. Mayor Wright stated that the Town Treasurer has very little detail work and signs his name once at the beginning of the term, and that there are no financial responsibilities and no audit function that go along with that position. It’s simply required by Charter. Councilor Klett commented that she is uncomfortable with the Town Manager signing his own paycheck and this raises concern for her.

Councilor Cohen stated that the previous Town Treasurer received compensation; where as this Town Manager acting as Town Treasurer will receive no compensation. Councilor Lenares asked what the purpose of having two signatures and Mr. Salomone answered that the reason is to have a co-signer for the sake of checks and balances.

SECONDED BY: Councilor Nasinnyk VOTE 7 – 1 (Councilor Klett voted nay - Councilor Nagel absent)

VII TAX REFUNDS

Councilor McBride moved the following:

RESOLVED:

That property tax refunds in the amount of \$10,585.35 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.

SECONDED BY: Councilor Cohen VOTE: 8 – 0 (Councilor Nagel absent)

VIII MINUTES OF PREVIOUS MEETINGS

Councilor Nasinnyk moved to accept the minutes of Regular Meeting 2/23/10 - Councilor Klett seconded
Vote: 8 – 0 (Councilor Nagel absent)

Councilor Casasanta moved to accept the minutes of Special Meeting 3/8/10 – Councilor Nasinnyk
seconded - Vote 8 – 0 (Councilor Nagel absent)

Regular Meeting 3/9/10: Councilor Cohen noted that in her comments on page 4 the phrase” Councilor
Cohen asked if this project should be on the fast track...” Should read “Councilor Cohen stated that this
project should be on the fast track...” (so noted)

Councilor Cohen noted that on page 5 the amount listed as \$300,000,000 should be changed to read
\$300,000. (so noted)

Councilor Nasinnyk moved to accept the minutes as amended. Councilor Casasanta seconded. Vote 8 –
0 (Councilor Nagel absent)

Councilor Cohen moved to accept the minutes of Public Hearing meeting 3/15/10. Councilor Nasinnyk
seconded Vote: 8 – 0 (Councilor Nagel absent)

Councilor Casasanta moved to accept the minutes of Special Meeting 3/15/10. Councilor Nasinnyk
seconded. Vote 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.

A Town Manager Reports
Mr. Salomone stated that there were no reports at this time.

X COUNCIL LIAISON/COMMITTEE REPORTS

No reports

XI PUBLIC PARTICIPATION

Ms. Rose Lyons, 46 Elton Drive – stated that the sound while watching on television was so poor
it wasn’t possible to understand what anyone was saying. Ms. Lyons reiterated what Councilor
Cohen said regarding Val Ginn, and to thank her for her service and she has been an inspiration.
Also she commented that she is hopeful that any additional monies will be appropriated to the
most important projects rather than the artificial turf field.

XII REMARKS BY COUNCILORS

Councilor Klett commented that she was not aware of the State Public Hearing on March 15. She feels in
the future that there needs to be some way to communicate that information to the Council.

XIII EXECUTIVE SESSION RE: OPEN SPACE PROPERTY ACQUISITION

Councilor Banach moved to move the meeting to Executive Session. Councilor Casasanta seconded. Vote 8 – 0 (Councilor Nagel absent) All Councilors present at the regular meeting, Town Manager Salomone and Open Space Committee members present at the regular meeting were in attendance.

Councilor Casasanta moved to adjourn the Executive Session at 8:55 PM. Seconded by Councilor McBride. Motion passed 8 – 0 (Councilor Nagel absent)

IX ADJOURNMENT

Councilor Casasanta moved to adjourn the Council meeting at 8:56 PM. Seconded by Councilor McBride. Motion passed 8 – 0 (Councilor Nagel absent)

Submitted Respectively,

Mary Richard
Council Clerk