



John L. Salomone  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR JEFF WRIGHT**

## MINUTES NEWINGTON TOWN COUNCIL September 22<sup>nd</sup> 2009

### I. PLEDGE OF ALLEGIANCE

### II. ROLL CALL

Councilors Present	
Councilor Christopher Banach	X
Councilor Tony Boni	X
Councilor John "Jay" Bottalico	X
Councilor Thomas J. Bowen	X
Councilor Myra Cohen	X
Councilor Mike Lenares	X
Councilor David Nagel	X
Councilor Kristine Nasinnyk	X
Mayor Jeff Wright	X

Staff Present	
Town Manager - John Salomone	X
Executive Assistant - Jaime Trevethan	X
Council Clerk - Scott Coleman	X
Director of Finance - Ann Harter	X
Town Planner - Ed Meehan	X

### III. PUBLIC PARTICIPATION – IN GENERAL

**Susan Davidoff** Business Owner 174 Eagle Dr. Newington  
 This co-owner of the Paper Station; complained that the Town has done little to maintain the parking lot known as Constitution Square over the past sixteen years. She thanked the state and Mayor Wright for acquiring the money to repair the property, and advocated investing in the town's infrastructure, as well as for making the necessary improvements in order to make Newington Center a better place to work, shop and visit.

**Richard Simons** Resident, Business Owner 12 Commonwealth Ave. Newington  
 This business owner located his business in Newington because of the town center revitalization and supports proceeding with the development of Constitution Plaza.

**Ester Eddy** Resident & Business Owner Church Street Newington  
 This Constitution Plaza property and business owner described a flooding incident in the parking lot and her concerns over safety issues. She explained that Constitution Square businesses pay about \$300,000 in taxes, and expressed support for reinvestment in the property, which she felt would revitalize the center and bring in greater tax revenues. She stated that Mayor Wright was instrumental in acquiring the necessary funds and that the Council and the Town should support spending the additional funds necessary to finish the job.

**Salvator Motta**      **Business Owner**      1052 Main Street,      Newington  
As owner of the Hidden Vine Restaurant, Mr. Motta supports revitalizing the Town center.

**Sandy Lallier**      Resident      27 Elton Drive      Newington  
Ms. Lallier supports repairs to Constitution Square, but would also like to see rejuvenation of Market Square into a pedestrian friendly, one-way street serving as the gateway to the Town center. She did not support spending additional funds on the parking lot itself, beyond the grant, but rather preferred investing in Market Square. She did not favor putting Market Square and Lowrey Place on the “backburner” until the parking lot is completed.

**Rose Lyons**      Resident      46 Elton Drive      Newington

- supports pooling the \$145,000, remaining from the previous STEAP Grant, along with the \$350,000 recently granted, and applying the sum toward completion of the Market Square project.
- pointed out a numbering error within the “Town Council Rules of Procedure”, two section 11’s.
- requested knowledge of the content, as well as the signatories, of the letter from the Newington Chamber of Commerce.
- commented on previous Council violations of its Rules of Order concerning the two-thirds votes required to add an agenda item.

**Maureen Klett**      Resident      104 Harold Drive.      Newington  
Commented that the current TPZ regulations only permit three story buildings within the Town center, and that should four stories be contemplated, a public hearing would be required before TPZ.

**Neil Forte**      Resident      123 Church Lane      Newington  
Thanked the Mayor and Councilors who supported the downtown revitalization, and expressed support for going forward with the Constitution Plaza project. He expressed displeasure with those he felt were obstructing the process.

**Valerie French**      Business, Dwnntn.Business.Assn.Bd 50 Market Sq      Newington  
Supports downtown revitalization, and town’s matching of funds for completion of the Constitution Square project. She explained that the 126 business properties surrounding the square pay \$292,000 in property taxes and asked that the Council reinvest one year of these taxes back into the town center.

**Van Jordan**      Business, Dwnntn.Business.Assn 702 Church St      Newington  
Supports investing in the Constitution Square project and turning it into a centerpiece for the Town.

**Julie Chanco**      Resident, Business Owner      33 Stagecoach Lane      Newington  
Mrs. Chanco is moving her business from Farmington to Market Square. She stated that she loves the Town’s hometown feeling, and that she supports Constitution Plaza redevelopment.

**Eric Ram**      Resident, Business Owner      61 Kinear Ave.      Newington  
Mr. Ram supports Constitution Square revitalization and completion of the project to make Newington Center a better place for everybody.

**Morissa(?) Gaultieri**      Resident      Address not provided      Newington  
Supports the downtown revitalization.

**Walter Gaultieri**      Resident, Dwnntn.Business Assn.,Pres.      68 Chestnut Road.      Newington  
As business owner and President of the Downtown Business Association, he supports funding of the Newington Center redevelopment. Further, he would like to see partnering with the Town Council toward development of Market Square & Lowrey Place.

**Ceil Geshler**      Resident      Address not provided  
Stated that she is saddened by the architectural aesthetics of the Town Center facades. She also took issue with potholes, and traffic exiting the back of Cedar street. She did not feel that the property being developed would be seen or enjoyed by many. She wants the available money to be used for development of something which can be enjoyed by everyone.

**Joe Motta**      Business Owner      Main Street      Newington  
Strongly supports the Constitution Square project.

#### IV. CONSIDERATION OF OLD BUSINESS

**A. Recommendations of the Economic Development Commission and Downtown Revitalization Committee re: municipal Parking Lot Improvement Project**

**Joe Harpie**, Chairman of the Downtown Revitalization and Economic Development Commissions presented those committee's recommendations. The presentation has been attached. Ed Meehan, explained that any decision made during the meeting, relating to the project, and expenditure of state funds, would be shared with DECD. After legal review, the Town Manager would then be able to sign and authorize the project bid contracts to proceed. Chairman Harpie further reminded the Council that the project had received a "satisfactory report and review" from TPZ.

**Mayor Wright** thanked all the members of the commissions and the public for their hard work and input.

**Chairman Harpie** again spoke giving his personal opinion that the Council should proceed with the parking lot project.

**Councilor Bowen** also thanked Mr. Harpie, both committees, as well as other business owners downtown from whom he received input.

**Councilor Cohen**, referring to a July 14, 2001 development status report, inquired of Planner Meehan which two spaces, along Cedar St., were being referenced, and what was meant by replacing one story buildings with two story buildings. **Planner Meehan** responded that the vacant parcel in question was located between Century 21 and Roma Tailors and is owned by Mrs. Eddy. He further explained that there are two parcels that are under utilized at 17-23 East Cedar St., owned by the Gaultieri family. In response to Councilor Cohen's inquiry about one story buildings, the Town Planner identified, as an example, the building behind the bike shop, 17 East Cedar, opposite Center Court, as a single story building which could accommodate two or three stories of mixed use. **Councilor Cohen** asked whether there were any properties on Main St. and **Planner Meehan** responded that "Main Street was pretty well already built out".

**B. Various Transfers – Capital Project Funds**

**1. Transfer \$160,598 into account # 88037 Municipal Parking Lot Improvement Project (2009-96)**

**Councilor Cohen** asked why members of DRC/EDC had left the room. **Mayor Wright** explained that the purpose of the committee members' attendance was to present their recommendations for the parking lot improvement project, and that this had been accomplished under the previous agenda item. He stated that the Council had moved on to item B and that the members were not included under this agenda item.

**Councilor Bottalico** moved the following resolution:

**CERTIFICATION:**

**In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the Capital and Non-Recurring Expenditures Fund, the amounts listed below:**

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88714	Municipal Parking Lot	\$ 15,003
88022	Newington Center Improvements	145,595
	<b>Total</b>	<b>\$160,598</b>

\_\_\_\_\_  
Ann J. Harter, Director of Finance

**RESOLVED:**

**That the Newington Town Council hereby transfers the above-certified funds in the Capital and Non-recurring Expenditures Fund to the following account in the Capital and Non-Recurring Expenditures Fund:**

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88037	Municipal Parking Lot Improvement Project	\$160,598

**Councilor Boni** seconded the resolution.

**Mayor Wright** invited Finance Director Harter to the table to answer Councilor questions.

**Council Bowen** pointed out a technicality in the reading of the resolution, that it is usually read into the record who certifies the movement of funds, and that in this case it was Ann J. Harter, Director of Finance. He went on to comment that the Council, as well as the public, had been led to believe that there had been no other downtown renovations which had been occurring and that this was the first time in 33 years that the Council had acted for any downtown development. He mentioned the recent awarding of a STEAP grant to Newington and read a recent press announcement:

*“Governor M.Jodi Rell announced today that the town of Newington will receive a \$350,000 grant for the construction of phase four of the town center streetscape improvements on Market Square. The project will include new drainage, sidewalks, curbing, handicap-accessible ramps, decorative lighting, and traffic-calming measures for Market Square.”*

He mentioned that \$145,000 from the STEAP grant had recently been moved into the parking lot project after the Council had been told that the Town would probably not be receiving any additional monies for the continuing economic development downtown, which had been started several years ago. He pointed to a provision within the above resolution to move Newington Center Improvements of \$145,595 also into the parking lot. He wished to have the Council consider moving the original \$145,000 back into phase three of the Market Square renovation, and then also the \$145,595, into phase four of the downtown economic development. He stated that the \$145,000 when combined with the new \$350,000 grant would probably be enough to complete the renovation of Market Square “without a penny of Town taxpayer dollars”.

**Mayor Wright** commented that the Constitution Square project is already under way; that bids have already been opened and qualified, and that in pursuing the current direction the Town “has an opportunity to take a large chunk out of the downtown revitalization plans which have been on the books since the first study had been done in 1976”. He stated that while he believes that Market Square is an important project that the Town is ready to have work begin, within weeks, on the Constitution Square project. The alternative is to go back to the drawing board, hire more architectural and engineering services for more studies, then take further public input before work could begin on Market Square. He explained that the time to move is today, due to economic conditions, favoring those who want work to have done now. The Mayor thanked Governor Rell for the additional grant funds. He went on to point out that far above 80% of the parking lot project is paid for with state funds, and that what is being requested is that the balance be paid for with CIP monies, which clearly exist for downtown revitalization purposes. He delineated numerous reasons for going forward with the project including growth of the economic base, additional jobs, repair of safety hazards, as well as making Newington a “shopping and dining destination”.

**Councilor Cohen** stated that she was not sure when the Council had been notified that the Town had requested \$1.8Mil from the Governor. She explained that when the project was presented to the Council that it had been envisioned as a \$1mil project for the entire parking lot, and that it was not until later that it was discovered that the \$1Mil would not cover the entire cost. She commented that the Council accepted the \$1Mil grant assuming that it would cover the complete project, and that the outcome might have been different if the Council had known that the \$1Mil would not cover the entire project. She commented that in these difficult economic times, that either monies which could be held aside for future needs, should be, or that they should be spent on that for which they were intended, such as Market Square. She noted that she felt the money should be used for something attractive to bring people to the center of town, rather than a parking lot. She spoke about the struggle to reduce the budget, in which unions and administration agreed to a wage freeze this year, and how casually the amount needed was referred to as “slight”. She stated that she has a problem spending additional funds.

**Mayor Wright** responded that the amount had always been \$ 1.8Mil, and asked whether Councilor Cohen was considering returning the \$1Mil because the Town had to put in a little additional. He explained that the \$15,003 being transferred was allocated in backing 1987, that over 80% of the dollars being used are state funds and that the money being used is coming from the Capital Improvement Projects fund which is within the guidelines for use of those dollars. He commented that the difficult economic times gave even more reason for investing in Newington, and specifically, in economic development. He spoke about this being a vision for the future, and admonished not to look at the project as just a parking lot, but rather as Constitution Square.

**Deputy Mayor Lenares** responded to Councilor Cohen that the \$15,003 being transferred is money which had already been set aside for the parking lot. He asked the Councilor whether she was making a motion to move the money into Market Square at the “11th hour” because of the new grant, and stated that the Councilor should have brought this forward previously, rather than at the last hour.

**Councilor Bowen** addressed the Deputy Mayor’s comments explaining that he had previously protested the moving of the \$145,000 STEAP grant, expressly for the purpose of using it for Market Square. He noted, for the benefit of the public that the cost of the Constitution Square project is now \$1,850K, approximately \$300K for the property taken by eminent domain, \$125K for an architect, \$900K for construction of the west side of the parking lot, \$420K for construction of the east side and \$50K for contingency. He explained that the Town has only received \$1Mil and that another \$850K is required to be spent. He does not consider the additional \$850 to be more than a “couple of dollars”; it’s more than 2% of the total Town budget, he said. He stated the Town had taken control of the parking lot, and that many administrations had failed to maintain this parking lot in an adequate manner. His promise is that the lot will be repaired and “it will be maintained”.

**Mayor Wright** responded that the redevelopment of Constitution Square is also part of the downtown revitalization plan. He corrected Councilor Bowen stating that the amount is \$1,710, not \$1,850Mil. Councilor Bowen interjected, reminding the Mayor of the \$50K included for contingencies. Mayor Wright continued that moving forward with the west side renovation, the project now before the Council, the amount would be \$816K plus the original amount already expended of \$400, for a total of \$1,216. Of this amount \$1Mil, he explained, is from the Governor’s grant, and \$145K is taken from the STEAP 3 grant. Not considering the contingency amount, 87% was being funded with state grant monies, and that the additional 13% would be coming from the capital improvement budget, titled Newington Center Improvements. He stated that he believed that “this is a heck of a deal, and a no-brainer, and it’s time to move forward with this project”.

**Councilor Banach** referred the Council to the Council packet and pointed out that total for the entire parking lot project, east and west side, including contingencies was approximately \$1.8Mil.

**Councilor Bottalico** asked the Council whether the current argument was prompted by the recent receipt of the \$350K grant. He stated that last week there didn’t appear to be any argument.

**Councilor Boni** wished to make it clear that he is 100% in favor of the project, as he had expressed at past Council meetings. He further stated that he did not feel that there had been the infrastructure improvements made, which others on the Council had mentioned. He noted that new stores and tables for diners were band aid “window-dressing”. The Councilor read a letter from the Newington Chamber of Commerce into the record:

*Dear Mayor Wright:*

*The Newington Chamber of Commerce Board of Directors strongly encourages you to support the renovations and upgrades to the Municipal Parking Lot. The Chamber views this venture as an improvement for the town, the citizens, and businesses. Furthermore, if the grant money is not used by a certain time, it is our understanding that the money is lost.*

*The improvements will enable more citizens to use the lot because it will be safer both with improved lighting and better traffic control for cars and pedestrians. The enhancements will be an encouragement to businesses to utilize the parking lot side of their buildings. More business-use turns into increased tax revenue for the town as well.*

*The Chamber views this project as only positive for the town. Please support the improvements to the parking lot and in so doing support business in our community.*

*Yours truly,*

*NEWINGTON CHAMBER OF COMMERCE (initialed by signatories)*

*Joan-Alice Taylor, President*

*John Kelly, Executive Vice-President*

*Theresa Gogluicci, Vice-President*

*Edward Silverstein, Treasurer*

*David Johnson, Secretary*

*Michael Crouchley, Immediate Past President*

*Dan Balboni, Board of Director*

*Kathy Braga, Board of Director*

*Alan Budney, Board of Director*

*Michael Loscialpo, Board of Director*

*Alan Mardirosian, Board of Director*

*Greg Polk, Board of Director*

Todd Rizzo, Board of Director  
David Schreiber, Board of Director  
David Williams, Board of Director  
Mary Sullivan, Board of Director  
Michael Van Audekerk, Board of Director

**Councilor Nagel** pointed out that the funds being discussed and transferred, were not taxpayer expenditures; but were rather dormant funds which had been previously allocated to either the parking lot project or Newington Center improvements. He stated that these funds were for development of the center of Newington whether it was the dead center, the town green or “whatever”. He quoted Governor Rell, as mentioned in a news story, “these are the kinds of monies [which are] perfect for use on the kind of project before us”. The Councilor commented that, in comparison to the overall budget of \$94Mil, the amount being spent is a relatively small amount.

**Councilor Nasinnyk** stated that it has been an atrocity that the parking lot is in the condition it is. She agreed with Councilor Cohen that she was under the impression that the amount to be expended was \$1 mil. She stated that this project is unlike the usual building project which is administered by a building committee that is given a set amount of funds within which to work. She mentioned that next year’s budget already is saddled with a \$300K hole due to the ASCME raises which were held back this year. While she agrees that the parking lot needs repair, she explained that she just does not see a public green in the middle.

**Councilor Cohen** stated that she agreed with the Chamber letter in supporting improvements, but that the Chamber letter had not been specific as to which improvements they supported. She also stated that she did not believe that a green was appropriate in the middle of a parking lot. “It’s not a park, it’s a parking lot, and sidewalks will only be intended to get from point A to point B”, she said. She explained that she could not see “all the fancy stuff and fancy lighting”. The Councilor commented that, given the choice of the parking lot or Market Square for beautifying the Center, she didn’t know how many people would pick the parking lot.

**Mayor Wright** stated that the majority of the funds being spent are on asphalt, repairs and drainage. The only potential change he had heard for saving money would be in removing the center green, which he believes has benefits for the town, as a focal point where the community can come together for various events. In his discussions with the Town Planner Meehan, he was told that it’s a cost-neutral amenity to add the green because of the savings in the drainage work and asphalt.

**Councilor Bowen** mentioned that he had asked whether the project could’ve been reengineered to achieve a lower cost, but had never received a response. He wished that he had been given the opportunity to see what the project would look like on a \$1Mil budget.

**Mayor Wright** wished to read Attorney Vincent Sabatini’s email into the record. The Mayor pointed out that Attorney Sabatini was formerly a “Democratically appointed Town Attorney”.

*Jeff, I cannot attend the meeting on the 22nd but I want you to know that I support the improvements. Part of improvements is beautification. It would be a big plus for Newington to have not just an improved parking lot but an area where the community can use and point to with pride. I do not share the view that money is wasted on improvements that make things nice. I do a lot of zoning work and part of every commercial zoning approval requires the developer to install lights and landscaping so that the project is appealing to the eye. Otherwise what you have is pavement. The Turnpike looks as it does today because the TPZ and Ed Meehan insisted on green belt and lighting and landscaping. The town should do the same thing. If the improvements are made everyone benefits, the business people and the citizens. The goal is to bring people into the center. Making these improvements goes a long way to that end. When a town takes the initiative to make civic improvements, the private owners have more incentive to improve their properties. Thanks for listening to me. Vincent F. Sabatini*

*Vincent F. Sabatini, Esq.  
Sabatini and Associates, LLC  
One Market Square*

The Mayor continued, stating that the town has paid for thirteen studies since 1976. He grew up in the Town and reflected that he hasn’t seen dramatic changes over that period. He sees the project as a “gigantic opportunity” for the Town. “It’s the single largest improvement project we’ve ever seen undertaken downtown.”

<b>COUNCIL MEMBER</b>	<b>Yes</b>	<b>-</b>	<b>No</b>
Councilor Banach		-	X
Councilor Boni	X	-	
Councilor Bottalico	X	-	
Councilor Bowen		-	X
Councilor Cohen		-	X
Councilor Lenares	X	-	
Councilor Nagel	X	-	
Councilor Nasinnyk		-	X
Mayor Wright	X	-	
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<b>VOTES</b>	<b>5</b>	<b>-</b>	<b>4</b>
<b>The resolution passed</b>			

**2. Transfer \$43,815 into account # 4998 “Designated For Subsequent Fiscal Year” (2009-97)**

**Councilor Bowen** moved the following resolution:

**CERTIFICATION:**

In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the Capital and Non-Recurring Expenditures Fund, the amounts listed below:

<b>Account Number</b>	<b>Title</b>	<b>Amount</b>
88520	Comprehensive Parks Master Plan	\$2,190
88932	Martin Kellogg Middle School Parking Lot	1,142
88213	Town Hall Aesthetic Improvements	7
88714	Municipal Parking Lot	<del>15,003*</del>
88215	Fire Department Resurfacing Project	45
88022	Newington Center Improvements	<del>145,595*</del>
88420	Corrective Drainage	40,273
88315	Thermal Imaging Cameras	158
	<b>Total</b>	<b>\$204,413*</b>
		<b>Corrected amount \$43,815</b>

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**Ann J. Harter, Director of Finance**

**RESOLVED:**

That the Newington Town Council hereby transfers the above-certified funds in the Capital and Non-recurring Expenditures Fund to the following account in the Capital and Non-Recurring Expenditures Fund:

<b>Account Number</b>	<b>Title</b>	<b>Amount</b>
4998	Designated For Subsequent Fiscal Year	<del>\$204,413</del> \$43,815

**Councilor Banach** seconded the resolution.

**\*AMENDMENT:**

**Councilor Cohen** made a motion to adjust the amounts, as indicated above, to reflect the passage of the previous resolution to transfer \$160,598. The corrected transfer amount is \$43,815.

**Councilor Banach** seconded the motion

**Amendment passed 9 – 0, unanimous**

<b>COUNCIL MEMBER</b>	<b>Yes</b>	<b>-</b>	<b>No</b>
Councilor Banach	X	-	
Councilor Boni		-	X
Councilor Bottalico		-	X
Councilor Bowen	X	-	
Councilor Cohen	X	-	
Councilor Lenares		-	X
Councilor Nagel		-	X
Councilor Nasinnyk	X	-	
Mayor Wright		-	X
<b>VOTES</b>	<b>4</b>	<b>-</b>	<b>5</b>

**The resolution failed**

3. **Transfer \$22,308 into account # 4998 “Designated For Subsequent Fiscal” (2009-98)**

**Councilor Bowen** moved the following resolution:

**CERTIFICATION:**

**In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the Public Building Fund, the amounts listed below:**

<b>Account Number</b>	<b>Title</b>	<b>Amount</b>
88702	Senior & Disabled Center Roof Replacement	\$687
88703	Library Roof Replacement	18,944
88003	Salt Storage Shed	2,677
	<b>Total</b>	<b>22,308</b>

**Ann J. Harter, Director of Finance**

**RESOLVED:**

**That the Newington Town Council hereby transfers the above-certified funds in the Capital and Non-recurring Expenditures Fund to the following account in the Capital and Non-Recurring Expenditures Fund:**

<b>Account Number</b>	<b>Title</b>	<b>Amount</b>
4998	Designated For Subsequent Fiscal Year	\$22,308

**Councilor Nasinnyk** seconded the resolution

**Councilor Bowen explained**, for the benefit of the public, that the above two resolutions were intended to move \$66,000 in funds from dormant building accounts into a holding account to be used to offset next year’s budget.

**Deputy Mayor Lenares** asked Councilor Bowen why only certain accounts were selected. **Councilor Bowen** replied that funds could not be transferred from active building committee accounts until they were closed.

<b>COUNCIL MEMBER</b>	<b>Yes</b>	<b>-</b>	<b>No</b>
Councilor Banach	X	-	
Councilor Boni		-	X
Councilor Bottalico		-	X
Councilor Bowen	X	-	
Councilor Cohen	X	-	
Councilor Lenares		-	X
Councilor Nagel		-	X
Councilor Nasinnyk	X	-	
Mayor Wright		-	X
<b>VOTES</b>	<b>4</b>	<b>-</b>	<b>5</b>

**The Resolution failed.**

**C. Authorize the Town Manager to Enter into Contract with Quality Associates for the Municipal Parking Lot Improvement Project (2009-99)**

Councilor Bottalico made the following resolution

**RESOLVED:**

**That the Newington Town Council hereby accepts the bid and authorizes the Town Manager, John L. Salomone, to execute appropriate contracts with Quality Associates of East Haven, CT in the amount of \$815,995.50 to furnish all of the materials and perform the west side work shown on the drawings and described in the specifications prepared by the Town of Newington and as in the document entitled "Town Center Parking Lot, Bid No. 2, 2009-10.**

Councilor Boni seconded the above resolution

<b>COUNCIL MEMBER</b>	<b>Yes</b>	<b>-</b>	<b>No</b>
Councilor Banach	X	-	
Councilor Boni	X	-	
Councilor Bottalico	X	-	
Councilor Bowen	X	-	
Councilor Cohen	X	-	
Councilor Lenares	X	-	
Councilor Nagel	X	-	
Councilor Nasinnyk	X	-	
Mayor Wright	X	-	
<b>VOTES</b>	<b>9</b>	<b>-</b>	<b>0</b>

**The Resolution passes 9 – 0 Unanimous**

**D. Energy Efficiency and Conservation Block (2009-100)**

Councilor Nagel made the following resolution

**WHEREAS, the American Recovery and Reinvestment Act of 2009 has appropriated \$3.2 billion for Energy Efficiency and Conservation Block Grants to be distributed by the U.S. Department of Energy to eligible cities and counties ; and**

**WHEREAS, the Town of Newington’s share of this funding is \$110,765; and**

**WHEREAS, a project to update and modernize the heating and ventilation controls for the Lucy Robbins Wells Library has been identified and will meet the funding and criteria set forth in the grant eligibility;**

**NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby authorizes the Town Manager to file an application and appropriate documentation for the Town's share of the Energy Efficiency and Conservation Block Grants.**

**Councilor Bottalico** seconded the above resolution

**Vote: The Resolution passes 9.0; unanimous**

## **V. CONSIDERATION OF NEW BUSINESS**

### **A. Solid Waste Authority – CRCOG Preliminary Interest Commitment**

**Town Manager Salomone** explained the resolution as provided by CRCOG is too “expansive”, and he offered a simpler alternative paragraph, which, for \$500, would permit the Town to show preliminary interest in having a “seat at the table” with CRCOG and the rest of the region to discuss long-term solid waste disposal. This, he added, would not commit the Town. The Manager stated that he felt it was in the best interest of the Town to stay part of the process and to contribute the \$500. The \$500 would be used to evaluate the legal issues & and to create the enabling authority language. The money would not be used for a study. \$50,000 had already been spent by CRCOG on a study. The Manager outlined the alternatives 1) remaining with CRRA after the Town's contract expires (3 years), assuming that CRRA still exists, 2) handle the Town's refuse independently, 3) reconstitute CRRA which would require state legislation, 4) a hybrid solution which would be to have a regional authority, such as that proposed by CRCOG, or 5) partner with other towns in a smaller solution than CRCOG's. The Manager made the recommendation that the town proceed with the \$500 payment. Technically, he added, that he could've proceeded on his own authority with the \$500 payment, but for the requirement of a resolution by the Council.

**Councilor Bottalico** asked about the number of towns interested. **Town Manager Salomone** explained that CRCOG has 29 towns, but that he believed that 60-100 towns would be interested, as they all see the need to investigate future alternatives for disposal of solid waste.

**Councilor Nagel** asked about what the Town would be getting out of the expenditure. **Town Manager Salomone** answered that the money would be used to pay attorneys. The Councilor inquired further whether the proposal would create an entity under CRCOG. The Manager responded, yes, but that without the legal work, it was hard to say what exactly would be the entity. Councilor Nagel said that “he didn't quite get it”. The Manager explained that there is a regional concern over the viability of CRRA. The proposal of CRCOG looks at potential alternatives.

**Mayor Wright** explained that the \$500 the town would pay CRCOG was going toward creating a government authority. He stated that he has not seen the upside benefit or what the value proposition is for the Town spending the money. **Manager Salomone** stated that while the current commitment is small, that it would lead to bigger decisions in the future.

**Councilor Nagel** told the Council that he would be attending a meeting of CRCOG tomorrow and would return with any information which may be made available.

**Councilor Cohen** asked if it would be possible that the Town express an interest and then continue to monitor the progress without making a commitment. **The Manager** noted that Councilor Nagel, as a committee member, would be keeping watch and reporting back on the status of the venture.

**Councilor Bowen** explained that he originally thought the \$500 was to cover a feasibility study. Now, he expressed his concerns about creating an authority, which the Town might not even need. He concurred with Councilor Cohen that he is uncomfortable with contributing money to create a new authority. He was willing to spend the money on a feasibility study, but not on creating a new authority. The Manager agreed with all the comments of the Councilors. **Mayor Wright** added that he was in agreement with Councilor Bowen, and that he would've been amenable to paying the \$500 for a feasibility study, if CRCOG had not already invested \$50,000 in developing one (available online). **Councilor Bowen** requested that the Manager invite CRCOG to make a presentation before the Council in order to explain what they had in mind.

**Councilor Cohen** asked the Manager whether CRCOG needed the legislature to enable the creation of a new agency. **Town Manager Salomone** responded that CRCOG didn't require the legislature and that they could accomplish it through their own enabling legislation, under state law.

**B. Revised Job Description: Head Dial-A-Ride Driver**

**Town Manager Salomone** explained that he was just updating the job description to include the requirement of a CDL (Commercial Driver's License).

**Councilor Bowen** noted that the description should contain the wage range. **The Manager** responded that this information was in the system requirement and the memo, just not in the job description, and that there would not be any increase. **Councilor Bowen** asked if the wage rate could be added alongside the classification (LT9). **The Manager** agreed to add an attachment to the job description with the classifications. He added that the new intern would be updating the job descriptions over the coming months.

**VI. RESIGNATIONS/APPOINTMENTS**

**A. Conservation Commission (2009-101)**

**1. Accept Resignation of Terry DiMartino**

**Deputy Mayor Lenares** made the following resolution

**RESOLVED:**

**That the Newington Town Council hereby accepts the resignation of Terry DiMartino from the Conservation Commission, in accordance with correspondence dated August 18, 2009.**

**Councilor Bottalico** seconded the above resolution

**Vote: The Resolution passes 9.0; unanimous**

**B. Conservation Aging and Disabled (2009-102)**

**1. Accept Resignation of Patricia Murray**

**Deputy Mayor Lenares** made the following resolution

**RESOLVED:**

**That the Newington Town Council hereby accepts the resignation of Patricia Murray from the Commission on Aging and Disabled, in accordance with a letter dated September 3, 2009.**

**Councilor Bottalico** seconded the above resolution

**Vote: The Resolution passes 9.0; unanimous**

**C. Library Board (2009-103)**

**1. Accept Resignation of Judith Igielski**

**Deputy Mayor Lenares** made the following resolution

**RESOLVED:**

**That the Newington Town Council hereby accepts the resignation of Judith Igielski from the Library Board, in accordance with a letter dated September 8, 2009.**

**Councilor Bottalico** seconded the above resolution

**Vote: The Resolution passes 9.0; unanimous**

**2.**

**VII. TAX REFUNDS (2009 – 104)**

**Councilor Bowen** moved the following resolution

**RESOLVED:**

**That property tax refunds in the amount of \$ 1276.46 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.**

**Councilor Bottalico** seconded the resolution

**Vote: Resolution passes 9-0; unanimous**

**VIII. MINUTES OF PREVIOUS MEETINGS**

**A. Regular Meeting: August 11, 2009**

**Councilor Bottalico** moved to accept the minutes as submitted

**Councilor Bowen** seconded the motion

**The motion passed 9-0; unanimous**

**B. Regular Meeting of September 8, 2009**

Approval of minutes tabled by Mayor Wright, upon request by Councilor Cohen for verbatim transcription of portions of section VI.B

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

**A. Town Manager Report**

**Councilor Bowen** inquired about the reason for the decrease in patrol overtime. **Town Manager Salomone** responded that they were fully staffed. He mentioned that an officer was injured this past week, but that the full staffing afforded the necessary flexibility. The Councilor also inquired about the substantial decrease in the educational training expenditures. The **Manager** responded that these expenditures are cyclical, and that they may just not be as high during the summer. **Council Bowen** asked the Manager to take a look at the line to insure that something else wasn't going on.

**X. COUNCIL LIAISON/COMMITTEE REPORTS**

**Councilor Nagel** mentioned that he took a tour of the renovations in the old Police Department. **Manager Salomone** added that Art League had been relocated from the former Channel 14 building, but that they were not officially open yet, due to some issues. He continued: The Cable 14 transition will occur in the next few weeks, and the move is on target; the ground breaking for the senior center will be in mid October; the Art League is moving into unutilized loft space which faces Cedar St.

**Councilor Nagel –Library** programs are showing an increase due to students and adolescents using the facilities. He mentioned that the Library's book sale is Nov 21<sup>st</sup>. The **Code Compliance Committee** met with Oak Park Architects concerning school code compliance recommendations. Costs are due back. Volunteerism is up in the **Fire Dept.**, but with that are the accompanying training costs which are being expended quickly.

**Councilor Bottalico** asked Councilor Nagel about and the gym and the bleachers. **Councilor Nagel** responded that he would report back to the Council when he had answers.

**Councilor Cohen** commented that the Youth Adult Council is looking to establish their goals for the year and to review their requirements for the student grant applications.

**XI. PUBLIC PARTICIPATION – IN GENERAL**

**Ed Murtha** Resident 81 Southwood Rd. Newington  
Congratulated the Mayor on acquiring the grant funds and commented that he felt much better about the transfers and use of the funds after speaking with Mr. Harpie and Mr. Shields of the DRC & EDC. He mentioned that he had pointed out to Mr. Harpie that it might be less expensive to use the \$3000 in the approved budget for redesign before the fact rather than later requiring expensive change-orders. He further suggested that the project could possibly be tweaked using less expensive approaches and that this should be considered up front.

**Maureen Klett** Resident 104 Harold Drive. Newington

Ms. Klett stated that the “four stories” about which she spoke earlier in the evening, had been brought up by the Mayor, himself, at the meeting in which the public was educated about what was going to happen at the Town Center. She further explained that she felt that the parking lot problem had been the result of former Councils, which had decided not to spend taxpayer money to do more than what was needed. She stated that she did not feel that inquiring about changing zoning regulations to accommodate four stories was being “political”. She hoped that it was a question which would be answered.

**Rose Lyons** Resident 46 Elton Drive Newington

Ms. Lyons thanked Councilor Boni for reading the Chamber letter into the record. She explained that it was possible that the Chamber thought the Town was going to lose the money, and that’s why they might have supported the transfers. The resident brought up her previous request for written responses to public questions, and Councilor Bowen’s request of the Town Manager to have this done. She wasn’t aware whether this was being accomplished or not. Ms. Lyons mentioned that she took offense being labeled as obstructionist. She explained that she is just a taxpayer giving her opinions, and receives no benefit. She commented that the businesses on East Cedar Street are the ones who stand to gain from the project.

## XII. REMARKS BY COUNCILORS

**Councilor Nasinnyk** brought up the blight ordinance which had been discussed at a previous meeting, and she was inquiring about its status. **Town Manager Salomone** responded that there had been some work done on it and that he was having a staff committee meeting on Friday, during which time its progress would be discussed. He stated that he would be returning to the Council soon with draft wording.

**Councilor Bowen** noted that while he appreciated public comments, he asked that the public refrain from criticizing other members of the public because of their points of view. He felt that there’s a certain amount of respect due speakers and that it was inappropriate for one individual to question another’s motives. He believes it would be better served if this were not to occur. “A level of decorum would be appreciated”, he stated.

**Councilor Boni**, responding to Ms. Lyons comments on his “superpower vision”, stated that in the future he would note when he was speaking figuratively rather than literally.

**Mayor Wright** reminded the public of the upcoming Sixth Annual Waterfall Festival happening on Saturday, the 26<sup>th</sup> of September. He also announced that the Downtown Business Association would hold its first Annual Taste of Newington Center on Friday October 9<sup>th</sup> at 5 PM. He congratulated Kathy Morgan who was recognized as Teacher of the Year. He also wished to congratulate Rose Lyons who was to be awarded the Democratic Citizen of the Year, along with Maddie Kenny. He referred Ms. Klett to the Chairman of the TPZ for a response to her questions for all zoning issues.

## XIII. ADJOURNMENT

**Councilor Bottalico** moved to adjourn the meeting at 9:51 pm

**Councilor Cohen** seconded the motion

The motion passed 9-0; unanimous

Respectfully Submitted



Scott Coleman  
Clerk of the Council

September 29<sup>th</sup> 2009