



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

Minutes

Newington Town Council – SPECIAL MEETING

August 3, 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
Councilor Cohen
Councilor Lenares
Councilor Nagel
Council Nasinnyk
Mayor Wright

Councilor Klett absent
Councilor McBride absent

Staff Present

John Salomone, Town Manager
Richard Mulhall, Chief of Police
Lou Jachimowicz, Business Manager
Jaime Trevethan, Exec. Asst. to the Town Manager
Mary Richard, Council Clerk

Also present –

Steve Woods, Chairman Board of Education
Sharon Braverman, Board of Education

III PUBLIC PARTICIPATION – IN GENERAL PERSON/VIA TELEPHONE – NONE

IV CONSIDERATION OF OLD BUSINESS

A. 8-24 Report: Sale of State Owned Land: Maple Hill Avenue and Robbins Avenue

RESOLVED:

Pursuant to Connecticut General Statutes Section 8-24, the Newington Town Council hereby refers to the Newington Town Plan and Zoning Commission the proposed sale by the State of Connecticut to the Town of Newington of a 0.489 acre parcel of property at the corner of Maple Hill Avenue and Robbins Avenue, Newington, Connecticut, for the express purpose of providing a report to the Council as required under Section 8-24.

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Mayor Wright called for a roll call vote:

Councilor Banach – yes
Councilor Casasanta – no
Councilor Cohen – yes
Councilor Lenares – no
Councilor Nagel – no
Councilor Nasinnyk – yes
Mayor Wright – no

MOTION BY: Councilor Lenares
SECONDED BY: Councilor Nasinnyk
VOTE: fails 4 no - 3 yes Councilors Klett and McBride absent

Mr. Salomone explained that this is a vote to refer to the matter to the TPZ for an 8-24 report and is not a vote to decline to purchase the parcel. Mayor Wright said that his 'no' vote was not to decline the offer. Mr. Salomone said that this vote was only to refer to 8-24. Mr. Banach asked what would happen if private interest might be expressed but if that doesn't follow through, what happens to this property. Mr. Salomone said if there is a reasonable offer they'll probably sell it. Mayor Wright asked if the Town can acquire this property without the 8-24 and Mr. Salomone said it cannot. Councilor Nasinnyk said that for the public clarification, this referral notice for the Town Planning and Zoning was for their decision and they would bring it back to the Council then it would be up to us either yes or no, so this vote was not to purchase the property, only to refer the potential purchase to the TPZ for their report. Mr. Salomone said that he would prefer to have the item appear on the next agenda to formally decline the offer.

B. Lease agreement: T-Mobile Tower at Anna Reynolds School

WHEREAS, on May 13, 2009 the Board of Education approved the Anna Reynolds site for the SBA, LLC cell tower location; and
WHEREAS, the Town Plan and Zoning Commission also approved the site per 8-24 review on February 4, 2009;
NOW THEREFORE BE IT RESOLVED, that the Town Council authorizes the Town Manager to enter into a lease with SBA per the attached draft agreement, subject to further review by the Connecticut Sitting Council.

MOTION BY: Councilor Lenares
SECONDED BY: Councilor Nasinnyk
VOTE: passes 7 yes Councilors Klett and McBride absent

Mr. Salomone said that about two years ago the Town was approached by this company to discuss some sites within the Town ownership which might be appropriate for a cell tower location and in consultation with the Chief of Police and there was interest in that section of Town. At this point it still has to go the State Siting Council for a final determination and if the Council concurs the resolution will authorize the Town Manager to enter into the lease agreement, pending Siting Council approval.

Chief Richard Mulhall said that this is part of the long term plan that we have for communications in Town. He said that presently we have about 80% of the communication through the tower at the Cedar Crest Hospital facility. This year he said we found out that they're shutting the hospital down, and at some point in time they could shut that building down at which time we would have to move our whole radio system. He said that looking at these towers and knowing that there were holes in our cell net as they're coming in we're trying to deal with them up front, reserve the top part of these towers for law enforcement/public safety, so if we do have to move our radio system we'll be able to move to several different towers and get the coverage needed without having to erect towers ourselves. He said that Anna Reynolds is a great example and will give us a tower in the North end of Town and hopefully we can pick up something in the South at some point in time. Councilor Cohen asked if this agreement has been reviewed by the Superintendent of Schools. Chief Mulhall answered that yes it has been.

Mr. Salomone said that the revenue would amount to about \$20,000 per year plus we would share in any additional customers and revenue that they would bring in. Councilor Lenares asked Chief Mulhall if this will give

us coverage on the North side, but nothing in the South and is there any proposal for a South side so we would have full coverage. Chief Mulhall said that Churchill Park would be the one looking to the South and if Churchill Park does move forward that should give us the ability to tap into the entire South end of Town.

Mayor Wright thanked Chief Mulhall for his work on this along with the TPZ, and the Board of Education and Mr. Salomone. He said it would definitely benefit the Town.

C. 8-24 Reports

1. Sale of Town Owned Land to the State: 690 Cedar Street

WHEREAS, the State of Connecticut Department of Transportation has expressed interest in purchasing a 5,479 square foot parcel of Town owned property located at 690 Cedar Street for the purpose of future bridge reconstruction on Route 175; and

WHEREAS, the State has offered a purchase price of \$27,000 for said property; and

WHEREAS, the Town of Newington's Assessor has reviewed the offer and found it to be reasonable; and

WHEREAS, the Newington Town Plan and Zoning Commission's 8-24 Referral report to the Town Council expressed unanimous approval to report to the Town Council favorable support for the conveyance;

NOW THEREFORE BE IT RESOLVED, that the Town Manager is authorized to enter into an agreement with the State of Connecticut Department of Transportation for the sale of the 5,479 square foot parcel of property located at 690 Cedar Street to the State of Connecticut for the sum of \$27,000; and

BE IT FURTHER RESOLVED, that the Town Manager is directed to confirm within the agreement that the Town will retain access rights along the south side of the former National Welding building to facilitate building demolition and environmental remediation.

MOTION BY: Councilor Casasanta

SECONDED BY: Councilor Nagel

VOTE: passes 7 – 0 Councilor Klett and McBride absent

Mr. Salomone noted that the Town be careful to retain a second of means of access along the south side of the National Welding building. Mayor Wright noted that an agreement to get a light into that site from Fenn Road and this Council has set aside \$450,000 to accomplish that, which reflects the commitment of this Council to change that Brownfield spot into a bright spot.

2. New Meadow Phase II MDC Easement: Water Main

WHEREAS, the New Samaritan Corporation has requested the Town's assistance in granting to the Metropolitan District (MDC) easements for water main utilities to serve the 32 units at New Meadow Phase II Senior Housing; and

WHEREAS, MDC has notified New Samaritan that it requires easements of at least 99 years; and

WHEREAS, the term of the current Town-approved land lease is 75 years as per Town Council resolution 2009-75 dated July 14, 2009; and

WHEREAS, the Newington Town Plan and Zoning Commission's 8-24 Referral report to the Town Council expressed unanimous approval to report to the Town Council favorable support for the easement;

NOW THEREFORE BE IT RESOLVED, that the Town Manager is authorized to enter into an agreement with the MDC to grant a new water main easement to extend the Mill Street water main to the 32-unit New Meadow structure.

MOTION BY: Councilor Cohen

SECONDED BY: Councilor Nasinnyk

VOTE: passes 7 – 0 Councilors Klett and McBride absent

3. New Meadow Phase II MDC Easement: Sanitary Sewer

WHEREAS, the New Samaritan Corporation has requested the Town's assistance in granting to the Metropolitan District (MDC) easements for sanitary sewer utilities to serve the 32 units at New Meadow Phase II Senior Housing; and

WHEREAS, MDC has notified New Samaritan that it requires easements of at least 99 years; and

WHEREAS, the term of the current Town-approved land lease is 75 years as per Town Council resolution 2009-75 dated July 14, 2009; and

WHEREAS, the Newington Town Plan and Zoning Commission's 8-24 Referral report to the Town Council expressed unanimous approval to report to the Town Council favorable support for the easement;

NOW THEREFORE BE IT RESOLVED, that the Town Manager is authorized to enter into an agreement with the MDC for the abandonment of the existing sanitary sewer easement that runs through the property; and

BE IT FURTHER RESOLVED, that the Town Manager is authorized to enter into an agreement with the MDC to grant a new 99 year easement for the relocated sanitary sewer line.

MOTION BY: Councilor Nagel

SECONDED BY: Councilor Casasanta

VOTE: passes 7 – 0 Councilors Klett and McBride absent

V. CONSIDERATION OF NEW BUSINESS

A. Board of Education Roof Replacement Projects

Present was Board of Education Chairman Steve Woods, Business Manager Lou Jachimowicz and Sharon Braverman Board of Education member.

Chairman Woods said that this is the first step needed to take to apply for a State grant of the \$600,000. He said that it's not necessary to pass this motion for all the schools, but it is needed for John Wallace Middle School to start the process. Councilor Cohen asked if we only did John Wallace with the intent to go to the State for approval and go forward with one school at a time. Mr. Woods said yes if that's how the Council chose to do it. Councilor Cohen asked if going for the entire project, would that hold up going forward with the urgent ones. Mr. Woods said that we would be going to the State only for the John Wallace project.

Councilor Banach asked if this is standard routine and Mr. Woods answered yes this is the standard routine. Councilor Lenares said that the money allocated for John Wallace, the \$600,000, came out of CIP so with this motion tonight will that money stay at John Wallace or will that \$600,000 get dispersed over the other projects. Councilor Nagel asked that if we choose to, have a committee set up for roof replacement for all the schools even though the Council may decide to allocate approval only for the John Wallace Middle School tonight. Councilor Nasinnyk said that she understands that this Resolution V.A.1 is authorizing the Board of Education to apply for the grant. She asked if there is any urgency to this. Mr. Woods stated that this project won't be completed until next summer but nothing can start without these motions. It does not have to be tonight.

Mayor Wright asked what the deadline for getting application grants in for approval for Connecticut. Mr. Jachimowicz said that there are two applications that could occur. One is related to code repair and roofs and the other is for general expansion and improvements. In this case with roofs those projects are at the discretion of the Education Commissioner. The plan is to go forward with the John Wallace project next summer of 2011. Mayor Wright asked if any surplus comes back to the CIP for use in the future. Mr. Salomone said that any money allocated to a specific project must be used for that project and any surplus would go back to CIP or general fund. Mayor Wright said that any surplus could be used for something else like reducing the tax rate next year, and it's not required to be kept in CIP. Mr. Salomone said that's correct. Mayor Wright said that he feels comfortable with these resolutions as they are.

Councilor Cohen said that the urgent project now if John Wallace and asked if the Council needs to establish a building committee for John Wallace only for the whole list of schools. Mr. Woods said that the Council can be specific later as to what to do regarding building committees. Councilor Banach asked what is the advantage in

filing with the State for each roof now, is it an advantage to get them all done and in with the State. Mr. Woods said that John Wallace is the only thing we can apply for now.

RESOLVED:

That the Newington Town Council hereby authorizes the Board of Education and Superintendent of Schools to file applications to the State of Connecticut Commissioner of Education for school construction grants for the following roof replacement projects for public school buildings in Newington:

- 1. Newington High School**
- 2. Martin Kellogg Middle School**
- 3. John Wallace Middle School**
- 4. Elizabeth Green Elementary School**
- 5. Anna Reynolds Elementary School**
- 6. Ruth Chaffee Elementary School**
- 7. John Paterson Elementary School**
- 8. Student Transportation Bus Garages (2)**
- 9. Newington High School Athletic Field House**

The Board of Education and Superintendent of Schools are authorized to file individual applications for grants for projects at each of the Newington Public School facilities identified above.

MOTION TO WAIVE RULES: Councilor Nasinnyk

SECONDED BY: Councilor Banach

VOTE: passes 7 – 0 Councilors Klett and McBride absent

MOTION BY: Councilor Lenares

SECONDED BY: Councilor Casasanta

VOTE: passes 7 YES Councilors Klett and McBride absent

Councilor Nagel suggested that bullet points might be used in the future so there is no confusion concerning what order these are taken care of.

Councilor Nasinnyk suggested that members of the public might want to comment on this agenda item.

NO PUBLIC COMMENT

2. Establish a Building Committee

RESOLVED:

In accordance with Article X, Section 8-39 et seq., Project Building Committees, of the Newington Code of Ordinances, the Newington Town Council hereby establishes a Board of Education Roof Replacement Project Building Committee.

Said committee is charged to work with the Town Manager (and/or his/her designee), Superintendent of Schools, and any other appropriate Town staff in the oversight of district-wide roof replacement projects and related activity. Such improvements shall comply with the appropriate sections of the Fire Code, Health Code, Building Code and OSHA regulations, regulations of the Americans with Disabilities Act, and any other health and/or safety code regulations currently in force. BE IT FURTHER RESOLVED:

That the Board of Education Roof Replacement Project Building Committee shall be comprised of five (5) members, of which three (3) shall be representatives of the Town Council and two (2) shall be from the Board of Education.

BE IT FURTHER RESOLVED:

That the Newington Town Council hereby appoints the following members to the Board of Education Roof Replacement Project Building Committee: (to be determined)

MOTION TO WAIVE RULES BY: Councilor Banach
SECONDED BY: Councilor Nasinnyk
VOTE: passes 7 – 0 Councilors Klett and McBride absent

MOTION BY: Councilor Casasanta
SECONDED BY: Councilor Banach
VOTE: passes 7 – 0 Councilors Klett and McBride absent

3. Authorize the Preparation of Schematic Drawings and Specifications

RESOLVED:

That the Newington Town Council hereby authorizes the preparation of schematic drawings and outline specifications for the following proposed roof replacement projects:

- 1. Newington High School**
- 2. Martin Kellogg Middle School**
- 3. John Wallace Middle School**
- 4. Elizabeth Green Elementary School**
- 5. Anna Reynolds Elementary School**
- 6. Ruth Chaffee Elementary School**
- 7. John Paterson Elementary School**
- 8. Student Transportation Bus Garages (2)**
- 9. Newington High School Athletic Field House**

MOTION TO WAIVE RULES: Councilor Nasinnyk
SECONDED BY: Councilor Nagel
VOTE: passes 7 – 0 Councilors Klett and McBride absent

MOTION BY: Councilor Lenares
SECONDED BY: Councilor Casasanta
VOTE: passes 7 – 0 Councilors Klett and McBride absent

B. Clem Lemire Artificial Turf Project: Award Design Services Contract

RESOLVED:

That the Newington Town Council hereby accepts the proposal and authorizes the Town Manager, John L. Salomone, to execute appropriate contracts with Milone & McBroom, Inc of Cheshire, CT in the amount of \$68,500 to perform professional design for the Clem Lemire artificial turf field project according to the specifications outlined in the proposal dated on June 28, 2010 and revised on July 20, 2010

MOTION TO WAIVE RULES: Councilor Lenares
SECONDED BY: Councilor Casasanta
VOTE: passes 7 – 0 Councilors Klett and McBride absent

MOTION BY: Councilor Lenares
SECONDED BY: Councilor Cohen
VOTE: passes 7 – 0 Councilors Klett and McBride absent

Councilor Lenares said that after meeting with the project building committee, he went back to Milone and MacBroom, whose original quote was \$78,000 or \$79,000 they brought it down to \$68,500.

Councilor Nasinnyk asked if there is an urgency to get this done tonight. Councilor Lenares said that speaking with Councilor Klett, she wants to get this going and move it along tonight. Mr. Salomone noted the project schedule which may be shorter than that shown on the graph.

VI. RESIGNATIONS/APPOINTMENTS

A. Appointments: town Council Rules Subcommittee

RESOLVED:

That the Newington Town Council hereby appoints the following to the Town Council Rules of Procedure Subcommittee:

**3 Members - NTC
Party Max; 2**

Name	Address	Party	Term
Town Council Rep.: Myra Cohen	42 Jeffrey Lane	D	NTC Term
Town Council Rep.: Maureen Klett	104 Harold Drive	D	NTC Term
Town Council Rep.: Meg Casasanta	110 Steeplechase Drive	R	TNTC Term

MOTION BY: Councilor Banach

SECONDED BY: Councilor Nasinnyk

VOTE: passes 7 Yes Councilors Klett and McBride absent

B. Appointments: Town Manager Evaluation Subcommittee

RESOLVED:

That the Newington Town Council hereby appoints the following to the Town Manager Evaluation Subcommittee:

**3 Members – NTC
Party Max: 2**

Name	Address	Party	Term
Town Council: Kristine Nasinnyk	50 Theodore Street	D	NTC Term
Town Council: Christopher Banach	145 Starr Avenue	D	NTC Term
Town Council: David Nagel	1175 Willard Avenue	R	NTC Term

MOTION BY: Councilor Banach

SECONDED BY: Councilor Nasinnyk

VOTE: passes 7 – 0 Councilors Klett and McBride absent

VII TAX REFUNDS

RESOLVED:

That property tax refunds in the amount of \$24.19 are hereby approved in the individual amounts and for those named on the “Requests for Refund of an Overpayment of Taxes,” certified by the Revenue Collector, a list of which is attached to this resolution.

MOTION BY: Councilor Casasanta

SECONDED BY: Councilor Nasinnyk

VOTE: passes 7 – 0 Councilors Klett and McBride absent

VIII MINUTES OF PREVIOUS MEETINGS

Councilor Nasinnyk moved to table the approval of the minutes of May 25, 2010, June 22, 2010 and July 13, 2010. Seconded by Councilor Banach . Vote 7 – 0 Councilors Klett and McBride 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

(no discussion)

X COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Nagel said that he attended the recent NCTV meeting where they discussed adding additional equipment not requiring funds from the Council and also discussed plans and technical aspects of a new program which will originate from NCTV call “Common Sense Connecticut” which will be airing soon.

Councilor Nasinnyk stated that the CIP Committee meeting was rescheduled for another date because of not having a quorum, possibly in September.

Councilor Cohen said that the West Meadow Cemetery project is now complete and the dedication will be on September 13, rain date of September 15.

XI PUBLIC PARTICIPATION

Rose Lyons, 46 Elton Drive noted the tragedy that occurred in Manchester. She said several months ago she had asked about the emergency notification system and if it was up and running, after an issue in March at a Senior Center picnic sponsored by the Police Department. She said that you have to go to the computer to sign up for it. She noted State funding recently awarded to complete several maintenance projects at Mill Pond and said shame on us for not maintaining what we have and allocating hundreds of thousands of dollars for an artificial turf field. She said as the CIP meets she would hope that we look around Town see what needs to be repaired. She said we know that there will not be any funds coming from Hartford. She said we should be thinking about the repairs needed especially the stairs at the front of the Town Hall.

PHONE CALLER – Elizabeth Lozinski, 21 Red Rock Circle – said she is upset because she tried three times when the public participation was called and no one answered the phone. She wondered why the public participation was only at the end of the meeting, and thinks this is a disservice to tax payers who can't attend the meeting, she would like her remarks to be acknowledged by the Mayor and the Town Manager.

XII REMARKS BY COUNCILORS

Councilor Banach asked Mr. Salomone what should be done with the old blue recycling containers. Mr. Salomone said residents may keep the containers for other uses, dispose of them in the garbage or bring them to the Highway garage. Councilor Nagel said that speaking of the new recycling process; it might be a good idea to discuss having the recycling bins emptied every week some time in the future.

Councilor Casasanta said that she had invited guests Kristyn and Michael Turgeon and their sons Brian and Max. this evening to observe how the Council works. Max is going into the sixth grade and is interested in the process. She thanked them for attending.

Mayor Wright called for a moment of silence out of respect for the victims of today's Hartford Distributors tragedy. (observed)

Councilor Lenares asked Mr. Salomone if it would be possible to get a report to see where we were last year in recycling and where we are now. Mr. Salomone said that he's comfortable in the way it's working now and it's really early into the new process to get an accurate picture.

Mayor Wright thanked everyone here this evening, and that we got a lot done. He thanked the Park and Rec Board and members of the staff there. Our next meeting will be on August 24, 2010 and will be a Special Meeting, also a reminder that the primary for the Republican and Democratic parties, the polls will be open from 6AM to 8PM next Tuesday, August 10th.

XIII EXECUTIVE SESSION RE: PERSONNEL - NONE

XIV ADJOURNMENT – 8:15PM

MOTION TO ADJOURN BY: Councilor Nasinnyk
SECONDED BY: Councilor Nagel
VOTE: 7 – 0 Councilor Klett and McBride absent

Respectfully Submitted,

Mary Richard
Town Clerk