AGENDA
August 27, 2019, 7:00 P.M.

***The Regular Town Council Meeting will begin at the conclusion of the 6:50 P.M. Public Hearing, but no earlier than 7:00 P.M.***

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. APPROVAL OF AGENDA

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

V. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION

VI. CONSIDERATION OF OLD BUSINESS (Action May Be Taken)
   A. Update on How the “Don’t Block the Box” Ordinance is Working
   B. Ordinance Amendment-Don’t Block the Box, Article VII, Chapter 404-24 (Newington Code to include Cedar Street at Constance Leigh Drive and Hawley Street)
   C. Discussion-Creation of a Public Facilities Review Committee
   D. Acceptance of Final Report & Disband School Career Technical Program Improvement PBC
   E. Town Attorney Updates: ATV’s, Sale of Town Owned Property, Panhandling
   F. Discussion & Possible TPZ Referral §8-24 CGS, Municipal Improvements
      1. Cedarcrest Conveyance – 10-Acre Parcel
   G. Update on Economic Development Activities

VII. CONSIDERATION OF NEW BUSINESS (Action May Be Taken by Waiving the Rules)
   A. Affordable Housing Moratorium
   B. Discussion & Possible TPZ Referral §8-24 CGS, Municipal Improvements
      1. Town Hall & Community Center Project
   C. Discussion & Possible TPZ Referral §8-24 CGS, Municipal Improvements
      1. Acceptance of Packard’s Way as a Town Street

VIII. RESIGNATIONS/APPOINTMENTS (Action May Be Taken)
   A. Appointment-Anna Reynolds PBC
   B. Appointment-150th Anniversary Steering Committee
   C. Appointment-Central Connecticut Tourism District
IX. TAX REFUNDS (Action Requested)
   A. Approval of August 27, 2019 Refund for an Overpayment of Taxes

X. MINUTES OF PREVIOUS MEETINGS
   A. August 13, 2019 Special Meeting Minutes
   B. August 13, 2019 Public Hearing Minutes
   C. August 13, 2019 Regular Meeting Minutes

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

XII. COUNCIL LIAISON/COMMITTEE REPORTS

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

XIV. REMARKS BY COUNCILORS

XV. EXECUTIVE SESSION
   A. PENDING LITIGATION §1-200(6)(B) – 550 Cedar Street Associates LLC; Amy Berube (Doggie Daycare); Firestone

XVI. ADJOURNMENT
MEMORANDUM

To: Newington Town Council

From: James E. Krupienski, (On behalf of Tanya D. Lane, Town Manager)

Date: August 21, 2019

Re: Update on how the “Don’t Block the Box” Ordinance is working

This item has been added to update the Town Council on how the Don’t Block the Box Ordinance has impacted traffic issues at heavy traffic intersections. Lt. Michael Morgan, who acts as our Local Traffic Authority, will be present to discuss the ordinance implementation and its impact to local traffic problems.
Memorandum

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Tanya D. Lane Town Manager)
Date: August 20, 2019
Re: Ordinance Amendment Adoption: Don’t Block the Box, Article VII, Chapter 404-24

At the August 13, 2019 meeting, the Town Council received for introduction and scheduling of a Public Hearing, an amendment to Chapter 404, Vehicles & Traffic. The proposed amendment would include the intersection of Cedar Street at Constance Leigh Drive and Hawley Street and require signage and painted line designations, that would indicate that blocking the intersection is prohibited, and that a fine will be imposed, as authorized in CGS §14-250b.

The Public Hearing was held prior to this meeting to receive public comments on the proposed amendment to the ordinance.

The process to amend Town Ordinances is dictated by the Newington Town Charter §C-405 & §C-406. Once the ordinance has been adopted it would go into effect 15 days after publication and enforcement would begin once the proper signage and marking have been added to the intersection to inform the public.

Attached please find the Resolution for adoption of the Proposed Ordinance.
RESOLVED:

That the Newington Town Council hereby approves the amendment to the Newington Code of Ordinances, Chapter 404, Article VII, "Don't Block the Box", a copy of said ordinance is attached to this resolution.
§404-24 Blocking the Box Prohibited

A. No operator of a motor vehicle, other than a tractor-trailer unit, as defined in Connecticut General Statutes § 14-1, shall proceed into any intersection that has been designated in Subsection C herein, except when making a turn, unless there is sufficient space on the opposite side of the intersection to accommodate such motor vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of a traffic control signal that would permit such operator to proceed into the intersection.

B. The Town of Newington shall:
   1. Post signs at each designated intersection indicating that blocking the intersection is prohibited and violators are subject to a fine; and
   2. Mark, in white paint, the boundary of such designated intersections with a line not less than one foot in width and the area within such boundary line with parallel diagonal lines not less than one foot in width.

C. The provisions of Subsections A and B shall apply to the following designated intersections within the Town of Newington:
   1. West Hill Road at Chapman Street;
   2. Fenn Road at Myra Cohen Way; and
   3. Main Street, Southbound at Louis Street.
   4. Main Street, Southbound at Welles Drive
   5. Cedar Street at Constance Leigh Drive and Hawley Street

D. Any person who violates the provisions of Subsection A of this section shall have committed an infraction.

Introduced: August 13, 2019
Advertised: August 21, 2019
Public Hearing: August 27, 2019
Adoption: 
Advertised: 
Effective: 
MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Tanya D. Lane, Town Manager)
Date: August 21, 2019
Re: Discussion-Formation of a Public Facilities Review Committee

Preliminary language was presented to the Town Council at the July 23, 2019 meeting regarding the formation of a Public Facilities Review Committee. This committee would conduct a study of the needs of the Town and outline a plan for the maintenance of town structures and facilities.

Based upon that language, staff has included for Council review a draft outline to discuss and amend as necessary.

Attachment:
Draft-Public Facilities Review Committee Outline
WHEREAS, the Newington Town Council understands the need to plan for and maintain the structures and property of the Town to reduce the economic burden on the citizens and businesses; and

WHEREAS, to assist the Town Council with hereby creates the Public Facilities Review Committee in accordance with the following provisions;

1. The committee shall be responsible for a study of all public facilities of the Town of Newington, including the Board of Education, and shall formulate a program of alteration, expansion, repair or modification of existing public buildings, structures, and appurtenant facilities within the town.

2. After a review of all public facilities has been conducted, the committee shall prepare a written comprehensive plan prioritizing the needs for all municipal facilities. As the needs and priorities change the committee shall provide an updated written report and presentation to the Town Council.

3. The committee shall annually on or before November 1st, submit to the Town Manager any recommendations for inclusion in the proposed annual Capital Improvement Plan (CIP), who shall report the same to the Town Council.

4. All members shall be electors of the Town and have knowledge of building trades, building maintenance or building construction.

5. No member shall be appointed to any other boards, commissions, or committees either appointed or elected under the Board of Education or the Town government. In addition, no member shall be a volunteer for any Town Department or a town sanctioned organization.

6. The committee shall be comprised of seven (7) members, no more than four (4) shall be from the same political party, and appointed by the Town Council. The initial term of four (4) members shall begin on the effective date of the ordinance and continue until November 30, 2022. The initial term of three (3) members shall begin on the effective date of the ordinance and continue until November 30, 2021. As each initial term of appointment expires, each member may be appointed for a new three-year term or the unexpired term of the vacant appointment.

7. All members shall serve without compensation.

8. The Staff Liaison shall be the Facilities Director or a designee of the Town Manager.

9. At the initial meeting of the committee a Chairperson, Vice-Chairperson and Secretary shall be chosen from the members by vote.

10. All members shall be subject to the requirement of the “Information and Guidelines for Boards, Committees and Commissions” booklet adopted by the Town Council on July 23, 2019.

11. This committee shall adopt a schedule of meetings for the balance of the calendar year. Meetings may be called by the Chairman or by petition of any three members.
MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Tanya D. Lane, Town Manager)
Date: August 20, 2019
Re: Final Report – School Career Technical Program Improvements PBC

The Town Council was presented with a Final Report of the School Career Technical Program Improvements PBC, for projects at Martin Kellogg Middle School, John Wallace Middle School and Newington High School. The Board of Education has accepted the projects at all three locations.

A Resolution to accept the final report and disband the School Career Technical Program Improvements PBC has been included for adoption at the August 27, 2019 meeting.

Attachment:
RESOLVED:

Pursuant to Section 8-45M of the Newington Code of Ordinances, the Newington Town Council hereby accepts the Final Report, dated August, 2019, a copy of which will be attached, and hereby disbands the School Career Technical Program Improvements Project Building Committee.
This is the final report for the School Career Technical Program Improvements Project Building Committee, which at times has also been referred to as the STEM Committee. It is being submitted to comply with §8-45 M of the Newington Code of Ordinances. The Committee was established on May 22, 2012 by passage of Town Council Resolution 2012-65. The Committee was assigned and successfully completed projects at three schools. The Martin Kellogg Middle School (MKMS) STEM Academy project renovated 5,134 square feet of space. It turned the former Metal Lab, Wood Construction Lab, and adjoining classrooms and corridor space, into the STEM Academy of Biomedical Sciences, including classroom space, a prep room, lab stations, study space, a computer closet, electrical room and storage closets, and also provided accessibility for the physically challenged. The John Wallace Middle School (JWMS) STEM Academy project, which was split into two projects (demolition and reconstruction, and alterations), and renovated 9,800 square feet of space in Wing 7 of the school. The former art rooms, art storage area, ceramic studio, graphics lab, metal shop, wood shop, and three tool storage areas were demolished, removed and partially reconstructed in order to remove all asbestos, PCBs and all other items classified as hazardous materials. This space became the STEM Academy of Aerospace Engineering, with accessibility for the physically challenged, a STEM exploratory area, work room, storage rooms, classrooms, an interior corridor and an aerospace lab. The Career Technical Improvements at Newington High School (NHS) renovated space in the back, northwest corner of the building for the aerospace, biomedical, genomics and culinary academies, and encompassed 10,484 square feet. It created a biomedical academy, with an office, storage, toilet, and exam area; a digital lab; a genomics academy, with a prep area, work room, and mechanical room; a design center; an aerospace academy; and a culinary academy, with a lobby, office, storage, laundry closet, coolers/freezers, server area, café, mechanical room, passage area, lavatories, and an Event Center. These completed projects served to allow the school district to update its curriculum and to promote the study of science, technology, engineering and mathematics at the middle school and high school levels.

ARCHITECT AND CONTRACTORS

The Town Council approved Quisenberry Arcari Architects (now Quisenberry Arcari + Malik) of Farmington as the Project Architect by passage of Town Council Resolutions 2013-42 in May 2013 and 2014-52 in May 2014. The Town Council authorized agreements with the following construction contractors:

<table>
<thead>
<tr>
<th>Project</th>
<th>Contractor</th>
<th>Amount</th>
<th>Date</th>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>MKMS STEM Academy</td>
<td>Martindale &amp; Salisbury</td>
<td>$571,732</td>
<td>04/14</td>
<td>2014-47</td>
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### Project Contractors

<table>
<thead>
<tr>
<th>Project</th>
<th>Contractor</th>
<th>Amount</th>
<th>Date</th>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>JWMS Abatement</td>
<td>Accurate Insulation</td>
<td>$224,900</td>
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<td>2015-26</td>
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<tr>
<td>JWMS STEM Academy</td>
<td>Scope Construction</td>
<td>$1,357,600</td>
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<td>2015-31</td>
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<tr>
<td>NHS Career Tech. Prog. Improv.</td>
<td>Enfield Builders</td>
<td>$1,813,000</td>
<td>10/16</td>
<td>2016-127</td>
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</table>

### EXPENDITURES

All expenditures were charged to the Public Building Fund. Expenditures totaled $4,353,629.03

There is currently an open balance of $274,712.97 in the Public Building Fund for these projects.

### COMMITTEE MEMBERS

This was a three member Committee, with two members from the Town Council and one member from the Board of Education. David Tatum served as the Chair of this Committee from its inception to the end of his term in November 2013. Marc Finkelstein then Chaired the Committee until the end of his term in November 2015. Robert Tofeldt, Sr. then Chaired the Committee after the 2015 election. The members of this Committee and their terms of service are as follows:

- **Jay Bottalico**: May 2012 – Nov. 2013
- **David Tatum**: June 2012 – Nov. 2013
- **Clark Castelle**: May 2012 – Nov. 2015
- **Marc Finkelstein**: Nov. 2013 – Nov. 2015
- **Dave Nagel**: Nov. 2013 – Nov. 2015
- **Robert Tofeldt, Sr.**: Jan. 2016 – Present
- **Carol Anest**: Nov. 2015 – Present
- **Tim Manke**: Nov. 2015 – Present

### PROJECT CLOSE OUT

The Board of Education has accepted the projects. They accepted the Martin Kellogg project at their meeting of May 27, 2015. They accepted the John Wallace and Newington High School projects at their November 14, 2018 meeting. No comments were received by the Committee from them, as the requesting agency, for these projects. All applicable warranties, guarantees, service manuals, original drawings, as-built drawings, and operator training materials received were turned over to the Board of Education at the time of receipt. All work has been fully and satisfactorily completed since early 2018 or before. All outstanding bills have been paid and the Town’s independent annual audit of these projects has been completed. By submittal of this final report the Committee refers the Martin Kellogg Middle School STEM Project, the John Wallace Middle School Abatement Project, The John Wallace Middle School STEM Project and the Newington High School Career Technical Program Improvements Project to the Town Council for acceptance.
Respectfully submitted,

[Signature]

Jeff Baron
Director of Administrative Services
MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, (On behalf of Tanya D. Lane, Town Manager)
Date: August 21, 2019
Re: Updates from Town Attorney, Benjamin Ancona

The Town Attorney will be present to discuss potential draft language of previously discussed ordinances for ATV’s and the Sale of Town Owned Property. He will also review the status of the previously discussed Panhandling proposal.
MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, (On behalf of Tanya D. Lane, Town Manager)
Date: August 21, 2019
Re: TPZ Referral §8-24 CGS, Municipal Improvements

The Town has accepted the conveyance of approximately 10-acres of property along Mountain Road.

The Connecticut General Statutes §8-24 requires that the legislative body seek a report from the Plan & Zoning Commission relative to this acquisitions. The Town Attorney has been consulted and has determined that a referral for the above acquisition is required under the statute.

A resolution regarding the acquisition of the 10-acre parcel has been included for the Town Council to direct and authorize the Town Manager to submit the referral to the Town Plan & Zoning Commission for its report.

Attachments:

Resolution – Acceptance of approximately 10-acres of property located at Cedar Mountain along Mountain Road from the State of Connecticut
RESOLVED:

That the Newington Town Council hereby directs and authorizes the Town Manager to submit to the Town Plan and Zoning Commission for its report, in accordance with the Connecticut General Statutes, §8-24, regarding the acceptance of approximately 10-acres of property located at Cedar Mountain along Mountain Road from the State of Connecticut by the Town of Newington.
MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Tanya D. Lane, Town Manager)
Date: August 21, 2019
Re: Update on Economic Development Activities

This item has been added for the Town Council to receive information, from Andrew Brecher, Economic Development Director on current and future development projects and efforts within town.
MEMORANDUM

To: Newington Town Council  
From: James E. Krupienski, Town Clerk (on behalf of Tanya D. Lane, Town Manager)  
Date: August 21, 2019  
Re: Affordable Housing Moratorium

The Town of Newington is in the process of completing an application for submission to the State of Connecticut, Commissioner of Housing to implement a three-year moratorium on new CGS §8-30g affordable housing applications. Town Planner, Craig Minor has completed the moratorium application and has supplied it to the Town Attorney for review.

The application, after reviewed, would then come before the Town Council to vote to apply for the moratorium. After the approval the Town would advertise a “Notice of Intent to Apply”, and the complete application would be filed in the Town Clerk’s office. After advertising the Town has a twenty (20) day waiting period, which could involve the scheduling of a Public Hearing relative to the application.

A resolution to approve the request to apply for the moratorium will be included as part of the September 10, 2019 meeting agenda.
MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, (On behalf of Tanya D. Lane, Town Manager)
Date: August 26, 2019
Re: TPZ Referral §8-24 CGS, Municipal Improvements-Town Hall & Community Center Project

Please see the attached memorandum and map excerpt from Craig Minor, Town Planner regarding the proposal to move the Town Hall property line along the east side of the site.

A resolution for the referral to the TPZ will be part of the September 10, 2019 agenda for action.
To: Town Manager Tanya D. Lane
From: Town Planner Craig Minor, AICP
Date: August 26, 2019
Re: Revised Property Line for Town Hall Parcel on Mazzoccoli Way

The Town Hall Renovation Committee is working with a site plan that proposes to move the Town Hall property line on Mazzoccoli Way southeasterly by several feet. See attached excerpt from Sheet C.300.

This revised property line diminishes the width of Mazzoccoli Way and must therefore be referred to TPZ for a “report” in accordance with Section 8-24 of the Connecticut General Statutes:

"No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, … until the proposal to take such action has been referred to the [planning] commission for a report."

I recommend the Town Council vote to refer this to TPZ at the next available Town Council meeting.

cc: file
    THRC
MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, (On behalf of Tanya D. Lane, Town Manager)
Date: August 21, 2019
Re: TPZ Referral §8-24 CGS, Municipal Improvements-Acceptance of Packard’s Way as a Town Street

The Town has received a request from the Developer of the homes on Packard’s Way to request the acceptance of the roadway as a Town Street. In accordance with the process for street acceptance, the Town Council must refer the matter to the Town Plan & Zoning Commission (TPZ) for a report under CGS §8-24, Municipal Improvements. Following receipt of the report from the TPZ, the Town Council shall then notice and hold a public hearing on the proposed acceptance. Following the completion of the public hearing process, the Town Council may then choose to authorize the Town Manager to accept the roadway, or deny the acceptance.

A resolution for the referral to TPZ will be part of the September 10, 2019 agenda for action.
RESOLVED:
That the Newington Town Council hereby makes the following appointments(s):

**Anna Reynolds Public Building Commission**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Party</th>
<th>Term</th>
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</thead>
<tbody>
<tr>
<td>Stephen Woods, Public Member</td>
<td>94 New Britain Avenue</td>
<td>D</td>
<td>8/27/2019-Indefinite</td>
</tr>
<tr>
<td>Carol Duggan, Public Member</td>
<td>17 Dover Road</td>
<td>D</td>
<td>8/27/2019-Indefinite</td>
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<tr>
<td>Jeremy Whetzel, Public Member</td>
<td>92 Old Musket Drive</td>
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Note: Public members of the Committee will serve terms from date of appointment – Indefinite; Town Council and Board of Education members of the Committee will serve terms concurrent with their elected term of office.

MOTION BY: _______________________
SECONDED BY: _____________________
VOTE: _____________________________
AGENDA ITEM: VIII.B
DATE: 8/27/2019
RESOLUTION NO.: 2019-

RESOLVED:
That the Newington Town Council hereby makes the following appointment:

150th Anniversary Steering Committee

21 Public Members maximum
Resolution #2018-159

<table>
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<tr>
<th>Name</th>
<th>Address</th>
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<tr>
<td>Jerilyn Nagel</td>
<td>1175 Willard Avenue</td>
<td>R</td>
<td>8/27/2019-Indefinite</td>
<td>Vacancy due to Resignation of D Morgan</td>
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MOTION BY: _______________________
SECONDED BY: ____________________
VOTE: ___________________________
AGENDA ITEM: VIII.C
DATE: 8/27/2019
RESOLUTION NO.: 2019-

RESOLVED:
That the Newington Town Council hereby makes the following appointment:

**Central Regional Tourism District**

3 Year Term

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Party</th>
<th>Term</th>
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</thead>
</table>

MOTION BY: ____________________
SECONDED BY: ___________________
VOTE: _______________________
RESOLVED:

That property tax refunds in the amount of $3,784.73 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: ________________________
SECONDED BY: _____________________
VOTE: _____________________________
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<td>VW Credit Leasing LTD</td>
<td>1401 Franklin Boulevard</td>
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<td>1401 Franklin Boulevard</td>
<td>Libertyville, IL 60048</td>
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<td>VCFS Auto Leasing Co</td>
<td>1 Volvo Drive</td>
<td>193.97</td>
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<td>1 Volvo Drive</td>
<td>Rockleigh, NJ 07647-2507</td>
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<td>Motorlease Corp</td>
<td>1506 New Britain Avenue</td>
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<td>1506 New Britain Avenue</td>
<td>Farmington, CT 06032</td>
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<td>Daniel or Lisa McAloon</td>
<td>10 Red Rock Circle</td>
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<td>10 Red Rock Circle</td>
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<td>Kevin or Michelle Klett</td>
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<tr>
<td>Shirley D'Addario</td>
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<td>Francis or Lorette Simic</td>
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<td>Thanh Dau</td>
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<tr>
<td>John Mieckleor Gloria Shappy-Meickel</td>
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<tr>
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<td>Name</td>
<td>Address</td>
<td>Amount</td>
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<td>--------------------</td>
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<tr>
<td>Thuong Phung</td>
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<td>Honda Lease Trust</td>
<td>600 Kelly Way</td>
<td>353.75</td>
</tr>
<tr>
<td></td>
<td>Holyoke, MA 01040</td>
<td></td>
</tr>
<tr>
<td>Lizaida Collazo</td>
<td>31 Coronado Drive</td>
<td>39.72</td>
</tr>
<tr>
<td></td>
<td>Newington, CT 06111</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$3,784.73</strong></td>
</tr>
</tbody>
</table>
RESOLVED,

That the Newington Town Council, in accordance with CGS §1-200(6)(B) hereby moves to go into Executive Session, and invites the Town Council members, the Mayor and Tanya D. Lane, Town Manager to discuss Pending Litigation: 550 Cedar Street Associates LLC; Amy Berube (Doggie Daycare); Firestone.