TOWN OF NEWINGTON
131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR ROY ZARTARIAN

NEWINGTON TOWN COUNCIL

MEETING MINUTES
May 28, 2019

Mayor Zartarian called the meeting to order at 7:00 p.m. in Room L-101

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL
Councilor Anest
Councilor Arace
Councilor Budrejko
Councilor DelBuono
Councilor Manke
Councilor Marocchini
Councilor Miner
Councilor Serra
Mayor Zartarian

Staff Attendees:
Tanya Lane, Town Manager
Andrew Brecher, Economic Development Director
Gary Fuerstenberg, Town Engineer
Craig Minor, Town Planner
Tom Molloy, Superintendent Highway Department
James E. Krupienski, Town Clerk
Susan Gibbon, Council Clerk

III. APPROVAL OF AGENDA

Motion to approve the agenda by Councilor DelBuono seconded by Councilor Manke. Motion passed 9-0.

IV. AWARDS/PROCLAMATIONS

A. Award eeSmarts Annual Student Contest

Motion by Councilor Marocchini

WHEREAS, the eeSmarts program of the Energize Connecticut initiative expands students' understanding of the science, math, and technology of clean, renewable energy; and

WHEREAS, the eeSmarts annual Student Contest encourages students from kindergarten to college to create projects about energy efficiency, renewable energy, and sustainability; and

WHEREAS, the 2019 eeSmarts Student Contest received more than 800 entries from throughout the state; and

Phone: (860) 665-8510  Fax: (860) 665-8507
townmanager@newingtonct.gov
www.newingtonct.gov

76777891
WHEREAS, Rishan Annadurai of Newington, a junior at the CREC Academy of Aerospace and Engineering, was a member of the team that designed and developed one of the award-winning projects in the Grade 9-11 division, and

WHEREAS, Rishan was honored at the awards ceremony at the State Capitol on Thursday, May 9, 2019;

NOW, THEREFORE BE IT RESOLVED, that the Newington Town Council hereby recognizes Rishan for his awareness of the importance of energy conservation and for the talent and creativity he displayed in producing a prize-winning entry; and

BE IT FURTHER RESOLVED, that the Newington Town Council extends its heartiest congratulations to Rishan Annadurai for this outstanding achievement.

Seconded by Councilor Marocchini. Motion passed 9-0.

- Rishan Annadurai stated that his project looked at the wastage of paper towels in schools and eliminating waste by using hand dryers.
- Councilor Budrejko stated that renewability is a continuing issue, especially for your generation, up to you to solve the problems we are creating. So pleased that someone from Newington is interested and passionate about it. Urging you to continue your interest in getting resolutions to the problem. Hopefully we will hear more about you in the future.
- Councilor Manke congratulated Rishan. Seems like a small thing to save paper towels, but small things become big things. The sky is the limit for you, keep working at it.
- Councilor DeBuono congratulated Rishan. Thank you for representing Newington and CREC. These are solutions we need to look at for our future. The fact that someone your age is looking at these things and trying to make a change is huge.
- Mayor Zartarian congratulated Rishan and wished him well in the future.

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

- Bill Jones, 26 Sequin Street. Thanked the town council and the mayor for letting him speak. He and his wife are 25 year residents of Newington. Tonight’s topic is a letter received from the town engineer regarding the removal of the sidewalk on Sequin Street which is scheduled to begin May 2019 and end June 2019. The residents of Sequin Street object to the unilateral decision to remove the sidewalks. The residents have a signed petition and I do have that with me. The petition is not only to keep the sidewalks but to improve them. The Sequin Street residents request 1) to stop the current plan of removing the sidewalks; 2) devise a plan to install a new concrete sidewalk adhering to conventional design and keeping all trees intact while designing and installing the new sidewalks. Appreciate you listening to me.

- Deb Krawiec, 367 Cottonwood Road stated she is a commissioner on the Environmental Quality Commission and was a former member of the Conservation Commission and that she is happy to see the town council taking up the topic of detention/retention basins. I have a list of 40 retention basins and look forward to action being taken.

- Rose Lyons, 46 Elton Drive stated that the too is happy to see that after a long period of time a discussion is being held regarding detention/retention basin maintenance. I brought this question to the Conservation Commission many years ago. Thank whoever is responsible for bringing this forward and look forward to hearing the conversation around it.

VI. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION

- Councilor DeBuono thanked Mr. Jones for bringing the Sequin Street project. Appreciate making us aware of the concerns of the residents and will look in to this.
VII. CONSIDERATION OF OLD BUSINESS (Action May Be Taken)

A. Anna Reynolds Project Building Committee

Motion by Councilor Anest

RESOLVED:

That in accordance with the Newington Code of Ordinances, Article X, Project Building Committees, Section 8-38 – 8-45, inclusive, the Newington Town Council hereby establishes the Anna Reynolds Project Building Committee, comprised of 7 members; of which 2 shall be representatives of the Town Council, 2 shall be representatives of the Board of Education, and 3 shall be members of the public; and

BE IT FURTHER RESOLVED; that the Mayor, Town Manager, Board of Education Chairman and the Superintendent of Schools shall be ex-officio members of the Anna Reynolds Project Building Committee, and

BE IT FURTHER RESOLVED; that said Committee is charged to work with the Town Manager (or her designee), Superintendent of Schools, and any other appropriate Town staff in the oversight of renovations to the Anna Reynolds Elementary School. 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; and

NOW THEREFORE BE IT RESOLVED; that the Newington Town Council hereby appoints the following members to the Anna Reynolds Project Building Committee:

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<tr>
<th>Name</th>
<th>Address</th>
<th>Party</th>
<th>Term</th>
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<tr>
<td>Michael Branda, BOE Member</td>
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<td>D</td>
<td>5/28/2019-11/12/2019</td>
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<tr>
<td>Paul Vessella, BOE Member</td>
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<td>R</td>
<td>5/28/2019-11/12/2019</td>
</tr>
<tr>
<td>Chris Miner, Town Council Member</td>
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<td>D</td>
<td>5/28/2019-11/12/2019</td>
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<tr>
<td>Gail Budrejko, Town Council Member</td>
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<td>R</td>
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<td>5/28/2019-Indefinite</td>
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<tr>
<td>Joshua Shulman, BOE Chairman</td>
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<td>Ex-officio</td>
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<td>Pamela Muraca, Interim Superintendent of Schools</td>
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<td>Roy Zartarian, Mayor</td>
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<td>Ex-officio</td>
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<tr>
<td>Tanya D. Lane, Town Manager</td>
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<td>Ex-officio</td>
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Note: Public members of the Committee will serve terms of 5/28/2019 – Indefinite; Town Council and Board of Education members of the Committee will serve terms concurrent with their elected term of office.

Seconded by Councilor Serra. Motion passed 9-0.

- DelBuono stated if those people should change, they will automatically serve ex-officio.
- Town Manager Lane stated yes, that is the way the town ordinance reads.

B. Adoption of 2019-2024 Hazard Mitigation Plan
Motion by Councilor Marocchini

WHEREAS, the Town of Newington has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of those natural hazards profiled in the plan (e.g. flooding, high wind, thunderstorms, winter storms, earthquakes, droughts, dam failure, and wildfires), resulting in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the Newington Town Council approved the previous version of the Plan in 2014; and

WHEREAS, the Town of Newington and Capitol Region Council of Governments developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for the Natural Hazard Mitigation Plan Update, 2019-2024 under the requirements of 44 CFR 201.6; and

WHEREAS, public and committee meetings were held and public input was sought in 2017 and 2018 regarding the development and review of the Natural Hazard Mitigation Plan Update, 2019-2024; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedure for the Town of Newington; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the Town of Newington, with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make the Town of Newington eligible for funding to alleviate the impacts of future hazards;

NOW THEREFORE BE IT RESOLVED by the Town Council:

1. The Plan is hereby adopted as an official plan of the Town of Newington;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as a part of this resolution for a period of five (5) years from the date of this resolution.
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Town Council.

Adopted this 28th day of May, 2019 by the Town Council of Newington, Connecticut.

Seconded by Councilor DelBuono. Motion passed 9-0.

- Councilor Manke asked if the intersection of Dowd and Main was in the report.
- Craig Minor stated that yes, technically it is in the report, not listed as a specific action item, but if the town wanted to try to get funding for it, it would be eligible. However, because Main Street is a state road it might be difficult and questionable whether the town wants to spend money improving a state road.
- Mayor Zartarian stated that one thing that caught his eye is the situation at Stamm Road and Amtrak not maintaining their culverts. Any progress or indication that we may see some movement from Amtrak?
- Mr. Minor stated that no, he doesn’t think so. We approached them regarding their most recent work on the line and they responded but it wasn’t positive. That is in the plan, so we can apply for funding to make those local drainage improvements.
• Councilor Budrejko stated that she understands the comment and concern about it being a state road at Main Street and Dowd, but there are Newington homeowners whose yards are getting flooded and there are Newington residents who try to drive down Main Street. It’s not like it is a major thoroughfare, you may want to reconsider that.
• Mr. Minor stated that he will look into that.

C. Discussion - TVDD Draft Regulations

• Councilor Budrejko stated that the plan talks about the development being responsible for the infrastructure. Does that mean road repairs, snow removal, leaf collection, if there is any?
• Mr. Brecher stated yes to all.
• Councilor Budrejko asked approximately how many new residential units and residents are anticipated? It would be nice to have a general number on how much this is going to increase services for the schools, etc. Would like to get that number at some point.
• Mr. Brecher stated that is unknown. That is so wide open, it is impossible to guess. Hoping to get a $100,000 grant to hire a design firm to provide different scenarios to get developers inspired. The market will dictate and that will change over time.
• Councilor Budrejko stated that someone said that this would be transformative for Newington. At some point we would want an idea of how much of an increase of residents there will be. We should have an idea and discussion prior to it being developed. Still unclear of the Design Review Committee. Please go over that again.
• Mr. Brecher stated that the regulations contemplate the appointment of a Design Review Committee by the TPZ that would be made up of experts that can review each plan. We do not anticipate 44 acres or 20 acres being developed all at once, which complicates the answer to your questions. So if we are looking at smaller acreage, they would review the design plan in detail looking at all the aesthetics, design elements and how it will function. Far different than what TPZ does. TPZ essentially looks at a site plan. Much more comprehensive review. They will be appointed by TPZ and report to TPZ under the supervision of the town planner.
• Councilor Budrejko had a question about building heights. Will it be in character with the rest of the town.
• Mr. Brecher stated that the plan stated that plan talks about staggering building heights with maximum of 4 and 6 stories. I would be in favor of their being more because the drop off as it heads southwest. There is a lot of variation allowed, but it needs to feel right and look right.
• Councilor Budrejko stated that there was a reference to a bed and breakfast, would something like a Residence Inn be allowed?
• Mr. Brecher stated yes.
• Councilor Budrejko asked at what point would the Conservation Commission be brought into this. Don’t they usually review applications? Would prefer to see them brought in sooner, rather than later, just as a courtesy.
• Mr. Brecher stated that they would review any applications. This is an overlay zone, it doesn’t supplant the process that already exists. If there is jurisdiction by the Conservation Commission, then they will review it.
• Councilor DelBuono stated she understands what Councilor Budrejko is asking about regarding the number of residents. Can you explain when it says that 10% of the housing will be affordable housing. Can you explain how that works.
• Mr. Brecher stated that each development has to be at least 4 acres. So a project is large enough so you can state that the developer has to have a certain set aside. My understanding is that you cannot discriminate. You build housing you have to have the exact same unit for everyone, but certain of them have to income eligible and expense limited. The way we have
designed this and based on area medium income, affordable would be $1,600 per month and up. The requirement is that 10% has to be income restricted and affordable and in compliance with the law. We would also like to see those deed restricted.

- Mayor Zartarian asked if there were any barrier to restricting the apartments to studio types to limit the number of children.
- Mr. Brecher stated that based on reports, no one is building anything with three bedrooms. They are building studios, lofts, one bedrooms, and beautifully appointed. If you go to three and four bedroom you get a lot of children, but there isn't enough demand for that and people aren't going to pay $5,000 a month for that, not in this area.
- Mayor Zartarian asked how dependent would the success of this project be based on the health of our central city?
- Mr. Brecher stated let's expand that and say our state. The answer would be very. This all interrelates. What we are talking about is putting millions of dollars up front at risk. They will look at everything that might undermine the success of the project. We want to make sure we get everything we want. The difference would be the train station. How many communities in Connecticut have the ability to build a community along the line. Newington is in a unique situation because nobody has the land like us. Will it be exciting enough to get over concerns?
- Councilor Manke asked what the dangers are of having only a small portion of this developed?
- Mr. Brecher stated that it is not any different than a subdivision. What usually happens is that somebody else comes in. I think these regulations are flexible enough for developers to find what works. You don't see a lot of things going up and sitting empty anymore, they do a lot of homework.
- Councilor DelBuono stated that she wants to reiterate that if we go through this process and the TPZ approves this overlay, and the train station does not come to fruition, the underlying zone would still be in effect. Which would prevail?
- Mr. Brecher stated that the underlying zone would always be there. Someone could come in between now and then, when the train station appears, they have the right to build whatever they want in the industrial zone in the south and the PPD zone in the north; that will always be there. Don't know how TPZ will adopt these.
- Councilor DelBuono stated that it all sounds good, haven’t been successful building around the bus stations. What is different about the train piece that would make it more enticing for people and why we think this would work better.
- Mr. Brecher stated that the busway exists along a path that was there to be used. It was not selected as the best route for bus rapid transit. It was designed with no parking, there are no sidewalks, there are no bikeways. There are lots of reasons you cannot compare CTfastrack with the Hartford Line. The Hartford Line connects to places that people want to go. It is in the central Connecticut location. You can go to New Haven to have dinner and go to the theatre, have wine with dinner and not worry about having to drive back is very enticing. Stamford and Norwalk are hopping communities right now. The big difference is CTfastrack is working for what it does, but was not put where it needs to be.
- Councilor Marocchini stated that what is exciting is that we might have the chance to put Newington in a position where we are actually ready for something before it happens. That is rare for us. That is the part I like, it is an existing discussion and existing plan. It is the first step to a greater thing down the road. Would be willing to vote on a resolution right now. That is where I stand. Definitely worth getting to TPZ and getting their thoughts on it.
- Councilor Miner stated that he wanted to reiterate a couple of things. The market will ultimately determine what will be built, they are the ones that will present a plan based on what we provide. TPZ ultimately has the position of approval and all we are doing is
providing them with a path to go with an overlaying zone. The underlying zone will always be there, regardless. Someone could come in and develop without any restrictions. On the housing inventory, Andy mentioned a 10% restriction. Deed restriction is very common, but at a level that is affordable. That is often overlooked. Excited, an opportunity we should advance to TPZ.

- Councilor Budrejko stated that she has been reading articles about the toll bill and as part of that it mentioned three communities that are part of the toll bill, being Bridgeport, Newington and West Hartford. It seems like the decision is already made, we have to do this or we won’t have a train station. Not that I don’t think it is an idea worth exploring.

- Mr. Brecher stated that, in his opinion, he thinks that there will be a train station in Newington regardless of whether the TVDD regulations are passed or not. It is just a matter of when? As I stated at the last meeting, you don’t have commuter rail system without commuter rails stations. We know from discussions with DOT staff, they would like to see us be more enthusiastic about having a rail station and that is how we got into this whole discussion. How do we demonstrate to you our earnestness and they said pass regulations that will allow the type of development we think is appropriate. They are not dictating to us, but they do want this measure of faith. Simultaneously, we have been working with our delegation at the capital to maybe move it along faster. It is really a two part question. One is to get into the program and two, where are you placed are you at the top or bottom of the list. The bottom line is I don’t know if tolls will pass or if section 17 will be in there. What we are doing now is a good measure of control.

- Councilor Budrejko stated that is the key for me. We need to keep some sort of control.

- Mr. Brecher stated that nothing in any of the bills he as seen give a date for when the train station is built.

- Councilor Budrejko stated that the state wants us to show a level of interest, but I want a level of commitment from them to fix the problems with Cedar Street, to provide access between the bus station and the train station, fix the off and on ramps to Route 9. The state needs us as much as we need them. I want something in writing if possible.

- Councilor Manke stated that it is a well put together report. There are a lot of moving parts to this. It depends on if someone wants to develop the property, or if someone wants to sell the property; fixing Cedar Street and a whole host of things way down the road. It is a start. The TPZ has to approve it and then will go to public hearing for the people to decide if this is something they want for the town. Our moving it forward to TPZ is only one click of the wheel. We can’t get there if we don’t move forward.

- Mr. Brecher stated that the heavy lifting is going to be by TPZ and part of the text amendment process is a public hearing. Think lots of folks will be able to weigh in. The way to go is for the council to make an application to the TPZ. No one expects every member of the council to have 100% knowledge of the regulations. You just passed a Hazard Mitigation Plan with a lot of technical language and this is the same thing, you have an idea of what is intended.

- Councilor Anest stated that with us taking the initiative and presenting the draft regulations we can get what is right for the town and not what is right for the developer. TPZ is going to dissect these regulations and pull them apart, and they have every right to. We have to move this forward. It is a good way to show the state that yes, we want to see something happen.

D. Bid Waiver Request for Revaluation 2020

Motion by Councilor Miner

RESOLVED:
That the Newington Town Council agrees to waive the bidding process under section 813 of the Charter for the appropriation of revaluation services and allow the Town Assessor to continue to use our current vendor, eQuality.

NOW THEREFORE BE IT RESOLVED: That the Newington Town Council, as fiscal authority for the Town hereby agrees to waive the bidding process.

Seconded by Councilor DelBuono. Motion passed 9-0.

E. Budget Transfers for FY 2018-2019

Motion by Councilor DelBuono

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 General Fund, the amounts listed below.

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Janet Murphy, Director of Finance

RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in the General Fund to the following accounts:

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Seconded by Councilor Marocchini. Motion passed 9-0.

F. Annual Appointment of Auditor
Motion by Councilor Marocchini.

RESOLVED:

Per Section 610 of the Newington Town Charter, the firm of Blum Shapiro is hereby appointed as auditor for the Town of Newington for the fiscal year ending June 30, 2019; said firm agrees to file a complete report on or before December 15, 2019.

Seconded by Councilor Manke. Motion passed 9-0.

G. Discussion – Library Parking Lot Update
- Gary Fuerstenberg stated that he received the list of comments from Diane [Stamm] and went though them and panned things out. In summary, the grading is a work in progress, it will continue to move forward and is controlled by the weather. The retention basins and the wetland plantings we are in the process of getting a quote for those items. The installation of silt sacks in is progress. For the installation of the gabions we made a substitution and put gravel there. The tactile pads on the sidewalks are getting installed. We are getting a quote to install the ballards. The facilities staff did some work on the sidewalks last week. There were changes in the demolition work that resulted in sidewalks not being removed. The plan is to leave the surface in the parking lot as is, and after construction, make a determination as to what else needs to be done, either resurface or reconstruction. When the town staff started working on this project, we had very little time to get the parking lot opened and functional.
- Mayor Zartarian stated that he got a complaint about the lack or railings on the sidewalks. Are we up to code on that?
- Mr. Fuerstenberg stated that railings are not needed.
- Councilor DelBuono asked about keeping the lines of communication open with the library and the library board.
- Mr. Fuerstenberg stated that after the last meeting, he immediately sent a request to meet with the library folks, have not done that yet, but look forward to meeting with them.
- Councilor Budrejko asked about collecting damages from the contractor.
- Town Manager Lane stated that there has been talk of it; nothing being actively pursued. One of the problems was the weather. This is something the town council can look into.
- Councilor Anest asked how much money was withheld from the contractor.
- Town Manager Lane state the amount withheld was $60,000.
- Mr. Fuerstenberg stated that this job was inherited and he thinks that the town staff is doing a great job to rectify everything.
- Councilor DelBuono stated that nobody is questioning the job that is being down by town staff, just lack of communication. $60,000 was withheld from the contractor, is that enough to cover the work?
- Councilor Serra asked if the contractor was looking for the money?
- Town Manager Lane stated that no, the contractor wasn’t looking for the money. There was an addendum to the contract.

H. Discussion- Town-wide Facilities Building Committee
- Mayor Zartarian stated that this would be an umbrella committee looking at facilities in the town side as well as the school side to evaluate conditions and work up a schedule for work to be done. Other towns have building commissions, some of those towns also serves as a public building committee.
- Councilor Anest stated that if you look at Windsor’s, that is the way we want to go. I would like to see us work off of that.
• Councilor Manke stated that a it should be a town wide facilities committee, not just a building committee, need to look at town inventory be it a park, a firehouse, a school, a town hall, a library and what the conditions are and what the improvements are that are needed and prioritize what needs to be done. Have people on the committee that have an expertise in the field, someone who knows construction, etc. Time to do this, get a sense of what we have and make a rational plan.

• Councilor Miner stated that we should consider that a new superintendent is coming in; wait to get her input.

• Councilor DeBuono stated that she agrees with Councilor Manke, take the word building out and have it say facilities. Equate it to a 20/20 plan for zoning, it’s the town’s plan on how to accomplish things. Tremendously important that town and school are working together on this, need to have a discussion with the BOE in creating committee; want to make sure that both bodies are on board.

• Councilor Manke stated for this committee to work well, we don’t get siloed into the fire department wants their stuff done or the town wants their stuff done. We need to look at everything in a dispassionate manner. It has to be done on a need base, not who has the most voices at a meeting; need to look at it at as a whole.

• Councilor Anest stated that if we set up this committee based on people who are experts, they wouldn’t be from the fire department, or school board, or the town, they would be residents who will look at the facilities and come back to the council or BOE and tell us what needs to be done. Think that the members have to be general members.

• Councilor Miner stated that a critical component is to have experts stating what is a want and what is a need.

• Councilor Anest asked if there should be a subcommittee to look into this.

• Mayor Zartarian stated that leadership will be working on this. Will be brought up again at the last meeting in July.

VIII. CONSIDERATION OF NEW BUSINESS (Action May Be Taken by Waiving the Rules)

A. Discussion-Detention/Retention Pond Maintenance

• Gary Fuerstenberg stated that he wants to go over the amount of structures the town has. Also wanted to thank the town IT staff and engineering staff who have spent the past several months updating the town's GIS system, drainage system and inventorying the drainage system. There are two large drainage systems in town – Piper Brook and Mill Brook and several smaller streams throughout the town and numerous swales and tributaries drain into those. We have approximately 115 miles of pipes and culverts in town, over 7,300 catch basins and manholes, that equates to 3,350 town owned, 803 are owned by the state and the remaining 3,000 plus are on private sites. There are 61 retention/detention ponds in town, 48 are on private property, 11 on town property and 2 on state property. These drainage structures have been expanded and built on too. The storm water flow has increased over time, but it appears to be functional. Some areas can use some work. The history of maintenance in town, the highway department used to use sand for treatment of the roads, and needed to remove the sand from the roads, etc. Since we are not dumping sand on the roads, the need to clean the drainage systems decreased. Maintenance of any brook on property is the responsibility of the property owner. The lack of maintenance by one owner, may affect the property owners. All types of debris end up in the brooks. General Permit #1 from the Conservation Commission allows us to maintain the wetlands and waterways throughout town. There is no plan to work on the aesthetics of basins and swales throughout town; we do maintain the functionality of them on an as needed basis. We aren't proactive like we were. When we can't maintain them, we hire subcontractors to take care of them. We just issued a PO to hire a contractor to clean all of the catch basins in town.
• Tom Molloy stated that this has not been done since the mid-2000’s. They will all be cleaned this year. There is a lot of issues with many of the basins this year, cracking, breaking, etc.

• Mr. Fuerstenberg stated that they issued a PO for $7,000 to Stamm Construction to clean the sediment and debris from the Churchill overflow area. Typically there are no grants for maintenance; they are only available for improvements. Looking forward, we do have a drainage improvement plan since they have been identified by staff and in the 2010 Town Wide Drainage Report. Those projects include Stamm Road, Mountain View Drive, Reservoir Road, Brentwood Road, Main Street and Whitewood Road. These projects are in the CIP Plan awaiting funding.

• Craig Minor stated that he is going to speak of the privately owned structures throughout town. I received an email from the Town Manager by Councilor Anest with several questions. The first question as where are they located? The privately owned structures are throughout town. Pretty much every to medium size plan has catch basins or a bio swale that requires maintenance. The next question was what is responsibility of the owners of private detention basins. Each site plan has a maintenance schedule and it could be as simple as checking the detention basin biannually and removing of garbage, debris and some are several paragraphs long which talk about mowing on an annual basin, removal of sediment, etc. There is a college intern working in the engineering department this summer and one of her projects will be to inventory the privately owned detention basins and what the maintenance requirements are and a contact person as to who is supposed to be doing the maintenance. Once that is done, I will turn it over to the ZO to make sure that the maintenance is being done. We are not eligible for any grants on work that is part of the MS4 Plan and a lot of work is in the MS4 Plan.

• Councilor Anest asked going forward, how much money for maintenance needs to be put aside to keep on top of this.

• Mr. Molloy stated that depends, we will probably clean the basins every other year, and then there is the issue of the watercourses that need maintenance that we don’t have the equipment for. We have a lot of pipe underground that will need to be taken care of at some point.

• Mayor Zartarian asked for a price estimate for next year’s budget.

• Councilor DelBuono asked what happens to the chemicals we use on the roads now, does it just go away?

• Mr. Molloy stated that is liquefies.

• Councilor DelBuono asked about the basins. How do we enforce private property owners to maintain them? Is there something on the books?

• Mr. Minor stated that it is a stretch to make a developer follow up on plans. I don’t have a problem having someone take care of storm water maintenance.

• Councilor DelBuono stated that it can be costly is a hardship, glad we are looking at it. It says detention/retention ponds. What you are saying is basins is different, correct.

• Mr. Fuerstenberg stated that in his inventory he lumped them all together.

• Councilor Miner stated that a retention pond is like at Stew Leonard’s, a detention pond is similar to what is at Target, which is pretty much a dry area all the time.

• Councilor DelBuono stated for maintenance we are talking about mowing.

• Mr. Minor stated not mowing, that is aesthetic. We are talking about removing sediment that could make the structure fail over time and detain water.

• Mr. Miner stated that his concern and problem is the brooks themselves; they just can’t handle the capacity.

• Mr. Molloy stated that when these things were designed, they were designed for certain flood events. We have been getting a lot of rain and in many cases the pipes can’t handle it.

• Mr. Miner stated that this is not just a problem in Newington, Need to start putting money aside and prioritizing what needs to be done.
• Councilor Marocchini asked what the MS4 money in CIP is for.
• Mr. Fuerstenberg stated that is for compliance with the plan.
• Councilor Manke stated that one of the big problems is with the brooks. People throw all kinds of stuff into them, and it is out of the scope of the average homeowner to rectify that. It is important that we take care of the brooks. Years ago they did a major project cleaning up the brooks and it is all grown in again.
• Mr. Fuerstenberg stated that maintenance for Piper Brook and Mill Brook is an unfunded item in CIP. We don’t spend taxpayer money to work on private property.
• Councilor Budrejko stated that she understands not using town money on private property, but what happens if there are violations. Is there a way of recouping town costs?
• Mr. Fuerstenberg stated that he doesn’t know. There is a difference between doing improvements versus maintenance.
• Councilor Budrejko stated that it sounds like some of the site plans need strengthening.
• Mr. Minor stated that the newer ones are more detailed.
• Councilor Budrejko stated that if there are violations, if the property owners are not doing what is in the plan, is there a way to get clean up through, some type of violation, an ordinance or something?
• Mr. Minor stated that it is not crystal clear whether it is a zoning violation; I don’t have an answer off the top of my head, I will have to talk to the town attorney about that.
• Mr. Molloy stated that there is a drainage statute that can be used if somebody dumps something into a waterway and causes a backup upstream. You can send them a letter and reference the statute. It is a process though.
• Councilor Budrejko stated that after several years of sitting in on Conservation Commission meetings, and TPZ and Environmental Quality; everyone is aware that there are issues, but no one knows whose job it is to correct them. Who takes ultimate responsibility for the enforcement? Not just maintenance? The normal resident is not going to know whether it is state, town or privately owned property. It seems there is a run around. Who do we call? Engineering? Can we start looking at some kind of enforcement?
• Mr. Minor stated yes, but it is complicated. Taking care of a blockage in a stream would involve one area of regulations and statutes; but requiring a shopping owner to take maintain his detention basin that is filled in with sediment and debris is different set of enforcement action, but we can look in to all of them.
• Councilor Budrejko stated that there are avenues to get things done, and we should start pursuing them.
• Councilor Manke stated that part of this is education too. At the end of my street is a culvert that was put in, but over the years it has been filled in with leaves and grass, people don’t understand what they are for and why they are important.
• Mr. Molloy stated how many people when they buy a house are aware that they have a private line under their house.
• Councilor Anest thanked Gary, Tom and Chris for answering her questions. When the intern is done with her report, can that be sent to the town council? Can we keep this on our radar and not let it drop.
• Mr. Fuerstenberg thanked Deb Krawiec for her list

B. Town Hall Renovation Update
• Mark Schweitzer of Collier’s International stated that Downes Construction has taken over the site since early to mid-April. They have separated the existing town hall from the construction site, you cannot egress from the town hall to the site. They have removed and abated the transition academy, they have started with the hazardous soil removal of the old high school foundation; at last report that is 60% complete; over the process they added a
third classification of soil – polluted; cost is not as much as asbestos filled soil. The overall allowance for soil removal is at cost right now. There was a construction change directive issued last week so that soil will continue to proceed. There is an LEP on site daily classifying the soils.

- Councilor DelBuono asked what does a construction change directive mean?
- Mr. Schweitzer stated that it is a document from the architect and contractor that is signed by the town that effectively tells them it is identified as a potential cost and they are to continue the work.
- Town Manager Lane stated to clarify it does not encumber money. It is a mechanism to keep the project moving forward. We haven’t encumbered any additional money yet.
- Councilor DelBuono stated that is identifying the potential for that and is hasn’t come to that yet.
- Town Manager Lane stated that is correct.
- Councilor Miner stated that is a reconciliation based on the last meeting. Much more material at a cheaper price.
- Town Manager Lane stated that we originally anticipated an additional $250,000 beyond the $180,000 budgeted for removal; with this third classification, we are now looking at a $70,000 upcharge.
- Mr. Schweitzer stated during the summer you are going to see continued soil removal and they will begin excavating for the foundation. The site will not look any different.
- Town Manager Lane stated that we need to clarify what the role of Collier’s International is. Their role includes financial oversight, on site observations of all the construction activity; progress and quality of the work of the subcontractors; notify the town of any pending matters that have potential financial ramifications. Even if we did have facilities director on staff, we still have the need for services of Colliers International. Nothing happens as far as approval we still have the building committee on this. Nothing happens until Colliers has looked at it, investigated it and okayed what that action is or isn’t. They are constantly interacting with Downes and then conveying it to me. We actually meet weekly on Monday mornings to go over what is happening at the site.
- Councilor DelBuono stated that we received an email earlier in the week about a concern about construction traffic.
- Town Manager Lane stated that she sent those concerns to Downes Construction.
- Councilor Manke asked if Collier’s has the same person on site all the time?
- Mr. Schweitzer stated that he is on site everyday. Not eight hours.
- Councilor DelBuono asked to go over the process of changes and how they will be handled so that the public understands it.
- Town Manager Lane stated that will be a topic of conversation at the building committee meeting tomorrow. There will be a threshold established and anything under that threshold, I, as the owner, can approve, and anything over that the building committee will have to approve. Keeping in mind that none of this will stop or slow down the process.

C. Fair Housing Resolution (Action Requested)

- Mayor Zartarian stated that we are acting on this because we are under a calendar constraint. The opportunity for public participation will be after the resolution is read and before the vote.

Motion by Councilor Marocchini

RESOLVED:
The Newington Town Council, in accordance with Section 12 of the Town Council, Rules of Procedure, adopted May 10, 2016, hereby moves to allow action on Agenda Item VIII.C, to adopt the 2019 Fair Housing Resolution.

Seconded by Councilor Anest. Motion passed 9-0

Motion by Councilor Marocchini

WHEREAS, all American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

WHEREAS, State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, or familial status, be given equal access to rental and homeownership opportunities and be allowed to make free choices regarding housing location; and

WHEREAS, the Town of Newington is committed to upholding these laws and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice;

NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis; and

BE IT FURTHER RESOLVED, that the Town Manager of the Town of Newington or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of any illegal discriminatory housing practices in the Town of Newington and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

Seconded by Councilor Anest. Motion passed 9-0.

- Rose Lyons, 46 Elton Drive asked what item is being waived, is it seven A. Eight C? I understand now.

IX. RESIGNATIONS/APPOINTMENTS (Action May Be Taken)
- None

X. TAX REFUNDS (Action Requested)
A. Approval of May 28, 2019 Refunds for an Overpayment of Taxes

Motion by Councilor Budrejko

RESOLVED:

That property tax refunds in the amount of $530.41 are hereby approved in the individual amounts and for those named on the “Requests for Refund of an Overpayment of Taxes,” certified by the Revenue Collector, a list of which is attached to this resolution.

Seconded by Councilor DelBuono. Motion passed 9-0.

XI. MINUTES OF PREVIOUS MEETINGS
A. May 14, 2019 Special Meeting Minutes
B. May 14, 2019 Regular Meeting Minutes
- *Tabled to June 11, 2019 meeting*
XII. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

- Town Manager Lane stated that on May 23rd the town had a very positive result from the sale of the $9 million bond and the $6 million bond anticipation note. Each of the sales yielded competitive interest rates on the strength of a solid reviews from S&P Global Ratings who assigned the town a rating of AA+. The Town’s steady operating results and consistent budget reserves, along with its very low debt burden support the rating. Worth noting are some S&P highlighted bullet points: they recognize management has done well reflecting conservative budgeting and prudent planning producing several years of general fund surpluses; strong policies and practices in place including our CIP and Employee Leave and Liability Fund which are more unique to Newington than to the greater good; they cited strong management, strong budgetary performance, very strong budgetary flexibility, very strong liquidity, very strong debt and contingent liability profiles and a strong institutional framework score. S&P does not foresee changing this rating as we do a 2-year look ahead. The bond anticipation note did net six bidders, our rate is 1.57% with a maturity date of June 4, 2020 and that was awarded to Jeffries LLC located in New York. Likewise we had six bidders for the general obligation bond and that was awarded to Bank New York Mellon Capital Markets at an interest rate of 2.7%. I would say we are to congratulate all of us, we have done a fine job, I think these rates are outstanding and am extremely pleased with the results.

XIII. COUNCIL LIAISON/COMMITTEE REPORTS
- None

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

- Lee Ann Manke, 112 Northwood Road member of the Library Board thanked the council for keeping the library parking lot on the agenda. Want to give an update from our side. The library is moving forward with it understanding of the lease agreement. It is your project on our land. Just want to make sure what ends up being built is in compliance with the agreement. Not aware of any change orders or things made in the actual construction of it. We are anticipating what is in the plan will be built. The town engineer referenced correspondence between he and Diane Stamm, she is out of town right now. The notations listing of various items is not an end all of items that need to be completed, that was just a brief overview. We did not intend for those to be the only things addressed. We should not be responsible for verifying that your project is done in accordance with the plan. Our concern is that it is on our property. We are more than willing to meet with the town engineer, it is difficult, most of us are volunteers and his time is during the day. We want to work with you to make it right, we want to work the Hartt Lane residents to make sure it is what we agreed.

- Anna Eddy, 41 Churchill Way stated that during tonight’s meeting I heard a lot of discussion about future building committees. Just want to remind the council that we already have in place the Library Renovation Building Committee that was established 3 years ago and put on hold a year and a half ago when the town hall was moving forward. There was a conversation then that once the town hall got going, we would revisit the library, just here to remind you about that. This has been a topic of conversation between the Library Board of Trustees and folks in the town hall since 2010. Just like everyone else we have been waiting for things to change across the way.
- Rose Lyons, 46 Elton Drive stated that she is just curious, have asked this question before, back in 1998 the Mill Brook and Piper Brook areas were dredged and about five years ago the south branch of the Park River maintenance project was done and when that was completed I was under the impression there was going to be an agreement between State of CT and the Town where the brook flowed as the maintenance of that area. In 1998 there was no agreement, that is why the state took care of it. I don’t think they intend to do any more of the maintenance and I just want to know where that stands. As far as the maintenance along the brook, I know that the town engineer stated that people along the brook who own property there should maintain it, but believe education has to be given to the property owners. Have attended many Conservation Commission meetings when a woman cleaned up the area, not knowing that she needed a permit and the conservation commission made her do the work up to their standards and it cost her $11,000. The owners should be advised as to what they can and cannot do without getting a permit from the town. Know that six acres behind me on Elton Drive is owned by the State of Connecticut and the rest by the Town of Newington. Residents from Elton Drive tried to clean up an area, but were criticized by the Conservation Commission. People don’t even know there are drains on private property, perhaps we should identify and let property owners they are there. As for enforcement, maybe the town should start cleaning up their areas and they can show the residents what needs to be done; lead by example. Historically, money has been put in CIP for the drains and a few years back, he drainage account got cut. Need to look at it again at the CIP to determine what is needed to keep these areas maintained. More needs to be done and not put on the back burner.

XV. REMARKS BY COUNCILORS
- Councilor DelBuono stated that she wanted to bring up and idea to be put on the next agenda for consideration. Have been reading about the movement for no tolls, several towns in Connecticut have passed a no tolls resolution letting the Governor know the concerns about how they will affect their towns and some of the towns include Stamford, Enfield, Montville and Berlin. Some concerns they list are concerns for increased traffic throughout towns as people try to avoid the tolls, concerns to damage to roads, crowding of secondary roads, congestion, etc. Have a copy of one of the resolutions, getting copies from other towns to see what would best fit Newington for us to review on the next agenda and will provide Tanya with whatever information I can get regarding that. Thank you.
- Councilor Budrezko stated that she and several other councilors attended the First Annual Newington Police Awards ceremony and awards were presented to people for acts that occurred in years 16, 17 and 18. There were written commendations and distinguished service awards given out. What was unique about this was that most of the stories being told gave the actual background between the officers and the dispatchers, the officers are putting themselves on the line, but the dispatchers are orchestrating the whole thing. It was an impressive ceremony.
- Councilor DelBuono asked the town manager to provide information on why the sidewalks are being removed from Sequin Street.
- Town Manager Lane stated that it was a decision arrived at through the public works committee meetings that we had and there have been several discussions and viewpoints. The sidewalks go nowhere. That is the main thing, do understand the resident’s iteration of how it create a community and would agree with that if they went somewhere, but they don’t. The issue now is that the tree roots are upheaving the sidewalks and have been patched with bituminous and that is falling apart, and it would be very costly to replace them and the decision was made to take them out. We did do this in another area in town and that is why
the letters were sent to the residents. You have to make financial decisions for the town that may not please everyone.

- Councilor DelBuono stated that her concern is that the road is narrow. Did they provide you with a petition?
- Town Manager Lane stated that they have not. One of the other things mentioned is that there is not a lot of traffic on that road.
- Mayor Zartarian asked if we had a liability exposure with the sidewalks.
- Councilor DelBuono stated that there are many sections of the sidewalk that are raised.
- Town Manager Lane stated that she will get more information regarding this.
- Councilor Serra asked if Walnut Street has sidewalks, to go all the way around. If it is just on Sequin it goes nowhere. Just wanted to verify that Walnut didn’t have sidewalks.
- Mayor Zartarian stated that on Saturday, June 1 the Indian Temple is having their wellness fair open to the public starting at 9:00 a.m.

XVI. EXECUTIVE SESSION – PERSONNEL - Facilities Department Vacancy

Motion by Councilor Marocchini

RESOLVED,

That the Newington Town Council, in accordance with CGS §1-200(6)(A) hereby moves to go into Executive Session and invites the Town Council members, the Mayor and Tanya D. Lane, Town Manager to discuss a Personnel issue regarding the Facilities Department vacancy.

Seconded by Councilor Manke. Motion passed 9-0.

Adjourned to Executive Session at 9:24 p.m.; adjourned Executive Session at 9:32 p.m.

XVII. ADJOURNMENT

Motion by Councilor Marocchini to adjourn meeting at 9:32 p.m. Seconded by Councilor Budrejko. Motion passed 9-0.

Respectfully submitted,

[Signature]

Susan Gibbon
Council Clerk