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  
Ben Ancona, Town Attorney  
Craig Minor, Town Planner  
Carol LeBrecque, Human Services Director  
Pat Meskill, Human Services, Clinical Services Coordinator  
Andrew Armstrong, Zoning Enforcement Officer/Asst. Town Planner  
James E. Krupienski, Town Clerk  
Susan Gibbon, Council Clerk

III. APPROVAL OF AGENDA
Motion to approve the agenda by Councilor Anest seconded by Councilor Manke. Motion passed 9-0.

Councilor Manke moved to remove Item VII.B - New Business - Discussion Town Wide Facilities Committee; change item VIII.C - Consideration of New Business - Sale of Town Owned Land to Sale of Town Owned Properties; and remove Item IX.A - Resignations/Appointments - Anna Reynolds PBC. Seconded by Councilor Anest. Motion passed 9-0.

IV. AWARDS/PROCLAMATIONS
A. Award eeSmarts Annual Student Contest
Motion by Councilor DelBuono

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 1,200 entries from throughout the state; and

WHEREAS, the poster designed and drawn by Elizabeth Green School student Karina Marsh was selected as the first place winner in the kindergarten-grade category; and

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

NOW, THEREFORE BE IT RESOLVED, that the Newington Town Council hereby recognizes Karina Marsh for her awareness of the importance of energy conservation and for the talent and creativity she displayed in producing her prize-winning poster; and

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

Seconded by Councilor Marocchini. Motion passed 9-0.

- Mr. Marsh thanked the mayor and council for the proclamation. Very proud to be residents of Newington and for the education you provide. Thank you.
- Mayor Zartarian stated that Karina’s sister was here two years ago.
- Councilor Manke congratulated Karina on her award.
- Councilor Budrejko asked Karina what her poster looked like.
- Karina stated it had a bird and a tree and it was called LED lightbulb.
- Councilor Budrejko stated that it is apparent family support and involvement is critical, congratulations to Karina and her family

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

- Rose Lyons, 46 Elton Drive stated she has information on Victory Gardens; spoke with property management and they are having a public hearing on June 25, 2019 at 2:15 p.m. at the Newington Campus V.A. After hearing about the “no left hand turn” signs at McDonalds was told the signs are in place but people still make left hand turns. Stated the concerns she has with the light at Maple Hill and Cedar Street; working with town staff and DOT to make sure that the new lights work differently.
- Bill Jones, 26 Sequin Street stated that this is a follow up to his discussion two weeks ago about the letter he received from the town regarding the removal of the sidewalk on Sequin Street. Had a follow up meeting with Gary Fuerstenberg, Tom Malloy and Craig Minor. It was a great meeting; there is a long list of alternatives that we came up with. Want to clarify that what we need to do as a community to make it walkable. Found out the annual budget for sidewalk is $25,000 per year; Gary Fuerstenberg asked that $200,000 annually be set aside in CIP for the next 20 years to improve sidewalks. Important for our community moving forward.
- Councilor Budrejko read a letter in to the record from Sarah Robertson, 1570 Main Street (attached hereto).

VI. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION
- None

VII. CONSIDERATION OF OLD BUSINESS (Action May Be Taken)
A. Resolution to Authorize Application to TPZ - TVDD Draft Regulations
Motion by Councilor Anest

RESOLVED,

That the Newington Town Council hereby moves to submit a petition to the Town Plan & Zoning Commission (TPZ), creating a “Transit Village Design District (TVDD)”, and furthermore the Town Council authorizes Andrew Brecher, Economic Development Director to make application, on behalf of the Town Council, to the Town Plan & Zoning Commission (TPZ), for consideration of the Transit Village Design District (TVDD) Overlay Zone Regulations.

Seconded by Councilor Marocchini. Motion passed 9-0 (roll call vote).

- Councilor Budrejko stated that she is conflicted on this. Don’t believe Newington needs a train station to promote itself as a good place to live and do business. Believe marketing and development efforts to date have been geared to what we want and what we have; retaining good businesses and our downtown center. Newington offers easy access to highways; is halfway between New York and Boston; have train and bus stations within 3-4 miles of us; can market ourselves as a transportation hub. Creating a TOD implies pedestrian access and having infrastructure in place. This will not be an island onto itself. Besides the train station, residents will want access to CCSU, the town hall, the library, the senior center and downtown Newington which I hope we don’t cannibalize. As it stands none of these will be connected by sidewalks and peak traffic now is at a standstill without any guarantees from the state that these changes will be made before any type of residential development can be in place. The petition is over 70 pages long with a lot of unknowns. How dense do we want it to be, how much of an increase in population can we to support in terms of infrastructure, what are the environmental impacts, what is the state impact on walkways and roadways. Do some of us want this? Yes, they probably do. But do we need it? I say no at this point. From the state perspective that is $2 billion dollars in debt, can we afford it? Again, I say no from a state perspective. The build it and they will come is a risky gamble. Would rather use our resources on what we have and repair our infrastructure and endeavors that have proven their success. Given all that, and this is where the conflict comes in, I am convinced given the governor’s agenda, the train station is going to happen. In fact, I looked on the Newington Economic Development page today and it touts “commuter rail service which began 2018 with a new train station proposed for Newington with a 2022 plan of completion”. It is already out there, it is already on our economic development page. So somebody out there knows something that they are not telling us or this is misleading. Want to be spared the claims we need to make this zoning change or the state is going to leave us behind. Personally feel that is nonsense. Newington is essential to the commuter rail system and we are going to get a station. Communications that have come out, the toll bill, whatever, have Newington on its list. The biggest concern for me is that the state, supported by our new current legislators, recently passed the creation of a new agency called the Municipal Redevelopment Agency, which is quasi-public agency to “stimulate economic and transit oriented development and to develop property and to manage facilities and development districts encompassing the areas around transit stations.” This is basically a water downed version of bills that our legislators have successfully challenged in the past. The bills in the past have been a lot more onerous; they included terms like eminent domain and mandated membership. The good news, for me, is that in this current version of the bill Newington is excluded, we are exempted and not eligible for inclusion. I believe it will be a matter of time before Newington is coerced or cajoled into membership. Given that, I feel the only option I have at this time is to vote to pass this on to TPZ, because it is going to happen. I would like for TPZ to look at it for three things. First is getting the publics opinion on this, that is the number one priority, what do they want. We haven’t had a public hearing here and the place to have it is at TPZ; hope people come out and give their opinion. Secondly is to press TPZ to get answers to some of the concerns I have expressed and thirdly given this new agency to maintain, at least for now, some semblance of
control over what is developed around the train station. Reluctantly, I will support moving it along

• Councilor Marocchini stated that he will also support it, but to wrap back around to what Gail is talking about pedestrian accessibility it ties in perfectly to what Mr. Jones was talking about earlier, who I can’t agree with more. I have been on the CIP two terms and getting new sidewalks has been something I’ve been looking to do. There are no sidewalks on New Britain Avenue that lead Clem Lemire Park. We need to connect that development area. Don’t see why we wouldn’t invest in ourselves and help the process. If we are in to this, we can invest in sidewalks and accessibility measures. I think that will help getting a developer in there to raise the tax base for us. My biggest thing is some things we can do, getting extra money in the CIP program for new sidewalks would be great and then getting the state to help realign roads we’ve been trying to do for years now. Let’s not be afraid to invest in ourselves and pass this along to TPZ.

• Councilor DelBuono stated that is it no surprise that at previous meetings I was conflicted about this as well. Was most concerned with the process, felt this should have gone before TPZ for consideration earlier in the process before putting so many man hours in to it. Understand the opposing view point on having it designed the way individuals wanted it designed. I have said all along we need public input on this; don’t have a clear view of what the public want on the train station or this design district; think TPZ is a good avenue for that. Concerned about a previous development that was proposed for Cedar Street and what this might imply for that. There were safety concerns for 550 Cedar Street, as well as accessibility concerns. In fact, the initial train station proposal that the state made to us, listed those as obstacles and concerns. We have no control to put sidewalks on Cedar Street. Need to make sure those measures are followed through on by the state. Continue to have concerns about the traffic on Cedar Street; we all know what rush hour traffic looks like and if we add cars going to train stations or bus stations or developments, traffic on Cedar Street will be more unbearable that what it currently it. Also concerned about the fact that we have been told that the main funding source for the train station will be tolls, very much against having the implementation of tolls on our roads, which I will discuss later, so I am conflicted about that as well. With that being said, I think we should forward this to TPZ for their consideration. It appears as though Newington is getting a train station and that is a predetermined outcome and if that is the case, I feel we need to get control of what it is going to look like around the station. It does make sense for us to forward it to TPZ for their lens to be put on this to make sure we are following and complying with zoning procedures. For those reasons I will look to forwarding this to TPZ for their input.

• Councilor Manke stated as he said before, before this comes to fruition of having a train station and a development and having people walking the streets in a new zone, there are a lot of variables. We have to fix the problem of traffic on the street, we have to have developers want to buy the properties and build there. All those things have to fall in place. The first step is having TPZ look at this, look at the process, look at the development, and put their eyes on it. Most importantly is having a public hearing, whether the people want this will make or break it. We are forwarding it to TPZ for their input and to have public hearings on it. The first step is to forward it to TPZ and I support that.

B. Discussion – All-Terrain Vehicles (ATV) Ordinance

• Mayor Zartarian stated that this was discussed with Chief Clark at the previous meeting.
• Attorney Ancona asked what the Chief’s comments were.
• Mayor Zartarian stated that the Chief would like to see ordinance added to the enforcement to go after ATV operators
• Attorney Ancona stated that is no problem. We can modify the ordinance that applies to ATVs, etc. Will have to comply with C.G.S. 490. It would allow the NPD to seize the illegally operated ATVs being operated on Newington’s roadways.

• Mayor Zartarian stated that we have looked at New Britain’s ordinance. They had hefty fines.

• Attorney Ancona stated that the statue provides for the fines; those are big fines. If you commit an infraction in Connecticut, it is not a crime, it is not subject to criminal proceedings. Will do as you desire. Will put together an amendment to our ordinance so that NPD can seize the vehicles.

• Councilor Miner stated that gas resellers are also listed on the New Britain ordinance, which I think is a key component, it prohibits them from selling gas to someone operating an ATV. If they are found to be doing that, they will be fined as well. Heard New Britain has had good results with that.

• Attorney Ancona stated that he will not speak to New Britain, they are our friends and neighbors, but when it comes to the constitution they stretch it.

• Councilor Miner stated that lot of municipalities have done this. Not having this and letting them fill up along the Turnpike is an issue; they just don’t turn on the pump, it is as simple as that.

• Attorney Ancona stated that we are going to put some burden on retailers in town.

• Councilor Miner stated to curb the illegal activities if the ATVs in town.

• Attorney Ancona stated that what happens if an ATV pulls up and swipes a credit card. Are we going to fine the retailer then?

• Councilor Miner stated that there is a sign on the pumps.

• Attorney Ancona asked if someone went in with five dollars, is it the retailers responsibility to check to see what is being filled up? Do we put the burden on the retailer?

• Councilor Miner stated that there is a clear definition of what an ATV is.

• Attorney Ancona stated he is playing devils advocate. Do we put the burden on the person the bystander pumping gas having them report it?

• Councilor DelBuono stated that she asked for this to be added when she saw that New Britain adopted and that members of the pubic and the chief brought up concerns about the ATVs being on our roads. I’ve been at stations and have seen vehicles pull up; concerned about making retailers responsible. Clerk’s aren’t always watching the pumps; they may be doing something else. Don’t feel selling of gas is the issue; would be difficult for retailers to determine what is legal and what not. Not sure if that is the best avenue for enforcement. Need to have a discussion regarding the fines; the ones in New Britain are steep and they need to be enforced. Chief Clark mentioned that this had come up with you and the town manager previously and there were some concerns with the language; can you let us know what those were?

• Attorney Ancona stated that he was mostly concerned about civil asset forfeiture. The state legislators banned civil asset forfeiture unless there is a conviction. When it comes to infractions, the NPD tows cars that are on the road illegally, more comfortable with taking the ATV, they have no right to be out there. Comfortable with this as long as there is an avenue for someone who may be an innocent owner to retrieve their vehicle.

• Councilor Serra stated that in the New Britain ordinance you need to put up signs, why couldn’t we put a number on it so someone could report it.

• Councilor Manke asked what recourse do the police currently have?

• Attorney Ancona stated that there currently is nothing. Not even a fine. There are state statutes and other violations that can apply. To give them the tools the enforce the violation and seize the ATV we need to do it by ordinance.
• Councilor Serra asked if the ordinance would provide for destruction of the ATV or do we need to give it back.
• Attorney Ancona stated that it would protect the innocent person, but not the person on the ATV.
• Councilor Serra stated that we return the ATV to the innocent person and they let the driver use it again, and he gets caught again. Is there something for a repeat offender?
• Attorney Ancona stated that you will have to look at the fine structure.
• Councilor Manke stated that we need to do something. We need to give the NPD teeth.
• Councilor Anest stated that we need to provide them mechanics to do their job. Can you look to the municipal attorney group for additional insight on this?
• Attorney Ancona stated that is not on the radar of a lot of them. Reached out to several but have not heard back from them yet.
• Councilor Miner asked if the ATV would be sold or destroyed.
• Attorney Ancona stated that the point is not to destroy it but to sell it, correct?
• Councilor Miner stated that the chief’s point was if it is destroyed it is off the street and it sends a message.
• Attorney Ancona stated he has no problem with that as long as there are constitutional protections.
• Councilor DelBuono stated that she is back to the fines. The first offence is $1,000; what if we are talking about a kid who is 15. Is that enforceable if it is a kid? Do you go after the parents? This is a slippery slope. It is a real problem in town and we need to deal with this. Not looking to punish the 16 or 17 year old who did something stupid; looking to punish the gangs of ATVs that come through town that is what we are trying to combat. Struggling with the $1,000 first violation.
• Attorney Ancona stated that he understands that. Not sure how the fines would be enforced.
• Councilor Miner stated that the intent is not to make money on this, but to get them off our streets.
• Councilor Anest asked Attorney Ancona to draft language for council review.

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

A. Discussion – Juvenile Review Board

• Carol LeBrecque and Pat Meskill presented information about the Juvenile Review Board ("JRB") and it has been in Newington for 25 years. There is no statutory requirement for a JRB, but it comes up in the Youth Service Bureau. JRBs are community based and are designed to assist youth and families. It is a onetime opportunity for the youth and for first offences. The goal is to keep them out of the juvenile detention system. There is no one prescription for running a JRB and it is modified based on the community. We have representatives from the schools, DCF, and juvenile court on the board; want to have a different representation of people who will be working with the youth. Cases that come before the board are considered to be minor infractions and range from shoplifting, breach of peace, simple trespass and family alterations. We deal with about 12 cases per year. We have seen positive results from the program. I have provided a power point that was put together by other towns regarding the Juvenile Review Board Protocols and Procedures. Students (and their parents) will appear before the Board, present their case and the board will then discuss appropriate actions which may include community service; a letter of apology or a reflective essay. They have the opportunity to opt out of this and go to juvenile court. It is a successful turnaround for many of our youths.
• Councilor Anest thanked Ms. LeBrecque coming and letting us know about the JRB. Asked why there is no member of the clergy on the Board.
Ms. LeBrecque stated that there was a member of the clergy on the Broad at one time; not something she has pursued. It is certainly a possibility to have a member of the clergy on the board.

Councilor Anest asked if there was a set number of members that are needed.

Ms. LeBrecque stated that there is nothing mandated by statute, we have found that it works well with the representatives we have, specifically someone who has worked with that youth. It is stressed to the youth that this is an opportunity for them.

Councilor Anest asked if this branches out to provide other services or help to the family that may be necessary. It can go beyond the needs of the juvenile.

Ms. LeBrecque stated that it can, if something is identified. We will connect them with the resources necessary.

Councilor Anest stated that she is happy that this works for our town and we are able to provide resources for our youth. Thank you very much.

Councilor Manke stated the is looking at the list of board members and there is no one from the public; top heavy with schools and police, but no one from the general public. What is the percentage of how many of these go on to the next step.

Ms. LeBrecque stated that there are cases that they know of that have turned the youth around; but we don’t have the manpower to track them; so I can’t really answer that.

Councilor Manke stated that this is a good program.

Ms. LeBrecque stated that this gives the youth and their families an opportunity to connect with resources in the community.

Councilor Manke stated that he wished more kids would take advantage of this opportunity.

Ms. LeBrecque stated that part of the reason for the low number is that the schools try to handle things on their own first, prior to coming to the JRB.

Councilor Budrejko asked about the process. Is there any concluding meeting or additional counseling or a concluding meeting?

Ms. LeBrecque stated that sometimes there is. Before they come before the board Ms. Meskill reaches out to them and provides a summary to the board.

Councilor Budrejko asked if the youth doesn’t complete the contract does it got to juvenile court.

Ms. LeBrecque stated that it is not hard and fast. Will work with juvenile to help complete tasks.

Councilor DelBuono stated that the perception is that this is a one and done situation. Is that accurate? Is there only one referral to JRB?

Ms. LeBrecque stated that typically it is one chance and there is a lot of time spent around that initial chance.

B. Town-wide Blight Update

Andrew Armstrong provided a review of the current blight enforcement process, blight enforcement statistics, and blighted property list. [See attached memorandum].

Mr. Armstrong stated that all blight complaints come through the Town Manager’s office. Important to know and critical point to make here tonight. If it does not go through the Town Manager’s office we cannot act on it. The complaint is added to a master list and then sent to the Safe Homes Taskforce.

Councilor Anest asked if we place a lien on properties that have been remediated by the town.

Mr. Armstrong stated yes, if they fail to pay we would lien the property.

Councilor Anest asked if any have failed to pay.

Mr. Armstrong stated not since he has been here.
• Councilor Budrejko stated that she may have misunderstood, but you said in the beginning that owner has not asked the property to be removed, is that correct?
• Mr. Armstrong stated yes, that is part of the blight process. The owner of the property must request that property be removed and at that time we do an inspection to confirm that the violation has been resolved. That is part of our ordinance that we follow.
• Councilor Budrejko asked if you know at that point whether it has been remediated.
• Mr. Armstrong stated that it was remediated but the owner has not asked to have it removed from the blight list.
• Councilor Budrejko stated that it seems to be that if something has been remediated it should come off the list. Glad you said that all complaints have to go through the Town Manager’s office; assume that staff in your office directs the person to the Town Manager.
• Mr. Armstrong stated that is correct. The ordinance dictates we must take complaints to the town managers office. That is the proper procedure.
• Councilor Manke asked if there are a lot of repeat offenders.
• Mr. Armstrong stated that is often the case with tall grass, there are a lot of repeat offenders with the majority being bank owned properties.
• Councilor Miner asked if the blight list was accurate.
• Mr. Armstrong stated yes, it is accurate.
• Councilor Serra asked if the owner of the property knows to have the property removed from the blight list.
• Mr. Armstrong stated that he believes it is in the 10-day letter we send them.
• Councilor Anest asked Mr. Armstrong if he goes out to a property to check on a blight issue and notices something else if he can act on that.
• Mr. Armstrong stated that he can as long as the violation fits the criteria in our ordinance.
• Council Anest stated that as the blight officer you have the authority to do that.
• Mr. Armstrong stated that is correct.
• Councilor Serra asked if when filing a complaint you have to give your name or can you remain anonymous?
• Mr. Armstrong stated that is correct, you can remain anonymous.
• Councilor Serra stated that I was told differently. That the person who is receiving the complaint can ask who filed it and it will be given to them.
• Mr. Armstrong stated that he does take anonymous complaints, the only thing that could prevent that would be if they left their name on the complaint form, then FOI rules.
• Mayor Zartarian asked how commercial properties are doing as far as blight goes.
• Mr. Armstrong stated he has not had a lot of commercial property complaints, it is mainly residential.

C. Discussion – Sale of Town Owned Land

• Mayor Zartarian stated that this is a discussion regarding the sale of town owned property, whether real estate or other.
• Attorney Ancona stated that this originally came up when citizens were approaching the town interested in purchasing little slivers of land here and there adjacent to their property. There have been some sales, but not during our tenure. It recently came up where residents would like to buy these pieces of property which are basically useless. The problem I found it that is arbitrary and burdensome to the Town Manager to determine that. There should be a mechanism where everybody had the opportunity to buy a piece of property. Feel that we would come up with some sort of ordinance that other towns are using so that there is a process. Need a mechanism; to arbitrary right now. Nothing there to guide us. Wethersfield
has a bidding process and there is a public hearing required by statute for anything over $10,000.

- Councilor Serra asked if we have people coming forward with offers to buy land.
- Town Manager Lane stated that there has been one occasion.
- Councilor Arace asked if this was common practice within a majority of the towns in Connecticut.
- Attorney Ancona stated yes, it applies to personal property as well (i.e. dump trucks or fire trucks).
- Mayor Zartarian asked Attorney Ancona to provide the council with a draft for review.
- Councilor Serra asked Attorney Ancona to include other town’s ordinances for review as well.

D. Resolution to Oppose Tolls on State Highways

- Councilor DelBuono stated that she had requested this item be on the agenda. It is no surprise that the governor and state legislature are looking to implement tolls on our state highways. There is quite a bit of opposition to this from the public for a variety of reasons. After doing some research I found that there are 19 towns already that have adopted resolutions expressing their opposition to tolls. I reached out to three towns, and there were two others I viewed online and I forwarded resolutions from Berlin, Wallingford and Middletown to the Town Manager and had a good conversation with her requesting her input on what made most sense for our town. I would like to read the draft resolution into the record so that the members of the public know what it stated and then we can open up the dialogue to discuss the language and concerns. [Councilor DelBuono read the draft resolution into the record; attached hereto.] Councilor DelBuono stated that her biggest concern with the implementation of tolls is the financial impact it would have on families. Small businesses were just hit with the increase in minimum wage. I am asking that the council consider passing this resolution to let people know that we are opposed to the tolls and we support our residents in their plight as well.
- Councilor Miner stated that his concern is that no legislation passed in the current session, no discussion regarding a special session. Don’t know the body of the package or any of the details would be, think it is premature saying oppose it if we don’t know what is. Not saying I agree or disagree with tolls, but I am saying that at this point there is no package and can’t oppose something that doesn’t exist at this point.
- Councilor Manke stated that we would be naïve if we don’t think that there is going to be a package for tolls. From everything I have read, it is supported by the majority of the legislature and the governor. To me tolls is just another tax. Tolls on our highways is going to increase traffic on local roads, it will increase their expense by 4-5 dollars per day. To oppose it after it has been passed is silly; by passing it now we are telling them we opposed to this and getting that on record.
- Councilor Anest stated that she agrees that this is premature. Will know about anything prior to it being passed. There is nothing definite right now. Understand where you are coming from, but how are we going to pay for our road and bridge work. Costs for construction in Connecticut are the fifth highest in the country; how do you propose we pay for this? The other side of the aisle is saying we will just bond and we will pay for these repairs. What is the best way to go forward? I am not in any position right now to know what is going on up there. Maybe we should bring in our legislators to discuss it with them and see what their thoughts are. Don’t think there are going in to session until the end of July.
- Councilor Miner stated that just like Councilor Manke said, it is an increase in expenses that everyone will have to bare. But the work needs to be done somehow, someway. If it is
bonded, revenue will be needed for that. I am reluctant to go ahead and try and pass a resolution in opposition to something we don’t have yet.

- Councilor DelBuono stated that for her tolls are tolls. No matter where you put them, tolls are tolls and they will impact our residents and our business. I don’t need to see a package to know that I am opposed to them. I don’t want them to propose a package, I don’t want them to move this forward, so for me taking action upfront and early makes the most sense. Often times these things are decided at night suddenly or its slipped into a bill. There are plenty of things that get slipped through and we are reacting to them; I don’t want to react after something is passed unexpectedly or quickly. We handle things by discussing it at one meeting, waiting at least two weeks to take a vote on it; if we wait on this and don’t send a message to the legislature than we are saying we are ok with it, in my opinion. I’m not ok with it and I would rather take preventative action and say that we oppose this, don’t even bother moving forward because this is going to impact our residents, our town, our infrastructure, traffic and possibly our police department. There are so many trickle down effects from this we need let the governor and our legislators know that this is not what we want for our town and our residents.

- Councilor Manke stated that we all agree that our roads are in bad shape and probably the worst in the county but we also realize our administrative costs are some of the highest in the country; that is one way to fix them, fix our administrative costs. If we have all these people working on it and nothing is getting done it is a waste of our money.

- Councilor Budrejko stated we are one of the smallest states in the country and we have the highest gas taxes in the nation, we have the highest administrative costs per mile, approximately $83,000 per mile, that is general and office expenses that is overhead, that is not for paving and construction, that is just overhead. I don’t need to see details of how much it is going to cost at peak hours, or where the tolls are going to be. It can’t be just at the borders because that has been deemed illegal. It can’t be just on trucks because that is being challenged in Rhode Island. We have had money in a special transportation fund since 2012, there was over $2 billion diverted from transportation and put to other use. How are we going to fix the roads and infrastructure? Use the funds we have and don’t divert them to other things. One thing that has been consistent in all the bills and reading is that significant portions of this toll revenue is not going to be just for repair and maintenance it is going to be use for building a new transportation system; for the new train stations for the new commuter rails. Quite frankly our roads and infrastructure are in such disrepair, let’s start fixing things we have before we build new things. That can reduce some the expenditures we have. Many times things are built to suit special interests and they don’t take care of what we have. Let’s get another revenue stream coming in here and not take care of what we have. Connecticut residents are going to bear the brunt of this. 70% of the cars on the roads in this state are state residents, even Governor Lamont has stated that 30% of the toll revenue will come from out of state residents. People say that the states around us have tolls; Massachusetts has tolls on I90, which is the Mass Pike. New York has tolls on I87 but not the entire throughway. But most residents in those states don’t have get on those roads every days. Many residents in this state have to travel on I84, I91 or the Merritt Parkway to get to work or family; it is a daily thing for us. Congestion tolling has also been suggested, which is going to the highest rates at peak times when Connecticut residents are going to and from work. The vast amount of revenue coming in from these tolls will come from Connecticut residents. How do we fix our roads? Stop diverting the funds we have. No new projects until we fix what we have. Look at our inflated and bloated administrative overhead and start making some suggestions on how to bring that down instead of looking for new revenue sources. I need to see some restraint in spending and some real ideas on how to bring costs down.
• Mayor Zartarian stated that he has been on the fence about tolls for quite some time. Almost being a democrat on it and supporting the concept of user fees. But then I started thinking about what is going to happen on Cedar Street once tolls go in; and if that viaduct project goes ahead in Hartford which means people are going to find other ways. Cedar Street will be the path of least resistance. If they put tolls on Cedar Street for out of town cars, that would great. But right now I am seeing, even without a package, the potential for more harm to Newington residents than benefits for. That is a big turnaround for me, because most people know that I have been on the fence for this for a while.

• Councilor Serra stated that she hasn’t decided whether she is for or against tolls yet, but needs to see what is in the package, to see how they are spending the money on. At this point I can’t support this until I see what they propose. There is not one body in the last 5 or 6 years at the state level that have caused the roads and infrastructure to fall apart, it has been years in the making. We can’t fix it overnight, but we also don’t have the money and the money has to come from somewhere. So if is tolls, yes it is a tax on everybody. If it is not tolls and we bond the money, the residents are still going to be paying taxes to pay the bonds back. So we have to hear what they have to say before we can make any decision on this. I don’t believe that we can support this without knowing all the facts.

• Councilor Manke stated he wanted to remind everyone that we did support the resolution opposing the MDC passing on the cost of Hartford defaulting on their payments before we had the facts. We supported that without all the details, I don’t understand why you can support this. Personally, I would rather pay a yearly tax to fix the roads than have to pay a toll every time I use 84, 91 or Route 9. The tolls will be a never ending stream of money they will use for something else. Originally the gas tax was going to be used to fix our roads and that didn’t happen; then the lottery money was supposed to be used for education and that didn’t happen. I guess I have little trust in the people in Hartford who say they are going to use the funds for one thing and then use it for another. We didn’t get in the overnight, it’s been years and years, but we also didn’t make any moves to fix it. I don’t think tolls are the way to fix it, some people are stuck driving back and forth on 91 or 84.

• Councilor DelBuono stated that there are more costs to fix our infrastructure. Agree 100% with Councilor Budrejko, fix what we have first before building new. It makes no sense to add things that will require future maintenance on top of what we already have that we have not maintained, that makes no sense to me. Fix what we have before we get new. I work in Hartford, I can find back roads to use; this will not affect me all the greatly. The small business owner who has to go on 84 and 91 every days, multiple times a day, it will be an unfair burden. It doesn’t make sense to put that on our small business owners. I will say once again, a toll is a toll is a toll. Either you want tolls or you don’t. I don’t really care what the package says or how they are going to promise how they spend it. They have done that before with other taxes and funds and it never stays the way it was intended to. The package isn’t what matters to me, what matters to me is that I don’t feel that we should put this burden on our residents.

• Councilor Anest stated that she is on the fence about tolls. She is looking at other ways to raise funds, do I want to be taxed an additional $8,000 per year to pay for $6 or $7 million in bonding. There are a lot more things that a toll is a toll is a toll. I get it, I don’t want to see increased traffic on Cedar Street or the Berlin Turnpike. However, I want to look at the whole picture and if this is going to be lockboxes and used for bonding projects, I am looking at it different ways. It’s not just paying a tax, it is everything that goes along with it and how this tax is going to be used. That is why I need to see exactly what the bill is when it comes out. I just got some stuff emailed to me to help me determine what way to go. It is 40% of outside residents. We go to other states and help pay for their infrastructure, there has to be way for people from out of state to help pay for ours. People gas up in New York, drive through
Connecticut, and don’t stop in Connecticut, and gas up again in Massachusetts. What do we need to do to get people to stop in Connecticut and support our businesses? There has to be ways to do this. I am on the fence, I need to see what the money is going to be used for before I can support this resolution.

- Councilor Miner stated that it comes down if there a potential for a tolling package, out of state participation, whether it be 30% or 40%, if we are going to bond our roads that is 100% Connecticut residents. On a Friday afternoon you see traffic going north with New York and New Jersey [plates] and the same thing on Sunday afternoon going south. If you go to Rhode Island and cross the Jamestown Bridge if $4 for a regular commuter and 85 cents if you are a Rhode Island resident. It all depends on how the fees are structured, whether you are a daily commuter, we travel on the Mass Pike on a daily basis and our cost is six cents. Do I want to see them go all out, no, but I would like to see what they propose first before I can oppose it.

- Councilor Manke stated the Jamestown Bridge is basically the only way to go and that more people might stop in Connecticut if the gas tax, which was also supposed to help pay for our roads and our sales tax weren’t so high.

- Councilor Budrejko stated that thing that bothers her is the high, high, high cost of maintaining and servicing our roads as compared to every other state in the nation. Before we have tolls, I want to see those costs addressed and brought down, rather than throw more money and with no consideration or discussion on why that is and why 60 or 70 percent of the ownness has to be on Connecticut users on a daily basis versus someone from out of state.

- Councilor DelBouono stated that she keeps looking at this and every year we sit here at budget time and struggle on how to keep taxes as low as we possibly can. We have had to tighten our belts and cut staff; we try hard to cut taxes without decreasing our services and we have been pretty successful with that. We can’t just agree every time the state says we need more money or we will pay your tolls or pay your bond. We need to send a message to the state and say enough, we are not willing to do that. We need you to take the lead, the governor and the legislators need to take and make those reductions where they need to happen, look at the cost of things, figure out how to decrease that cost, look at how to get this work done without continuously passing the buck to everyone down the stream. It just keeps happening. The teacher pension was going to be passed down, they are still thinking about that, it could come back, we don’t know. All these things they keep passing down to us to make things better; it is not getting better. We have to send a message at some point to the governor and the assembly that we are not willing to fund things without a bigger look being taken and things being changed. The lockbox idea is great idea, it just hasn’t happened in the past; stuff doesn’t stay in the lock box and go for its intended purpose. There is no quick solution. If they continue to feel that they can pass these costs off to the residents and the towns it is going to just keep happening.

- Councilor Budrejko stated that the most recent lockbox fiasco is the increase in car registration. That money was supposed to go to the maintenance of state parks and recreation areas, after one year that is going in to the general fund, so it is very difficult to assume all these funds are going to say where they are going to go. That just took a year, and our state parks and beaches are in dire need of maintenance.

- Councilor Miner asked if makes sense to see if our delegation is available to see where they stand on this? He also stated that he wanted to make something clear, he is not saying that he supports tolls, he is saying in order to oppose something, he wants to know that what is. Not pro tolls, I wanted to see it before I oppose it, that’s all.

E. Discussion – Review of Chapter 291, Noise

- Mayor Zartarian stated that he requested this upon the letter Councilor Budrejko read at the beginning of the meeting. It prompted him to take a look at our noise ordinance and a couple
of things struck him. First there is no specific enforcement responsibility, it used to be the health department that went out and did the measuring with sound meters and second, not sure if we even still have sound meters in town and third there was an exemption for town sponsored concerts and other events. The precipitating event of the letter Councilor Budrejko read in was a concert at Motorcycle Madness. New Britain had a similar situation last year with an Indian festival; called Mayor Stewart and she has discussed the issues with the organizers and they are going control the volume; it can be done. The point is do we want to open this up or is it a matter of the implementation of the terms of the ordinance.

- Councilor Anest stated that there were three councilors in attendance at Motorcycle Madness, we were sitting right near where the band was playing and we could speak to each other without having to yell or anything. It could be that was a clear night and the sound traveled her way. Don’t know if the police department got any calls about noise issues. It was loud in the beginning and they were asked to turn down their speakers and they did.
- Councilor Manke stated that he is sitting in his back yard some nights and can hear a party from 6 or 7 blocks away. Sometime I hear them, sometimes I don’t. It can affect my time on my property. Need to look at who enforces this and who has the equipment to measure. For major events, sometimes there is music past 10 o’clock and I can hear the music.
- Councilor Serra stated that there were three councilors at Motorcycle Madness that night. Councilor Anest and I were checking IDs all night and we were talking to many of the people at the table and we had no problem talking to them. Do know that it was loud when they were testing their equipment, but they turned the volume down. The music ended that night at 9:30 and the fireworks ended before 10 o’clock. Know that the ordinance now says 10 o’clock. Don’t know where she lives on Main Street, but I don’t know of any other noise complaints that night from surrounding residents that night. I understand she has an infant and was trying to keep them down, but we did not violate any ordinance that night. There were also nine officers there, so I’m sure if there was issues with the noise they would have said something.
- Councilor Miner stated that in Wethersfield their sergeants carry noise meters and they measure the volume. Don’t believe any one in Newington does that. If you listen to the scanner on a regular basis, they are repeatedly going to the same places throughout the year. Does it make more sense to give the police department the tools to take enforcement actions and authority to do so then to repeatedly send officers to the same location multiple times in one night.
- Attorney Ancona stated that he knows what Councilor Miner is talking about. Printed out a chart regarding decibel levels. It is an interesting phenomena. I live on Maple Avenue and have a very big front yard and my neighbor across the street plays country music and one night I was sitting in my living room and heard loud music, I went to talk to my neighbor and as I was walking down my driveway the music got quieter. It is just dynamics of the front yard and the environment and that could be what happened with the person on Main Street. Don’t know what the answer is. Know that Newington PD threatens with causing a public disturbance, which is an infraction and that has more teeth than an ordinance. In our ordinance it calls for a misdemeanor, this must have been written prior to the changes in the court system because towns don’t issues misdemeanors, that is a criminal court and that is an actual crime. Don’t know if assigning an officer with a decibel meter is the answer.
- Councilor Miner stated that in Wethersfield it is the sergeants that carry them and if it is over a certain decibel they shut the music down.
- Attorney Ancona stated that the officers also have the discretion to issue a citation for causing a public disturbance in certain cases. Don’t know what is a better way.
- Mayor Zartarian asked Town Manager Lane to look into whether Newington has sound meters and who is trained to use them.
Councilor Manke stated that he wants to make it clear, he is not opposed to Motorcycle Madness or the noise from Motorcycle Madness. It is for the general welfare of the entire town, it I can hear a party from 6 or 7 blocks away it is bothering my quality of life. If I can’t sit in my living room without putting the volume way up, that is a problem. Our police department needs to have the tolls to enforce it. Not based on their opinion but on scientific method.

F. Annual Suspense List

Town Manager Lane stated suspense list is for uncollectable taxes when action on them is suspended. These items are removed from the consideration as assets of the town, they are not abated and remain collectible for at least 15 years. Efforts to collect them include warrants and notices to the DMV. Amount to be moved to suspense list this year is $125,771.35. There will be two resolutions on the next agenda, one to remove the outstanding balance of the $121,771 as well as real estate accounts that are outstanding after 15 years and that totals $9,616. This is an annual occurrence created by the tax collector.

G. Cancellation of the July 9, 2019 Meeting

Councilor Anest stated that they are requesting this because we found out that five of us will be of town on that date and there would not a quorum for that meeting.

H. Placement of PCL Insurance Coverage for the Town of Newington

Councilor Serra stated that the Standing Committee met with USI, the town’s agent of record and on Tuesday we got a proposal from CIRMA for property, automobile, and liability insurance. They gave us a one year proposal (5% increase) and three year proposal (0% increase first year, and a maximum increase of 7.5% each additional year). The increase was up due to cost of property claims filed over the past couple of years; there were quite a few and large claims made. There is no increase in the workers comp insurance; it will remain at $621,459 and the maximum will be $865,459 and that would be due to secondary injury fund. The committee agreed to propose to the council the three year proposal with a zero percent increase for the first year and hoping that we don’t have any major increases the following years.

Councilor Manke asked if one of the claims was the diesel spill.

Councilor Serra said it was, and there was also a claim for the fire at the snack shack.

IX. RESIGNATIONS/APPOINTMENTS (Action May Be Taken)

None

X. TAX REFUNDS (Action Requested)

A. Approval of June 11, 2019 Refunds for an Overpayment of Taxes

Motion by Councilor Budrejko

RESOLVED:

That property tax refunds in the amount of $1,281.56 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 8-0 (Councilor Marocchini absent)

XI. MINUTES OF PREVIOUS MEETINGS

A. May 14, 2019 Special Meeting Minutes
B. May 14, 2019 Regular Meeting Minutes

Motion to accept the minutes of the above May 14, 2019 meetings by Councilor Manke. Seconded by Councilor Anest. Motion passed 7-0 (Councilors Marocchini and Arace absent)

C. May 28, 2019 Regular Meeting Minutes

Motion to accept the minutes of the May 28, 2019 regular meeting by Councilor Serra. Seconded by Councilor Manke. Motion passed 7-0 (Councilors Marocchini and Arace absent)

XII. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC
• None

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)
• Rose Lyons, 46 Elton Drive stated that regarding the tolls she doesn’t like them either but she doesn’t do bridges or highways. Regarding the noise ordinance, I get where people are coming from with that, I live on Elton Drive and I can hear the festivities. If you are part of the festivities it is different, but it is only a few times a year. I have friends who live by the park and when something is going on they leave. Personally I would rather hear the noise than have the smoke from the fire pits, and there is nothing we can do about that, it is a quality of life thing for people who have asthma or breathing issues. I can put earplugs in if there is too much noise. Happy to see that you are going ahead with a town wide facilities committee. A lot of things get discussed around the table and get forgotten about and cast aside. Ideas are great, but there needs to be follow through.

XV. REMARKS BY COUNCILORS
• None

XVI. ADJOURNMENT

Motion by Councilor DelBuono to adjourn meeting at 9:20 p.m. Seconded by Councilor Serra. Motion passed 8-0 (Councilor Marocchini absent).

Respectfully submitted,

Susan Gibbon
Council Clerk
Letter as requested

-----Original Message-----
From: Sarah Robertson <sjtodd89@gmail.com>
Sent: Saturday, June 1, 2019 7:18 AM
To: Zartarian, Roy <RZartarian@NewingtonCT.Gov>
Cc: Anest, Carol <CAnest@NewingtonCT.Gov>; Manke, Tim <TManke@NewingtonCT.Gov>; Miner, Chris <CMiner@newingtonct.gov>; Serra, Diana <DSerra@NewingtonCT.Gov>; Arace, Nicholas <NArace@newingtonct.gov>; Marocchini, James <JMarocchini@NewingtonCT.Gov>; DelBuono, Beth <BDelBuono@NewingtonCT.Gov>; Budrejko, Gail <GBudrejko@NewingtonCT.Gov>
Subject: Noise issue

Dear mayor and town council members,

As a resident and homeowner of 1570 Main Street I am writing to you in regards to the noise generated by the event held at Mill Pond Park on May 31, 2019.

While I understand that events take place with regularity at the park, the noise from the event last night was much louder and later than usual (and much louder than necessary). The volume from the music that was blaring made me uncomfortable in my own home and was upsetting for my infant and toddler. I question the decision making from the town in having an event run past 9pm that is automatically going to be noisy given the motorcycles and fireworks. I would like for this feedback to be noted and given to the event organizers. Additionally, if the event occurs again next year I would ask that someone from the town council attend and kindly monitor the PA system for appropriateness. The park is located in a residential area and while I appreciate that events bring revenue to the town, they should not cause significant discomfort to residents and taxpayers. Last night’s event crossed that line.

Regards,
Sarah Robertson

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The information contained in this electronic message may be confidential and/or privileged. If you received this in error, please inform the sender and remove any record of this message. Please note that messages to or from the Town of Newington may be subject to Freedom of Information statutes and regulations.
MEMORANDUM

To: Newington Town Council
From: Andrew J. Armstrong, Blight Enforcement Officer
Date: June 11, 2019
Re: Blight Enforcement Statistics: August 2016 - Present

Following are statistics regarding blight complaints and enforcement through June 11, 2019:

Total blight complaints received since August, 2016: 242
Blight complaints received since January 1, 2019: 52

Total open complaints: 25
Total closed complaints: 218

Open Complaints
In warning phase: 17
In citation phase: 3
On blight list: 1
New Complaints (awaiting initial inspection): 1
Other: 3

Open Complaints by Violation Type
Overgrown vegetation: 13
Junk/debris: 3
Structural issues: 1
Combination of two or more issues: 8

Closed Complaints (Since August 2016)
Did not meet blight criteria: 90
Enforced under zoning: 9
Remediated by Town: 4
Remediated by property owner/servicer: 113
MEMORANDUM

To: Newington Town Council
From: Andrew J. Armstrong, Blight Enforcement Officer
Date: June 11, 2019
Re: Blight Update

There will be an item on the June 11, 2019 agenda to update Council with a statistical update of blight complaints as well as an update of the current blight list.

Below is an overview of the process:

The Blight Team & Intake Process
All blight complaints are received and processed through the Town Manager’s office. A file is created for each blight complaint and the property is added to a master list of potential blighted properties. Residents who report potential blight violations are welcome to leave contact information for a follow-up or may choose to remain anonymous.

All complaints are first screened by the Safe Homes Taskforce, consisting of Health, Human Services, Police, Fire, and other relevant and/ or critical departments. This is done to determine if there is any prior history at the address that could present a danger to the Enforcement Officer or could benefit from the assistance from these departments.

The Blight Enforcement Officer (BEO) is the first point of inspection(s) of the property. The BEO will determine whether the property meets the blighted property criteria. Properties that do not meet the blight criteria are noted as such and moved to an “inactive” complaint list.

Inspection, Notification, & Enforcement
After the property has been screened, the BEO will perform an inspection(s) of the property. The BEO determines whether the property meets the blighted property criteria. Properties that do not meet the criteria are moved to the “inactive” list. When a property meets the criteria, the BEO will move forward with the notification process as required by the ordinance:
• Notice of Violation Warning Letter.
• Citation Letter: $100 maximum per day for each violation (A copy must also be sent to the bank or lienholder). A citation can be contested by written notice within 10 days of notice of citation and a decision would be determined by the Citation Hearing Officer.
• Meeting of Blighted Premises Board: Tax Assessor & Finance Director determine if it is prudent to proceed with remediation if necessary.
• 10 Day Notice to be placed on Blight List.
• Blight Remediation Order & Authorization to Enter signed by Town Manager.
• Following Town remediation, invoice is sent to property owner with payment timeframe.
• If payment is not received a lien is filed.

If the violation is not resolved as a result of this process, the property will be placed on the official Blighted Premises List. Properties placed on the blight list may continue to be fined until the blighted condition is rectified, fines paid, and the owner requests an inspection for removal. Further action such as liens, legal action, and Town remediation may be taken as necessary. Only properties that have not been resolved as a result of the above process may be placed on the Blight List.

It is the Town’s objective to work with property owners to devise a workable and positive solution to the blight issue. Each communication to the property owner contains information regarding the appeals process, contact information for the BEO, as well as contact information for the Human Services Department to assist those with hardships. Whenever possible, the BEO works with the property owner to devise a written plan for more complex blight situations.
Resolution in Opposition to the Implementation of Tolls on State Highways

WHEREAS, the Governor and members of the General Assembly have indicated their support for the placement of tolls on Connecticut's highways; and,

WHEREAS, many residents of Newington use these roadways each day for work, family obligations and pleasure; and,

WHEREAS, the Governor's proposals would implement tolling systems and other regressive measures that would increase financial burdens on working people and small businesses; and,

WHEREAS, the implementation of tolls will result in a significant increase in the amount of traffic on Newington's roadways as drivers attempt to avoid the cost burden from tolls on the aforesaid major roadways;

WHEREAS, this increased volume of traffic from trucks, automobiles, and other vehicles through our Town would negatively impact the quality of life in numerous ways impacting the safety of our residents and visitors, reducing property values, and increasing the Town’s costs for services and roadway maintenance and repairs; and,

WHEREAS, road and bridge work costs for construction in Connecticut are the fifth highest in the country, and administration costs are the highest in the country with no resolve;

NOW THEREFORE, BE IT RESOLVED that the Newington Town Council declares its opposition to the implementation of tolls on State highways and urges the Governor and its elected representatives in the General Assembly to oppose any measure that would impose tolls and an additional burden on Newington residents.

MOTION BY: ____________________________
SECONDED BY: _______________________
VOTE: _______________________________