TOWN OF NEWINGTON
131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

ROY ZARTARIAN, MAYOR

NEWINGTON TOWN COUNCIL
SPECIAL MEETING MINUTES
Conference Room L-100 – Town Hall
131 Cedar Street

Thursday, June 13, 2019, 5:30 p.m.

- Mayor Zartarian called the meeting to order at 5:31 pm

I. ROLL CALL

Councilor Anest
Councilor Arace (6:01 PM)
Councilor Budrejko
Councilor DelBuono
Councilor Manke
Councilor Marocchini
Councilor Miner
Councilor Serra
Mayor Zartarian

Staff/Other Attendees:
Tanya Lane; Town Manager
Attorney Proloy Das
Anthony Palermino, Assistant Town Attorney
James E. Krupienski, Town Clerk

II. APPROVAL OF AGENDA

- Councilor Serra, seconded by Councilor Anest moved a motion to approve the Agenda. Motion carried 8-0 Councilor Arace absent.

III. PUBLIC PARTICIPATION – ON AGENDA (In Person/Via Telephone: 860-665-8736)
(3 MINUTE TIME LIMIT PER SPEAKER ON AGENDA ITEMS ONLY)

- Dana Havens, 135 Stoddard Avenue: Disappointed that the Town Hall issue has come to this point. Concerned with how the Council is trying to allocate funds not approved by the voters. Spoke regarding the Legal Opinion of Attorney Roberts and lack of information review. Suggests having voters decide to allocate additional funds properly.

- Rose Lyons, 46 Elton Drive: Has been listening to the discussion for a new Town Hall since 2012. Believes the town needs to determine if the Town had the right to do it and did the Town do it the right way. Not pleased to see what has been happening, should allow the court to determine if the action was correct. Stated that she previously said that CIP funds would eventually be utilized for the project. Hopes that this issue does not become a negative issue for the town.
• Rodney Mortensen, 17 Fox Lane: Member of the current Building Committee, speaking as a resident only. Stated that he has received many opinions for Town Attorneys, they are only opinions. When one is received that someone doesn't agree with they usually seek a new one until they receive the answer they want. The project has been delayed for too long and cost the Town over $3 million dollars. Believes the allocated budget for the project was politically motivated. This lawsuit could end up costing the Town upwards of $50,000. When the Police Department was over budget the Town utilized capital improvement funds for the difference. Funds are transferred during the course of the year to fund necessary costs. Believes the Town will be found to have acted appropriately.

• Neil Ryan, 237 Brockett Street: Spoke to the issue that individuals in town with the funding of the project. Talked about the review by the Council of the Town Attorney opinion regarding appropriation of additional funds for the project within the budget adoption process. The lawsuit is only going to cost the Town time and money for the project. Project should have been completed several years ago.

• John Bachand, 56 Maple Hill Drive (Read by Councilor DelBuono and attached to these minutes):

• Scott Greczkowski, 46 Miami Avenue (Read by Councilor Budrejko and attached to these minutes):

IV. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION

• Councilor DelBuono thanked both sides for input to hear what everyone has to say in the process. Commented on the statement of Mr. Mortensen saying the project was underfunded for political reasons. Stated that the figure for the project came from DTC as their recommend cost.

V. EXECUTIVE SESSION

A. PENDING LITIGATION §1-200(6)(B) - Camillo et al v. Town of Newington

• Councilor Manke, seconded by Councilor Serra moved to go into Executive Session, and invites the Town Council members, the Mayor and Tanya D. Lane, Town Manager, Attorney Proloy Das of Murtha Cullina, Anthony Palermino, Assistant Town Attorney and James E. Krupienski, Town Clerk to discuss pending litigation of Camillo et al v. Town of Newington. Motion carried 8-0 Councilor Arace absent.

• Executive Session began at 5:51 pm.
• Councilor Arace arrived at 6:01 pm
• Councilor Marocchini exited the room at 6:39 pm. Returned at 6:40 pm.
• Councilor Serra exited the room at 6:40 pm. Returned at 6:42 pm.
• Councilor DelBuono exited the room at 7:01 pm. Returned at 7:04 pm.
• Mayor Zartarian exited the room at 7:05 pm. Returned at 7:08 pm.
• Executive Session ended at 7:12 pm
VI. PUBLIC PARTICIPATION – ON AGENDA (In Person/Via Telephone: 860-665-8736)  
(3 MINUTE TIME LIMIT PER SPEAKER ON AGENDA ITEMS ONLY)
- None

VII. REMARKS BY COUNCILORS
- None

VIII. ADJOURNMENT
- Councilor Marocchini, seconded by Councilor Serra moved a motion to adjourn. Motion carried unanimously 9-0.
- Meeting adjourned at 7:14 pm

Respectfully submitted,

[Signature]

James E. Kupienski
Acting Recording Secretary
To Newington Town Council

From John Bachand 56 Maple Hill Ave.

Please read into the record during the 1st public participation at the special meeting of 6/13/2019.

Regarding the reason for the executive session this afternoon, it should be of no surprise to anyone that we find ourselves in this dilemma, facing a legal challenge for the highly dubious actions of the council evolving from the new town hall project. I have sounded the alarm from the very beginning, warning of the analogy of the tangled web we were weaving for ourselves. Red flag after red flag went up throughout the process, only to be ignored.

You are now facing the greatest red flag yet, how you proceed will define this town for years to come. It is time to concede mistakes were made and take the appropriate actions to reconcile the lost trust between the town taxpayers/voters and their leaders. If, however you are even thinking about doubling down and digging your heels in to fight what is by any measure of good leadership, the right thing to do, you will do so at risk great peril.

The plaintiffs are only asking for what should have happened to begin with, and though we’ve already weighed the risks of doing what was spelled out for us by the town attorney, VS. what a select few felt was a worthwhile gamble... the reality is, clearly the preponderance of evidence and common sense are firmly on the side of the plaintiffs. To push back further, would place the town in jeopardy of even greater turmoil.

Personally I don’t mind the anarchy, I feel somewhat vindicated after all the issues I tried shedding light on went only to be ignored by you collectively, but for the sake of the rest of the town... you with the majority power had better put your pride aside when you go behind those closed doors in a little while.

Again, the tack and sum of all the questionable matters surrounding this project point overwhelmingly to a bias within an elite core group who with there positions in both planning and purse strings, were able to manipulate the referendum vote into a broader mandate, claiming latitude that any reasonable person would recognize as wrong.

Just for a refresher of how these watershed moments leaned all one way...

- The narrative that a 30-million-dollar appropriation would not raise taxes.
- The claim that a new building, and related logistics, could be built for the same cost of renovating the existing one.
- The still unanswered issue of the provenance of the standalone building concept, which the architect was paid in full for despite the questions raised.
- The cloak and dagger email campaign to counter my social media opposition before the referendum, using the pseudonym “Newington Knowledge” and very possibly coming from a town employee.
- The tearing down of the bus garage without a financial accounting, despite the claim of saving money, also without the required 8-24 referral process, which is state law.
• The annexing of BOE property at the bus garage site, and also illegal without an 8-24 referral, the improvement of town property expanding the usable area of the former bus garage property for the sole purpose of construction staging.

• The annexation of library property using veiled threats and strong-arm tactics, the results of that process linger rotten still.

• The refusal to accept the common sense advice of the town attorney regarding the funding schemes to appropriate additional funds to the project before the contract was ever signed.

• Finally, the icing on the cake... with the letter to the editor impugning the town attorney with borderline defamation, character assassination, and salacious innuendo.

As we can see in hindsight this had only one logical outcome, and we’re here now. No need to dwell on those mistakes though, as long as we are committed to guaranteeing they never happen again.

Thank you.
Councilor,

Please read the following email into the minutes of the Special Newington Town Council Meeting on Thursday June 12, 2019.

Scott Greczkowski
46 Miami Avenue

Dear Mayor Zartarian, Town Council members, the Town Manager, Attendees and people watching at home on NCTV,

I am writing today in the hopes that we can continue on this town hall project, as I believe it needs to be done. However I do believe it must be done by the laws as set by our charter. I am disappointed that many sitting around that table have chosen to disregard the laws and town charter instead laughing at taxpayers of this town, some of you even joking at that very table that the advice given by the town attorney was a "load of crap."

So now here we are and now the town and all of you sitting around the table are getting sued in a lawsuit. Where does the town go from here in defending itself to a lawsuit which I believe and many legal experts believe the town can not win? How much money will be spent to defend yourselves in a case which many believe can not be won.

The wording of the charter is very specific as was the wording of the referendum. In addition there are many hours of video footage of all of you talking about this project which can be used in the court of law. As you sit at that table what you say on record can be used against you, and I am assuming in this lawsuit it will.

From the rumors I am hearing that there is intensive discovery being done including who authorized the Town Manager to go lawyer shopping and go outside the legal advice of the Town Attorney, and I am hearing this authorization did not come from the mayor. If this rumor is true, then I believe that the town manager should reimburse the town for her lawyer shopping escapades or if she is unwilling to do so then to tender her resignation. The wasting of taxpayer money like this is above any beyond the costs approved by the voters.

If the town wants this lawsuit to move forward, then I am sure all of this and more will be made public. I know the lead attorney in this case does not like leaving any stone unturned.

The charge is simple... build this Town Hall for $28.8 million as was voted on by the taxpayers of this town.

I may be the odd man out here, but I say bring it back for another referendum and have it for a higher amount then just the $2.8 million that the project is now expected to go over. Personally I would like to see promised features such as solar power as well as better materials be used that we cut back in order to lower the price. I personally don't mind paying more for something that is done right.

The voters of this town voted to let you build a new town hall for $28.8 million dollars. They did not vote to give you a blank check, and the way the laws and the town charter is written you can't legally have one.

You are supposed to be setting examples for the town, and what you have been saying is laws are made to be broken. I look for you to do the right thing or for you to lose in court.

Thank you for your time.

Regards,

Scott Greczkowski