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
Councillor 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
Andrew Brecher, Economic Development Director
Lt. Michael Morgan, acting as Local Traffic Authority
James E. Krupienski, Town Clerk
Susan Gibbon, Council Clerk

III. APPROVAL OF AGENDA

Motion to approve the agenda, as published, by Councilor Manke seconded by Councilor Anest.
Motion passed 9-0.

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

- Matthew Mazzoccoli, 149 Harris Drive stated that he attended the Town Hall Renovations Project Building Committee on August 21 and expressed his concern about the future of Mazzoccoli Way. Father was mayor, town councilor and state representative. Mazzoccoli Way is a reminder of what he did and his love for this community. Thank you.

V. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION

- Councilor DelBuono stated that at the last Town Hall Renovations Project Building Committee meeting Mr. Mazzoccoli’s sister asked her to read a letter into the record regarding the importance of Dominic Mazzoccoli and all he did for Newington. Just want to state that we are all on the same page.
• Mayor Zartarian stated that he worked with Mr. Mazzoccoli when he was mayor, on the
council and state rep. Will do whatever he can to make sure Mazzoccoli Way stays.

VI. CONSIDERATION OF OLD BUSINESS (Action May Be Taken)
A. Update on How the “Don’t Block the Box” Ordinance is Working
• Lt. Michael Morgan, acting as Local Traffic Authority stated that Don’t Block the Box
seems to be an improvement for us; in the intersections where there is signage and lines
are painted motorists are abiding by it. Police officers have the ability to ticket someone
who is in violation. From past experience prior to the signage put up, traffic would be
backed up. If we can alleviate congestion through this, it is an improvement. A couple
years ago, we were asked to patrol a specific intersection and made some stops of
motorists who weren’t complying. We do look into whether there is a need. It is a team
effort and we all work together to make decisions.
• Councilor Anest asked what the criteria is for Don’t Block the Box.
• Lt. Morgan stated that they need to meet the criteria set by the State of Connecticut. We
have to apply for an encroachment permit on any state road in town. We can’t just sign it
and paint it. We need to do a site visit, look at it, see it, videotape it, come to counsel,
ask for amendment, then apply for permit.
• Councilor Anest asked what they are looking for. Do you do more than one site visit?
• Lt. Morgan stated that it is generally more of a design issue. It is something that is
recurring and is an obvious issue. Not just something that is once in a while thing.
• Councilor Anest asked if it is a certain time of day?
• Lt. Morgan stated that you generally see this situation during high traffic times to see
why this is necessary and why it is necessary.
• Councilor Anest asked how many citations have they issued. What about the one at
Fenn?
• Lt. Morgan stated that if that is where you’ve seen violations, we can set up a patrol in
that area.
• Councilor Anest asked if an officer sees it, he can ticket the person.
• Lt. Morgan stated that is it like any other motor vehicle stop.
• Councilor Budrejko asked what the fine was.
• Lt. Morgan stated it is an infraction and the ticket is $92.
• Councilor Budrejko asked if a resident has a questions or wants to report consistent
violations, who should they call?
• Lt. Morgan stated that they can call him, or we have an online system where they can
reach us on our website.
• Councilor Manke asked if a resident brings something like this to your attention, what it
the time line?
• Lt. Morgan stated it depends on when we can do the site visit. Then we will make our
request to the state.
• Councilor Manke asked if we hire some to paint.
• Lt. Morgan stated that highway department takes care of hiring someone.

B. Ordinance Amendment-Don’t Block the Box, Article VII, Chapter 404-24 (Newington Code
to include Cedar Street at Constance Leigh Drive and Hawley Street)

Motion by Councilor Manke
RESOLVED:
That the Newington Town Council hereby approves the amendment to the Newington Code of Ordinances, Chapter 404, Article VII, “Don’t Block the Box”, a copy of said ordinance is attached to this resolution.

- Councilor Manke stated that this is a tough intersection; all in favor of this amendment. Seconded by Councilor Anest. Motion passed 9-0 (roll call vote).

C. Discussion-Creation of a Public Facilities Review Committee

- Councilor Anest stated that she wanted to clarify that this is not what the Board of Fire Commissioners do on a monthly basis. This review committee will be looking at every one of our buildings. Not the day to day things, actual structural issues that need to be taking care and prioritized. Eventually once we get the report, we can put it in to our CIP to know what our priorities area. Just wanted to clear that up. This is a committee to do one go through and then make a recommendation to the council.

- Councilor DelBuono stated that in reviewing the ideas set forth in creating this committee and looking at what its role is, starting to wonder if maybe we should consider hiring an outside consultant come in to do an inspection/look at all of our facilities and do a report for us. Part of the reason is that we are looking for members with certain expertise which can be difficult to fill, as we have seen on other boards and commission and we have talked about this is making sure that no one on this committee serves on any other boards or commission to make sure that that is no bias or predisposition to any department and as hard as we can try to do that, there could still be that issue of bias coming forward. Having an outside consultant would alleviate any bias. Wondering if that may be another approach to doing this and getting prices to see what the cost would be.

- Councilor Manke stated that this is long term planning that we are looking at and for that to work, the important part is that it be unbiased. We tried to make that happen, but it is difficult, because it’s a small town and only so many people volunteer. Maybe a consultant would be more objective. Important part is that we move forward with this so that we can plan better.

- Councilor Budrejko stated that she wanted to clarify, because there was chatter on Facebook, about a separate BOE building facilities commission. Want to clarify that this is comprehensive of all facilities owned by the Town of Newington including BOE and town. Understand both sides and rationale about wanting to have a commission, my concern in further reading this, I understand you don’t want the member to be an appointed or elected official of town department or BOE, but in addition is says not member should be a volunteer for any town department. I volunteer for the Human Services Holiday Foodbank, does that make me disqualified? I volunteer for the Friends of the Library book sale. How far down do you want to drill this? If you down too far, you may have difficulties getting people. As long as it doesn’t cost us anything, you might as well see what an outside consultant would charge. We can’t operate the way we have been operating, that is very apparent. The sooner we get this done, the better and we want to get it done the right way with the right people.

- Councilor Miner stated that a couple of things to consider. First off, the Board of Fire Commissioners oversee their facilities, period. They request through their annual CIP which projects to pursue for the year. Number two, with the conversations we’ve had about having a facilities management director on either an interim or contract basis, that might be something to possibly incorporate in to that as being part of what we are expecting this person to be. Was all for trying to do this on a volunteer basis, but after recently talking to a couple of people who I thought of as prime candidates to be on this, they have expressly stated that there is not chance in heck that they would have any part of this just to be criticized for trying to do what is right. Completely respect that position but also taking into account that if we have to fill the facilities director position, this is
something we can incorporate in to that and that way it is fresh set of eyes. And we need to have a plan for all of our town buildings.

- Councilor DelBuono stated that makes sense, it an outside set of eyes.
- Councilor Miner stated that CIP does some of the capital projects, but the fire department in a few years won’t have a building that will fit a truck and we have to find ways and whether a building is a part of that in the long run.
- Councilor Manke stated that an outside consultant would be immune from Facebook criticism. It would also be perceived as objective and unattached. The question is, how much would this cost. Maybe we should see what the cost is and move on from there. We need to move this forward. Know that things are covered in CIP, but need to look at long term.
- Councilor DelBuono stated that having served as chair of the CIP Committee, I don’t feel I am an expert in what needs to be done, which is part of the problem. We have department heads coming to us and telling us what they need and we are making those decision based on the information we have. Having an expert opinion on these things will certainly make more sense.
- Councilor Manke stated that he would hate to commit funds based on who was more persuasive.

D. Acceptance of Final Report & Disband School Career Technical Program Improvement PBC

- Town Manager Lane stated that the balance of approximately $275,000 will be added to the General Fund; it can be transferred in January to a Special CIP Projects. This would come before council as part of the transfers done in January.

Motion by Councilor Marocchini

RESOLVED:

Pursuant to Section 8-45M of the Newington Code of Ordinances, the Newington Town Council hereby accepts the Final Report, dated August, 2019, a copy of which will be attached, and hereby disbands the School Career Technical Program Improvements Project Building Committee.

Seconded by Councilor DelBuono. Motion passed 9-0.

E. Town Attorney Updates: ATV’s, Sale of Town Owned Property, Panhandling

ATV’s

- Town Attorney Ancona stated that he provided drafts of the ATV ordinance, didn’t reinvent the wheel, looked at multiple towns across the state, didn’t like any of them and have put this together using multiple resources. Not sure how strict you want to be. Know that Councilor Miner was talking about gasoline retailers. Have two versions, one with gas retailers and one without. The only other thing I thought was important to have was due process to have some protection. Do you have any questions? Do you want to send me in a different direction?
- Mayor Zartarian stated that there were some concerns because we haven’t had time to review and digest everything.
- Town Attorney Ancona stated that he understands that and that he will be happy to come back.
- Councilor DelBuono stated that she is concerned about going after gas retailers. My concern is that these are small businesses and know that there are large corporations behind them. They may have video monitors are their desk, but they aren’t always watching them to see who is pulling up. People can pay by credit card at the pump. Wouldn’t know if there is an ATV or unregistered vehicle out there. Concerned about
passing the penalty on to them and have the control over it that we think they should. The focus needs to be more on the ATV users.

- Town Attorney Ancona stated that he agrees, always concerned about implicating third parties.
- Councilor Budrejko stated that she wanted to echo what Councilor DelBuono said. We have enough ordinances and restrictions on the businesses in our town and would hate to put this burden on them as well, particularly when they can't do much about it anyways. Item D, where it talks about if confiscated will be sold at public auction or destroyed; I believe the Police Chief wanted to have them destroyed so they are off the streets.
- Town Attorney Ancona stated that we can eliminate the sale.
- Councilor Budrejko stated that under 2, where you are defining the operation of an ATV, etc. on any street or sidewalk, town property including but not limited to school property, playground or parks, we do have areas of open space which are not designated as a park or playground and would suggest having “open space zones” included in that. Know that Cedar Mountain gets torn up; have seen ATV’s at Deming Young Farm and have also seen them riding along the tracks at the train station.
- Councilor DelBuono stated that going back to the gasoline portion, where it says signs will be posted. I don't have a problem with the signs, but will that be at the cost of the retailer?
- Town Attorney Ancona stated that it is always the responsibility of the business owner; that is the part that bothers me.
- Councilor Manke stated that is just another cost that we will be putting on to the gas station. Would be more comfortable with not having the gasoline sales in the ordinance.
- Councilor Serra asked how New Britain handles the sale of gasoline.
- Town Attorney Ancona stated that he looked at New Britain’s ordinance and didn’t see anything promising about it. I pulled their ordinance and didn’t see anything in it.
- Councilor Serra stated that this is from our May 14th meeting and this is their ordinance.
- Town Attorney Ancona stated again he did not see that in their ordinance, I will look again.
- Councilor Serra asked that he look into it and see how they handle it.
- Town Attorney Ancona stated that he most concerned about Sections 4 and 5 in adopting this. Just for the record. Just because I put it in there, doesn’t mean I like it. It is not a large provision, but it places the burden on the retailer.
- Councilor Miner stated that in the last several years this has been an increasing problem, and for some reason, this year has been very quiet and not much of an issue. Summer is essentially over and don’t know what changed, maybe it was enforcement from the surrounding towns.
- Town Attorney Ancona stated that as he was working on this he wondered what was the point.

**Sale of Town Property**

- Town Attorney Ancona stated that the sale of land was brought to his attention by the Town Planner because there are adjacent property owners that would like to buy little pieces of land. We don’t have a procedure in place and what if I want to buy a piece of property for $2,000 and someone else wants to buy it for $4,000, but I am the one who found it, what do we do? It is a somewhat simple ordinance; going to bid, then the 8-24 requirement; and a public hearing that the council would have to conduct.
- Councilor Anest asked how this would relate to National Welding; I mean, I haven’t had a chance to read this.
- Town Attorney Ancona stated that it is over $10,000, so state statute requires that a public hearing take place.
• Councilor Anest stated that she understands that, question is about the sealed bid. It comes under the sealed bid?
• Town Attorney Ancona stated yes.
• Mayor Zartarian asked if there were any way to waive that.
• Town Attorney Ancona stated that it would go to the highest and best bidder.
• Councilor Anest stated that if you had a developer that wanted to purchase that property...
• Town Attorney Ancona stated that he understands that you want to cherry pick that buyer, but what if someone else wants to buy it.
• Councilor Anest stated that is where I have...again, I have not looked at this, but what is personal property? Are you talking about...
• Town Attorney Ancona stated yes, personal property.
• Councilor Anest asked if there is a procedure that the town has to follow, that is has to get rid of computers? Don’t know if there is a procedure, just asking.
• Town Attorney Ancona asked Town Manager Lane what they do in the instance of getting rid of items. If it is over $100, what does the town do? Say it was a bucket truck.
• Town Manager Lane stated that they try to refrain from getting involved in those situations, just because of the liability. I remember it came up once in the past regarding come very old computers and we just decided to destroy them instead of giving them away.
• Mayor Zartarian stated that computers are sent to an electronic waste facility and vehicles are driven as much as they can be.
• Councilor Anest asked the Town Manager to check with IT to see what they do.
• Councilor Miner stated that the BOE does utilize a couple of E-Auction websites. You can contact them to see what their procedure is.
• Mayor Zartarian stated that is a shared service we need to look into.
• Town Attorney Ancona stated that whenever we adopt something new and impose things on our citizens there are issues that we don’t realize. I’m not sure it is a good idea, I am just presenting it and I leave it to the better judgement of this Council.

Panhandling
• Town Attorney Ancona stated that he thought that this was put to bed last time; not sure if additional issues that need to be discussed. I thought that we decided it was a good idea not to do anything.
• Mayor Zartarian stated that there are provision in the state statutes that cover misbehavior by panhandlers.
• Town Attorney Ancona stated that is exactly right.
• Councilor Miner asked if that is the case, why we aren’t enforcing it.
• Town Attorney Ancona stated that is not for him to answer.
• Councilor Miner stated that he doesn’t remember just leaving this on the curb and us deciding to do nothing about it. Last I remember is that you were going to look at the Vernon ordinance regarding panhandlers. I provided you the link. It works fairly well, not without issues. They also work with shopping center owners to give them a means to follow through.
• Town Attorney Ancona stated that his understanding was that the consensus was that we weren’t going to continue with, but I will be happy to continue on.
• Councilor DelBuono stated that she thought we decided, because there were ways for the police department to enforce it; like if it was on private property. I thought we talked about the statue as is and not having a separate ordinance, because that ordinance could open us up to liability.
• Town Attorney Ancona stated that free speech exposure was his biggest concern.
- Councilor Anest asked Attorney Ancona to see what other town have.

F. Discussion & Possible TPZ Referral §8-24 CGS, Municipal Improvements
   1. Cedarcrest Conveyance – 10-Acre Parcel

Motion by Councilor Budrejko

RESOLVED:

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

Seconded by Councilor DelBuono. Motion passed 9-0.

- Mayor Zartarian stated that this is part of the Cedarcrest parcel that started out as 28.8 acres, it was approved at that, but somewhere between the state senate and Governor Malloy’s desk we lost 18.8 acres. This goes back to the 2018 legislative session. The remainder is in the works, it passed legislatively, just waiting for the I’s to be dotted and T’s to be crossed before a conservation easement on the remainder of that parcel.

G. Update on Economic Development Activities

- Andy Brecher, Economic Development Director stated that TPZ adopted the TVDD regulations. Thank you to council for endorsing those regulations. It was a fairly quick process at TPZ and hopefully we will have some good thing come out of it. Have received a number of inquiries, none from developers directly, but from groups who represent developers. Word is getting out there. Received a call from Peter Curry and he thought that it was a wonderful thing that Newington might get a train station. The DOT has added Newington to get a train station in 2022-2023. They still have no money, but Newington will get caught up in terms of design. Regarding National Welding, as directed we have moved away from BBL; have spoken with a smaller developer of hotels and they chose not to move forward; money may have been an issue. Now talking with perhaps the largest hotel owner/operator in Connecticut who has expressed an interest and is interested in BBL’s market study. Need to pound the pavement and find someone who sees the potential we see. In a meeting with DOT and the new commissioner Joseph Gillet, he brought the issue of parking at the National Welding site, I was able to give him the history and after our discussion the commissioner final remark to this was “hmm”; received no direction from him. We spoke briefly about Myra Cohen Way and the ball is in their court, they need to give us a proposal. The developer for the Villas as Cedar Mountain is pursuing HUD financing. It is competitive, and expensive to apply for. 3333 Berlin Turnpike is perplexing; did assist a new buyer with making an offer and that buyers’ offer was not accepted, but never responded to. Eversource feels that the property is valuable and want more money; which is an unusual situation. They have a brochure out that shows a hybrid of the two developers plans. Grossman still has Meadow Commons on their website. At the former lottery building at 81-85 Alumni Road, 141,000 of the 185,000 sf have been taken in a long term lease by Trumpf US. They are using the facility for warehousing. The balance of the building is rented to Charter Oak College. 36 Holly, the former Curtis 1000 building is fully leased to United Distribution, they distribute industrial and construction equipment. The Shop, a barber, opened up at the corner of Main and Stoddard. South End Café opened up on Brocket Street where Vida Doce was. Zaz Restaurant closed, but expect an announcement of a new restaurant going in there soon. O’Reilly auto parts has had their quiet opening. The unemployment rate in Newington is now at 3.2% for July. The EDC, thanks to the generosity of Rob
Rioux, has a new brochure, a Newington Means Business brochure. Hopefully that will be in our hands by the next EDC meeting nex week. The Newington Means Business slogan is something that some members would like to change. If you can come up with something we are all ears. The EDC is struggling with our sales pitch, and how to market ourselves. What is so good about our product? What do we have that someone else doesn’t. Location is our best attribute. Free parking everywhere is a plus. Our town center offers relatively low rent business spaces. The Berlin Turnpike is great place for retail. We maintain a very strong precision manufacturing presence. We have positive things. The potential for a train station can be a real game changer. That is the good stuff. But, we don’t have a lot of land for new enterprises, especially warehousing. At the opposite end of the spectrum, we are not a distressed community so we don’t have the ability to offer incentives that cities have. We are looking to build out tax base. We don’t have a great entrepreneurial environment; not just Newington. What is being produced is a lot of software and apps and games. That doesn’t create a lot of jobs in factories, but that is a great potential for Newington because you don’t need a lot of land but you need smart people. We don’t have a high level of household income. We would like to believe our schools are excellent, but that is not the way they are portrayed to the outside world. These rating are used by Zillow and Realtor.com to provide a rating for every home they list on their website. You chose the home and they provide you the name of the school and how that school is rated. The ratings are out of 10. Perception becomes reality. I intend to sit down with our new superintendent and have their staff find out who is creating these ratings and what they base it on and have them look at the right things. This is an example of how difficult it is to make your community attractive and not have it based on false data. Every community in our area is struggling with how to grow their economy, as well as our state also. Who do we want to recruit, where do we want to put them and what do we want to offer them to come here or stay and grow here. The new 2030 plan presents a pretty good framework for growing those discussion. Would like to see the council work with the EDC and TPZ to try to come up with what is this thing that we want and is fundamental to marketing.

- Councilor Budrejko asked Mr. Brecher if he knew anything about Casa Mia coming to Indian Hill Country Club. Is there any interest at the Massage School on Kitts Lane? There is no for lease sign up.
- Mr. Brecher stated that he has directed a couple of people there, believe that one has a genuine interest in the property. That building is owned by the founder of the CT School of Massage and his name is Steve Kitts; but has no relation to Kitts Lane.
- Councilor Budrejko stated that she rides her bike a lot and she rides around Day Street North Mountain Road and those areas are pretty depressed, but there is a lot of land there. Is there any interest there? Do you try to market those areas?
- Mr. Brecher stated that there is a lot of turnover in those areas. A lot of the buildings are owned by the business owner; there are not looking to rent or lease them and they are not looking to spruce them up. Craig Minor and I have had discussions regarding trying to impose streetscape improvements, especially on North Mountain Road and there is never the right time or resources to do that. If the Town/State led the way for North Mountain Road to clean up the streets, improve lighting and put in sidewalks, I think that would really the lead the way for property owners to know that someone cares, hat the properties are a little more valuable and they might do something with them.
- Mayor Zartarian asked about the Toys -R -Us building.
- Mr. Brecher stated that he has not gotten an update from the management company recently.
- Councilor Miner stated that that are actively pursuing a tenant.
- Councilor DelBuono asked how we doing with businesses exiting?
Mr. Brecher stated that it stays pretty even. There are always businesses coming and going. Think that this year, especially with Holly Drive and Alumni Road we have filled a lot more square footage than we lost. It seems that when a business goes out, another one comes in. Regarding the town center, don’t be surprised to see businesses playing hopscotch this fall with businesses relocating from one place to another. Some places like Farmington Bank are empty, but the rent is being paid.

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

A. Affordable Housing Moratorium

Craig Minor, Town Planner stated that the affordable housing law states that towns have to have 10% of housing available for affordable housing and if they don’t meet that 10% they are vulnerable to a developer coming in that doesn’t meet our regs, the town would have to approve it. Newington is close to the 10%. That same law provides for town close to that to apply for a moratorium. We would like to apply for a moratorium; Town is eligible to apply, we meet the threshold to be eligible to apply but it is not guaranteed by the new commissioner. Some towns have been approved and some towns haven’t.

The process is for the council to have an Intent to File the Application; one that is done, legal notice gets published; a copy of the application is filed in Town Clerk’s office and if a petition is signed by at least 25 residents, the town has to hold a public hearing on whether to submit this application or not. If no petition is filed, then at that point I will look for a resolution from the council to file the application which is part of the application. I will provide the council with a copy of the application at that point, if we get to that point. The council may decide to not to submit an application and that is fine too. That is a decision for the council to make.

Mayor Zartarian asked what are the consequences to the town for not complying with the 10% requirement of affordable housing as defined by the state.

Mr. Minor stated that the consequences are such that developers like Dakota coming in with an application, at least as far as TPZ was concerned was not acceptable and denied. Don’t know if judge will agree that Newington was within its rights to deny that application; the track record for most towns denying an affordable housing application is not good and that most towns loose those appeals or lawsuits. Towns that don’t have 10% are vulnerable to developers coming in and cramming it down our throats. If you decide to go ahead with the moratorium, it doesn’t mean that in those three years you can’t work with a developer on what we call a friendly 8-33 application. Newington can still do affordable housing, but on your terms and not forced to accept an application.

Councilor Miner stated that Victory Gardens has a proposal on the table for approximately 100 units, thought there were two sections.

Councilor Budrejko stated no, it is 35 units. One is 15 and the other is 20.

Councilor Minor stated that between that and Cedar Street it is something to consider.

Councilor Budrejko asked if this is adopted, what is the obligation of the town during those three years? What are we supposed to do?

Mr. Minor stated that the town is not obligated to do anything.

Councilor Budrejko stated it is giving us three years of reprieve. We are not supposed to develop a plan?

Councilor Budrejko stated that yes, for the towns that were successful in getting the moratorium, they provided a plans to increase the supply of affordable housing. Not sure how much of that language will be in our application; there is not much in the works as far as town directed new affordable housing.

Councilor Manke stated that this moratorium lasts for three years. Can you reapply?

Councilor Manke asked how close to the 10% are we?
• Mr. Minor stated that we are at 8.43%. That number fluctuates as properties come off and go on.
• Councilor Serra asked what part of Newington is not considered part of that. Is it the Berlin Turnpike or Victory Gardens? Just so the town has an idea of how it is determined.
• Mr. Brecher stated that not all of Newington’s supply of affordable housing apply towards that number. There is a group home that counts towards our affordable housing stock, but I was not able to use that when applying for the moratorium.
• Councilor Serra asked if it is because they are a nonprofit.
• Mr. Minor stated that he is not sure why, it is the way the law is written that gives towns the ability to apply for a moratorium. The two properties we are taking credit for in this application are Griswold Hills and Victory Gardens; those are two are are using as the basis for our moratorium. There are plenty of other affordable housing units we are getting credit for but cannot be used for the application. The minimum points are just to get us in the door.
• Councilor DelBuono stated that the current TVDD plan has a percentage of affordable housing built in to it. How will that be affected the moratorium?
• Mr. Minor stated that if a developer came in, that would be a friendly application and we could approve it.
• Councilor Budrejko stated that if we lose the Dakota appeal, how much closer will that bring us to the ten percent?
• Mr. Minor stated that is a good question, but I don’t know what the answer is, don’t believe it is a lot.
• Councilor Marocchini stated that the point of going for a moratorium is to give yourselves time to formulate a plan like TVDD. We did get the TVDD through by TPZ; we know that we have plans for the future and development any kind of housing around that area. So things like that is what the state is looking for. Don’t know why they wouldn’t give it to us and don’t know why we would apply for it just to stop anything coming at us for 3 years. That is not the right approach in my opinion. My point is that if we are willing to come up with a comprehensive plan for affordable housing it’s certainly worth applying for.
• Councilor Manke stated that he agrees. If we get this moratorium and we think we are going to tread water for three year, we are wasting our time. If we get the moratorium, we need to come up with a plan that meets our terms and our goals. That would be a good way to proceed.
• Mr. Minor stated that the Town of Newington has budgeted for an affordable housing plan through CIP. I’ve been gathering information on how other towns have approached that. I will certainly mention that in our cover letter when I submit the application.

B. Discussion & Possible TPZ Referral §8-24 CGS, Municipal Improvements
1. Town Hall & Community Center Project
   • Town Manager Lane stated that this is we propose to move a property line and once that happens it triggers a TPZ 8-24 action. This was brought to our attention in a memo sent to me by the chair of the building committee to refer to Council. This is now before Council to discuss it to send to TPZ for the 8-24. Craig Minor is here to answer any specific questions you may have.
   • Councilor DelBuono asked what the actual distance is between the property lines.
   • Mr. Minor stated that it is anywhere from 20 feet at the widest and then it tapers down to nothing.
• Councilor DelBuono stated that Mazzoccoli Way that the concern of the building committee by moving the property line out is going to affect Mazzoccoli Way in terms of its original width and that of this project.
• Mr. Minor stated that the plan proposes to decrease it from 36 feet to 24 feet since it is no longer a major road.
• Councilor DelBuono asked if that met the minimum requirements to keep it a public road.
• Mr. Minor stated yes,
• Councilor DelBuono stated that for TPZ is there enough room for a snow shelf, for sidewalks and for emergency vehicles to turnaround?
• Mr. Minor stated that when he gets the referral from the council, he will immediately contact our emergency services staff to ask them to weigh in on this.
• Councilor Miner stated that it still maintains a 50 foot right of way. Correct?
• Mr. Minor stated that is correct.
• Councilor Miner stated that gives you enough room for a snow shelf and sidewalks.

C. Discussion & Possible TPZ Referral §8-24 CGS, Municipal Improvements

1. Acceptance of Packard’s Way as a Town Street
   • Craig Minor stated that this is a subdivision that was approved many years ago. It is now at the point where the staff would like to make it a town road and the first step is for the council to send it to TPZ for an 8-24 referral, which is a no brainer since TPZ approved it in the first place.
   • Councilor Miner asked if all of the underlying issues have been taken care of.
   • Mr. Minor stated that there are a few little glitches, but they are manageable. The folks that live on that road deserve to be on a town road. It is time to bring them into the light of day.

VIII. RESIGNATIONS/APPOINTMENTS (Action May Be Taken)

A. Appointment-Anna Reynolds PBC

Motion by Councilor Anest

RESOLVED:

That the Newington Town Council hereby makes the following appointments(s):

Anna Reynolds Public Building Commission

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Party</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen Woods, Public Member</td>
<td>94 New Britain Avenue</td>
<td>D</td>
<td>8/27/2019-Indefinite</td>
</tr>
<tr>
<td>Carol Duggan, Public Member</td>
<td>17 Dover Road</td>
<td>D</td>
<td>8/27/2019-Indefinite</td>
</tr>
<tr>
<td>Jeremy Whetzel, Public Member</td>
<td>92 Old Musket Drive</td>
<td>R</td>
<td>8/27/2019-Indefinite</td>
</tr>
</tbody>
</table>

Note: Public members of the Committee will serve terms from date of appointment – Indefinite; Town Council and Board of Education members of the Committee will serve terms concurrent with their elected term of office.

• Councilor Marocchini stated that the appointment of Carol Duggan is phenomenal. She was a teacher at Anna Reynolds for many years and will be a wonderful part of the committee.
• Councilor Anest asked the Town Manager to get an organizational meeting together for this commission.

Seconded by Councilor Manke. Motion passed 9-0.
B. Appointment-150th Anniversary Steering Committee

Motion by Councilor Manke

RESOLVED:

That the Newington Town Council hereby makes the following appointment:

150th Anniversary Steering Committee

Resolves #2018-159

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Party</th>
<th>Term</th>
<th>Replaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jerilyn Nagel</td>
<td>1175 Willard Avenue</td>
<td>R</td>
<td>8/27/2019-Indefinite</td>
<td>Vacancy due to Resignation of D Morgan</td>
</tr>
</tbody>
</table>

Seconded by Councilor Anest. Motion passed 9-0.

C. Appointment-Central Connecticut Tourism District

Motion by Councilor DelBuono

RESOLVED:

That the Newington Town Council hereby makes the following appointment:

Central Regional Tourism District

Name: Roy Zartarian
Address: 25 Stuart Street
Party: R
Term: 8/27/2019-8/27/2022

- Councilor Budrejko asked what this was. Is it a new commission?
- Mayor Zartarian stated that he was asked to be on the committee.

Seconded by Councilor Anest. Motion passed 8-0 (Mayor Zartarian abstained).

IX. TAX REFUNDS (Action Requested)

A. Approval of August 27, 2019 Refund for an Overpayment of Taxes

Motion by Councilor Budrejko.

RESOLVED:

That property tax refunds in the amount of $3,784.73 are hereby approved in the individual amounts and for those named on the “Requests for Refund of an Overpayment of Taxes,” certified by the Revenue Collector, a list of which is attached to this resolution.

Seconded by Councilor Serra. Motion passed 9-0.

X. MINUTES OF PREVIOUS MEETINGS

A. August 13, 2019 Special Meeting Minutes
B. August 13, 2019 Public Hearing Minutes
C. August 13, 2019 Regular Meeting Minutes

Motion to accept the minutes of the above meetings by Councilor DelBuono. Seconded by Councilor Serra. Motion passed 9-0.
XI. 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 she has updates on two items. First is the library parking lot. Gary Fuerstenberg has opened the lines of communication with the library trustees, he has done a phenomenal job with that; they will be attending a TPZ meeting requesting a site plan modification. Second is the MDC water main. MDC will not allow any work on the water main until an agreement is signed with the town. This agreement is something new; something that the need in place for their protection. Hope to have a draft of it by the end of the week. MDC has approved the plan for the moving of the water line. We have a lot of irons in the fire and is it just a matter of waiting.

XII. COUNCIL LIAISON/COMMITTEE REPORTS

- Councilor Budrejko stated that she attended the Conservation Commission meeting last week. Our town engineer Gary Fuerstenberg, Erik Hinckley, our wetland agent and Jeff Zelek were very excited about this project that was recently completed. There was a problem with the cross country track at Deming Young Farm, it was underwater and there was a gap in the route which impacted the training. Engineering and the parks staff worked with the cross country coach who evaluated the field and looked for a solution. Erik Hinckley then notified the Conservation Commission who proposed a relocation that would not negatively impact the wetlands or the upland review area. At the same time our park staff implemented the solution and restored running/walking paths on the trails. They were interested about the teamwork in getting this done, someone from the education department (the coach) identified a problem and brought it to the town; it was teamwork between the engineering staff, park staff, and the conservation commission to resolve the issue. Additionally engineering evaluated fielded conditions and saw what was causing the flooding issue and will require more work in September. The cross country coach presented a trophy to Jeff Zelek, and he wants it passed from parks & rec, to engineering and to the conservation commission to show and congratulate the cooperation and interaction between the town departments. This happened under the radar and is a nice example of people getting together to solve an issue without a lot of drama.

XIII. PUBLIC PARTICIPATION — IN GENERAL (In Person/Via Telephone: 860-665-8736)

(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)

- Rose Lyons, 49 Elton asked when the next Ethics Board meeting was being held; seems that there hasn’t been one in quite a while. Also, I inquired about the VA housing and according to the town planner there is nothing being done in the immediate future. I read something about the MDC, that they are going to go for more bonding for projects. Have been in commutation with the DOT, even though there are no left hand turn into McDonalds, they don’t work; also the other problem area is the light at Maple Hill and Cedar Street and the sign that says opposing traffic has a longer green; not within DOT standards. So much time is spent by people on Facebook complaining about things such as traffic. Lt. Morgan is the contact person for this; contact him is you have an issue. I personally have found all the town staff to be very cooperative, if I have a problem I pick up the phone and I call them. Feel that there is too much back and forth on Facebook with no answers to the questions.

XIV. REMARKS BY COUNCILORS

- Town Manager Lane stated that the Ethics Committee will be meeting on September 5th.
- Mayor Zartarian stated that people who complain on Facebook are keyboard warriors and is a pet peeve of mine. If you have a problem submit them to the town and they will be addressed by appropriate town staff.
XV. EXECUTIVE SESSION

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

Motion by Councilor Marocchini

RESOLVED,

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

Seconded by Councilor Anest. Motion passed 9-0.

Council adjourned to executive session at 8:52 p.m.

Executive Session ended at 9:04 p.m.

XVI. ADJOURNMENT

Motion by Councilor Marocchini to adjourn meeting at 9:04 p.m. Seconded by Councilor Manke. Motion passed 9-0.

Respectfully submitted,

[Signature]
Susan Gibbon
Council Clerk