

**WEST HARTFORD TOWN COUNCIL MEETING
JANUARY 12, 2016
LEGISLATIVE CHAMBER**

ITEM #1 - MEETING CALLED TO ORDER: 9:55 P.M.

President Slifka: Okay. At last, we will call the Council Meeting to order and begin with the Pledge of Allegiance.

ITEM #2 - PLEDGE OF ALLEGIANCE

President Slifka: Okay. Could we have a roll call, please, Ms. Labrot?

ITEM #3 - ROLL CALL: ALL COUNCILORS PRESENT

President Slifka: Okay. Thank you. We'll go to number four, Mrs. Cantor.

ITEM #4 - APPROVAL OF MINUTES: RECEIVED

Councilor Cantor: Number four, Approval of Minutes. I move that we approve Town Council Meeting Minutes dated 12/10/2015 and Public Hearing re: 27 Park Road dated December 10, 2015.

Councilor Davidoff: Second.

President Slifka: The motion's made and seconded. Any discussion on the Minutes? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're up to Public Forum.

ITEM #5 - PUBLIC FORUM

President Slifka: Mr. O'Brien has anticipated my question about the signup sheet.

Mr. O'Brien: No one has signed up.

President Slifka: Okay. Did anybody wish to speak to an item that is on the Agenda that was not otherwise the subject of a public hearing this evening as we've had two lengthy ones? Okay. Seeing none, then we move quickly to the Report from the Town Manager. Mr. Van Winkle.

ITEM #6 - REPORT OF TOWN MANAGER

Mr. Van Winkle: Thank you, Mr. Mayor. Christmas tree collection ends on Friday, so I know you've probably got that tree up in your living room and I know you hate to see it go down. The kids don't wanna see it – you've got 'til Friday to get it to the edge of the road so we can pick it up. All trees are ground up and recycled and turned back to the earth. Tax bills are due for your motor vehicle the second – and your home the second payment are due and they must be made by Monday, May – February 1st so if you've got a tax bill from the Town of West Hartford, take it out of the bill bowl and put it at the top. Get going. Snow and ice. It'll never happen again in West Hartford. It's been a great year for us so far, snow and ice, but we just would remind people 'cause we will have a snowstorm at some point in time. You are required to get your sidewalk clean. Our schoolchildren might have that day off but they walk to school the next morning. So if you have a sidewalk in front of your house, you should get out there and clean that within 12 hours at the end of the – after the end of the storm and make sure it's safe for all the pedestrians to pass by your house. If you fail to do that, a police officer could visit you and give you a ticket. But I know we won't hafta do that. We have a program called Behind the Badge and it's a college academy is what we call it. It's the 17th one and we had over 30 college students, the largest class we've ever had for Behind the Badge. They met in here. Come and meet with our police officers and hear about the work that they do, getting some hands-on experience with the skills, the team building, the physical training, the crime scene investigations, case law, and a ride-along with a West Hartford police officer. So it was really nice to see all these young faces here, trying to learn what it might be like to be a police officer. We are always looking for good men and women, who would be interested in joining our police force. So it is a great job, great-paying job, in a community that is a wonderful community to serve as a police officer. So if you happen to be interested in a new occupation or a first occupation, you should check in with the West Hartford Police Department. They'll be happy to talk to you. That's really all I have. If you have any particular questions, I'd be glad to answer them.

President Slifka: Are there any questions of the Manager? Mrs. Hall, you go ahead.

Councilor Hall: Thank you. Mr. Van Winkle, we had the Pension Board meeting last week and, you know, I always feel that it makes sense for us to just bring this issue up every now and then to help remind our residents what our biggest challenge here is because I know we get a lot of, you know, the town should do this. The town should do that. Everybody has ways that we should spend our money and we'll be looking at the budget soon. We've seen a roll-forward budget and what that means. And, you know, frankly I think we all need to keep it in mind in terms of one of the ways we combat that is by growing our grand list so – but with that maybe you could just update us on the latest in regard to the pension or update our residents.

Mr. Van Winkle: Thank you. We have – we have been working on our pension to recover its funding ratios for some time. We were over 100% funded in the late 1990s. We, every year, have an actuary look at the pension plan and the actuary says in order to keep this plan fully funded, you need to make this annual required contribution. And they would give us a number and this Council would approve that allocation of tax dollars to make sure that pension fund was fully funded. We went through a dot.com crash of the markets in 2000. We went through the financial collapse almost the collapse of the American economy in 2006 through '08 and both of those clobbered our pension plan and we struggled to fully fund. We always fully funded the

ARC that we were told but the plan was being hurt by the markets. This Council over time has heard comments about discount rates. It's a little inside baseball but this Council has, you know, agreed to reduce the discount rate over a period of years here. Our discount rate is down to a level that it should be okay. There's still some debate about that and we still need to think about that. We have renegotiated union contracts and union contracts have dramatically changed the pension that employees – that new employees receive primarily from 2006, starting in 2006 and the ones we've just most recently negotiated. We are in a good place with those negotiations. They're in place and some of them will be coming to the Council shortly that we've already negotiated. So we're doing the right things on the union side and making good inroads to that. We're funding the ARC and so this past year we decided, well, you know, we've been with this actuary for a number of years who has been working our pension plan. It's time for us to bring in a new actuary and have him or them do the analysis. The actuary we had was a national firm, great reputation. They do actuarial work on pension plans all over the nation, all over the State of Connecticut. Our new actuary delved into the pension plan and came and found things that weren't accounted for correctly. And so we were looking at putting in, I believe, something like 250 or a half-million dollars into the pension this year. And the new actuary – and believe me, he has spent a lot of time making sure he has done this correctly because he's suggesting someone else made a mistake, he was not gonna make a mistake himself, has come back to us and said that our contribution to the pension plan this year is \$2.6 million in order to keep the plan. More – he had \$2.6 million more than what we put in than last year. No small thing. That is a huge number. And so we – you will see that in the budget. We don't wanna make that – the bad choice of saying we're gonna put less than what is required. And we also do a 10-year projection and, again, with this actuary working hard, making sure the numbers are correct and them double-checking, triple-checking their numbers, that increase in the contribution to the pension plan should fall to about the half-million dollar area, which is what we'll look at over the next 10 years as we do the projection. This is all based on a lot of assumptions about the future and about where things are going but, you know, hopefully our – we're back in hand with the right numbers and we'll be able to move forward and get the plan back to fully funded somewhere in the future. It's a 30-year process not a 5-year process. We're gonna be talking about this forever, forever if you will. We'll be talking about this for over the next 30 years. Yes, we're making that progress. Yes, we're up another 2%. Yes, the contribution is going up this year but we should be able to get there. I felt confident that our old numbers were great and we were gonna make it. I'm not an actuary, so I apologize for not being an actuary and not being able to do whatever they found. But we will return to health in this plan. But it'll be a driver in our pension – in our budget this year.

Councilor Hall: So then, based upon those projects, it's going to be probably 10 years before we get up to 50% funded?

Mr. Van Winkle: Yeah. Based on this – of this analysis, we're in the 53 something like that in the next 10 years, 53% funded. We have a long road. Again, it's a recovery that occurs over a 30-year period. We could recover really quickly if wanted to put a whole lotta money in. We're gonna do, the way these things are done is actuaries calculate the numbers, use discount rates, use assumptions about investment returns, assumptions about payroll growth, a number of employees we have. And based on all of that, they do a projection of where the plan will be each

year. And so we are 43% funded now and it's going to take us some time to get back to good numbers. Eighty percent would be great so we have a ways to go.

Councilor Hall: So I agree that we had some actuaries before and the new ones are great, too. I think one of the things that might be our takeaway is that – and I know we've moved towards putting different contracts out to bid on a much more frequent basis but I think it might also behoove us to have a policy that says even if the incumbent wins, maybe after so many terms, whether it's two or three, we say we hafta move elsewhere because I, you know, I think another set of eyes looking at something as complicated as this or some of our other contracts, you know, might put us in a better spot if we make that a discipline.

Mr. Van Winkle: I would've been much happier with the old actuary because the mistakes wouldn't have cost us money.

Councilor Hall: Me too.

Mr. Van Winkle: But we did – we did the right thing.

Councilor Hall: Yeah.

Mr. Van Winkle: And what you're suggesting is we brought in new eyes, take a look at it and we are, we're, we have the right numbers so it's the right thing to do. It's just painful for me to come back to you and say we hafta make this kind of investment.

Councilor Hall: Thank you.

President Slifka: Mrs. Cantor.

Councilor Cantor: And one thing that I think is important. What we control and what we really much – the majority of that liability, our workers that are long-retired but what we can control are normal costs and you have been working so hard on the normal costs and those – the trend is down and we have seen a significant savings in our normal costs – that's the liability of our current employees and what that will be when they retire. So that's a very, very important measure that we look at very closely at all our union negotiations.

President Slifka: Thank you. Anybody else for the Manager? Okay. Then, with that, we will move to number 7, Mrs. Cantor.

ITEM #7 - CONSIDERATION OF CONSENT CALENDAR: ITEMS 16-25 TO RECEIVE

Councilor Cantor: Number 7, I move that we place items 16 through 25 on the Consent Calendar.

Councilor Davidoff: Second.

President Slifka: Motion's made and seconded. Any discussion? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're up to number 8 under Unfinished Business.

UNFINISHED BUSINESS:

ITEM #8 –APPLICATION ON BEHALF OF CENTER DEVELOPMENT CORPORATION, CONTRACT PURCHASER AND INTENDED DEVELOPER, AND THE SISTERS OF SAINT JOSEPH, THE OWNER OF THE PROPERTY KNOWN AS 27 PARK ROAD AND 14 RINGGOLD STREET, TO REZONE A MAJORITY OF THE PROPERTY FROM R-6 TO RM-MS AND THEN TO DESIGNATE THE REZONED AREA TO A SPECIAL DEVELOPMENT DISTRICT TO FACILITATE THE REDEVELOPMENT AND REUSE OF THE EXISTING PRIMARY BUILDING AND THE CONSTRUCTION OF A NEW RESIDENTIAL BUILDING CONTAINING 310 APARTMENTS UNITS AND 36 RESIDENTIAL LIVING UNITS TOGETHER WITH ALL ASSOCIATED PARKING, LANDSCAPING, LIGHTING AND SIGNAGE.

APPROVED WITH CONDITIONS, 9-0

Councilor Cantor: Application on behalf of Center Development Corporation, contract purchaser and intended developer, and The Sisters of Saint Joseph, the owner of the property known as 27 Park Road and 14 Ringgold Street, to rezone a majority of the property from R-6 to RM-MS and then to designate the rezoned area to a Special Development District to facilitate the redevelopment and reuse of the existing primary building and the construction of a new residential building containing 310 apartments units and 36 residential living units together with all associated parking, landscaping, lighting and signage. I move that we adopt.

Councilor Davidoff: Second.

President Slifka: The motion is made and seconded. Before we go into discussion, Mr. O'Brien, I did not – I failed to address this at the end of the public hearing but can you remind us where we were with draft conditions of approval for this application, which I know had been covered the first time around. Oh – and, sorry, Mr. Kavalier is now sitting for Mrs. Casperson.

Mr. O'Brien: Yeah, we did pass out the standard set conditions of approval at the first hearing. The developer reviewed those. They've approved them, so it's just a matter of making a motion to add them to the Special Development District.

President Slifka: Okay. So moved.

Councilor Cantor: Second.

President Slifka: We hafta adopt something before – so if there’s gonna be amendments, we hafta actually have something to work off. So any discussion on the conditions of approval as they were presented in the public hearing? Okay. If not, all those in favor of the draft conditions of approval as presented at the public hearing?

All: Aye.

President Slifka: Any opposed? Okay. Motion carries. Now we’re back to discussion on the application but I believe Mr. Davidoff wanted to address the conditions of approval themselves.

Councilor Davidoff: That’s correct, Mr. Mayor. I think during the public hearing there were several issues that arose that I would like to have us consider. One – let’s start with the easy one I thought was the construction management plan, which said that construction would not start prior to 7:00 a.m., I think, which meant, you know, 7:00 a.m. is when you start the vehicles. So that’s one. I don’t know if you wanna go one by one or?

President Slifka: Well, we – you need to add something to this, so however you think is the – I don’t know if we wanna add them as a whole or you wanna go one by one? This is up to you. Or do you wanna them voted on one by one?

Councilor Davidoff: Well, we can do’m all together, I guess, Mr. Mayor. So the first one that I would move would be the start time for construction would be no earlier than 7:00 a.m. as per the Town of West Hartford Zoning Ordinances. Number two would be the proposed truck route for construction vehicles and materials being delivered to the site would be along Prospect with minimal impact along Park Road. And Park Road would be accessed for – when it was necessary to do so but it would not be – it would be the secondary not the primary access to the site in terms of don’t anticipate vehicles coming down Park Road off of 84 but rather they’d be using the Oakwood/Kane Street exit. The third would be that the streetscape improvements include pavers to match the pavers utilized in the rest of the district that expands – that encompasses the area from Prospect to Quaker on both sides of the road. And those pavers would be put into place between the street and the town’s right of way. The applicant had said that they didn’t object to that condition and it was recommended by Town Staff to make it a condition of approval. And I think those’re the three conditions of approval that I have, Mr. Mayor.

President Slifka: I’m gonna make a suggestion that kind of the way we do it with the budget and, Mr. O’Brien, if I get this wrong procedurally, please tell me how to do it correctly but we entertain a motion to suspend the rules to discuss all of these. How do I put this? I’m gonna guess we probably need a separate vote for each one of these but we should discuss them as a whole. So what would be the – rather than me mangling the language, what would be the simplest way of achieving of that?

Mr. O’Brien: The simplest way would be to discuss them as a whole and then if you feel like making further amendments, you can do that. And then once you’ve gone through that process then you can vote on’m one by one.

President Slifka: Okay. So we need a second to even begin discussion. Is there a second to Mr. Davidoff's amendment to the rules?

Councilor Cantor: Second.

President Slifka: Okay. Now we are in discussion. We can talk – we've already – they're all there together as a whole, so we can talk about them as a whole. Do you want to address them further or?

Councilor Davidoff: I think I've stated my opinion on them in the public hearing as well as just now.

President Slifka: Okay. Anybody else want to make a comment on any of the three? Actually, maybe before we do that, let's just – do we have them – have you done your usual diligent job of jotting them all down so they're in comprehensible legal language and let's just recap and make sure we've captured it correctly.

Mr. O'Brien: There was also one more, which I think is already part of the project but if you want to make it clear and that's the new lane striping at that intersection – make that clear that that's a condition of the project even though they've already said they're going to do it.

President Slifka: Do you accept that?

Councilor Davidoff: Yes, I do. Thank you.

President Slifka: Mr. Alair.

Mr. Alair: Okay. I haven't, I haven't jotted them in full-fledged condition form but I have the gist of them and we can certainly have a draft that you can read when you – by the time you make your final vote on the application as a whole. Just to be very precise about the first condition that Councilor Davidoff raised, the construction before 7:00 a.m. issue as per West Hartford Ordinance. To be precise, and I know the intent of the condition but to be precise, you can do construction in West Hartford 24 hours a day. What you can't – what you have to do is you have to comply with the Noise Ordinance. Construction is exempted from the Noise Ordinance at 7:00 a.m. going forward. So at 6:00 a.m., they can be on the site. They can do construction but they have to comply with the noise decibel limits, which in a residential neighborhood, I think overnight 40 decibels, 45 decibels something like that. It's very hard to do. So if the intention is to prohibit all construction period, the end, full stop, that is actually over and above what our Noise Ordinance currently requires. If the intention is that they shall comply with the Noise Ordinance as a condition of approval, that's much easier. Is that what was the? Okay.

President Slifka: So, okay. How 'bout the other three? I just want to make sure they're captured accurately.

Mr. O'Brien: Well, the second one that I have is the truck access to be primarily on Prospect and only secondarily on Park Road when it's absolutely – when it's necessary. But primarily truck access from Prospect to the site for construction.

President Slifka: I – okay. We're trying to make sure it's consistent with what you –

Councilor Davidoff: I concur.

Mr. O'Brien: And the third one was the pavers on the streetscape to match what is existing from Quaker Lane down to Prospect Avenue so it'll all match right in front.

Councilor Davidoff: I concur, Mr. O'Brien.

President Slifka: Okay. And then the last, as added by Mr. Alair, was the line striping consistent with what was proposed by Ms. Hayes during the public hearing.

Mr. O'Brien: Right. And we do have a diagram of it as well that they introduced.

President Slifka: Okay.

Councilor Davidoff: I concur, Mr. O'Brien.

President Slifka: Okay. All right. So all that said now we just refer to – return to discussion of the four amendments as a whole. Mr. Barnes, you wanted to go?

Councilor Barnes: I just have a question about condition two. I agree with it – with the – with respect to the truck route but is that a normal type of condition that we would impose as a Council or is that something better left to Town staff to take into consideration other factors and make that determination?

Mr. O'Brien: Well, I think in the past we've typically left it to Town staff but you could leave it Town staff but with an emphasis on trying to have the truck traffic as much as practicable from Prospect.

Mr. Van Winkle: To augment that, we have approved Special Development Districts with specific truck routes. The hotel was mentioned. The hotel has a route it has to follow. If it doesn't follow that, then there's a – it's a zoning violation and there's a ticket, those sorts of things. Even Stop & Shop many years ago out here has a truck route for its deliveries. So it – and those were all done by the Council and not by Staff. Now, you could refer this to Staff but we're not gonna enforce any more than what you're enforcing and we would enforce the Noise Ordinance regardless. Even if you didn't do this, we're still gonna enforce the Noise Ordinance here. This – just make sure we have a document that says, you know, there it is right there. It says you cannot, you know? It's helpful. It doesn't give us any more power than we already have, though, so.

Councilor Barnes: I mean, I trust Mr. Davidoff's judgement on, you know, the way to do this unless he's wrong and we're supposed to do it a different way and the Town Staff says we can't do it because it's a condition of approval, so we hafta continue to do it that way. That's my concern but, you know, I defer to those in the know. Thank you.

Mr. O'Brien: Well, I think my understanding is the goal of the Council, the goal of Mr. Davidoff's amendment is to have truck traffic primarily on Prospect because it's a wider street, it's a busier street, there's quick on and off access from the highway and so forth. But I know we also said except where it's necessary to use Park Road. So I think the – where it's necessary, I think that you hafta leave to Town Staff. So this would provide the guidance to the Town Staff as to how to fashion the requirement going forward.

Councilor Barnes: Okay. And that assumes that those're the only two routes that we could take and that there're no other routes available.

Mr. O'Brien: Well, I suppose you could have trucks coming down Prospect from the north, north to south, as a possibility. I don't know how likely that is but that would be a possibility.

Councilor Barnes: And would our condition preclude that –

Mr. O'Brien: No.

Councilor Barnes: - having provided only these two alternatives?

Mr. O'Brien: No because it says Prospect. Prospect is where we want the traffic to go, especially from the highway to the site 'cause that's where Prospect is a wide avenue. It narrows as you go farther north, obviously, so I think they would be far less likely to use that area so we're really focusing on that. But I'm sure that within this amendment, there'd be the flexibility for the Town Planner to approve minor deviations if – upon necessity, upon a showing of necessity.

Councilor Barnes: Okay, thank you.

President Slifka: Okay. Any further discussion on the amendments?

Councilor Hall: Yes.

President Slifka: Mrs. Hall.

Councilor Hall: So, Mr. Davidoff, are you saying that you don't want them to do any construction before 7:00? Are you trying to preclude there from doing some interior construction that doesn't violate our Noise Ordinance? I just wanna make sure I understand what we're...

Councilor Davidoff: I wanna be in compliance with the Noise Ordinance, so that we're pretty clear, we're direct, there's no ambiguity as to our Noise Ordinance. And I think with a project of

this scope and the magnitude of this project I think it's important in light of the fact that we've received a lotta correspondence from residents as to what does that mean and I think we ought to be upfront with the applicant here and state for the record what we mean and what we mean is to comply with our Town Noise Ordinance as it correctly exists.

Councilor Hall: So we're not saying that they can't do work prior to 7:00 a.m.?

Councilor Davidoff: As long as they don't violate the Noise Ordinance, we'll be fine.

Councilor Hall: Okay. And then in regard to the one about the sidewalks, I just wanna also be clear and I see Town Staff sitting back there. Are we saying that the Town Staff recommended that these pavers be put in?

Mr. McGovern: Good evening. Mark McGovern, Director of Community Services. Yeah, some time ago when we began working on the project and the site plan and the different issues, we did ask that they consider including brick pavers on the stretch of Park Road from Ringgold to Prospect Avenue. Yes. We encouraged that on the basis of what other projects had taken on at different points of time of late and we thought it would be the appropriate treatment for Park Road.

Councilor Hall: So is the area we're talking about, these pavers, something the town would normally be maintaining and installing?

Mr. McGovern: They are typical of the pavers that we would install on sidewalks for our properties in different districts, yes.

Councilor Hall: So we're, in effect, asking the applicant to take on some of the town responsibilities? Of this – of where this is supposed to be done? I mean, this is town property and town...

Mr. McGovern: Well, it's a town right of way and so, as it relates to future upkeep, it would be the town's responsibility to repair sidewalks and install sidewalks in the future. It would be the property owner's responsibility to maintain them on a daily basis related to snow and so forth.

Councilor Hall: So was it in our plan to be doing this ourselves or why is it that this stretch wasn't done with the rest of Park Road?

Mr. McGovern: I don't know why it –

Mr. Van Winkle: I've been here a little longer. I don't know why we didn't continue all the way down. You know, it wasn't a commercial area. It was the nunnery, so it was a less commercial area and so maybe we stopped for that reason. If we were to replace sidewalks in this area, we would be replacing them with brick without question with this kind of thing. If we were – if this was a new development on this corner and we expected sidewalks there, we would tell the developer you hafta put sidewalks in. That's a requirement of this even though it's in our right of way. If we expected them to have pedestrian sidewalks, we would tell'm to do that. In this

case, we have done the whole street. This area now is – I know it’s residential but we think of it from an assessment as a commercial property. And so it fits more of the character. And as Mr. Davidoff mentioned, it is the entrance. So as you look at the street coming from Hartford, one side of the street is the bricks and the treatment that’s appropriate and we think on all of the street and this side does not. And so I think it’s just a leftover because the sisters were a much softer, more residential look to their property and we decided not to do the 8-foot wide sidewalks that we do in most commercial areas.

Councilor Hall: And most commercial developments, it’s the commercial developers’ responsibility to do the sidewalks?

Mr. Van Winkle: Yeah. Certainly and the ones you’ve approved recently at Brace – the corner of Brace and North Main or at the hotel over here, you required them to install those type of sidewalks.

Councilor Hall: Okay. It just seems like if someone’s willing to invest 100 million and I feel like we’re holding them hostage to do our public works.

President Slifka: Just to clarify, is it – but are you saying – I couldn’t quite tell between the two that – not you and you – this is – the request is consistent with what we have done recently with similar types of applications?

Mr. Van Winkle: Yes. It’s consistent with what we’ve done with other commercial developments that’re approximate to these areas where we have installed them like West Hartford Center or Park Road. Elmwood has done by us now. If we had a new development just outside of that area that was commercial, we would ask them to install these as part of that development.

President Slifka: Okay. Thank you. Mr. Alair.

Mr. Alair: And just to add a final point, which may jog the Town Manager’s memory, both of us are approaching our dotage and we – our memories aren’t quite what they were. When we did the Park Road project and we put the brick pavers in, I believe that the property owners along the street made some contribution towards the installation of those pavers. And it may be – and maybe the sisters remember but it may be that at the time the sisters weren’t in a position to make a contribution towards that project. And it really was intended to enhance the commercial stretch along Park Road after we had done some major road repairs and disrupted the street to a great degree. So part of the reason that it may never have been done before now was that there was a contribution involved and that the – it just wasn’t a viable option. So I – that may be part of it.

President Slifka: Okay. Thank you. Any further discussion on this? Mr. Wenograd.

Councilor Wenograd: Just – and to the point just made...I’m not sure I agree with the idea that we’re holding up this developer but I will say thank you for your willingness to do this, to agree to this amendment, this stipulation. The – one of the things that I think that is particularly

exciting about the project is, in fact, the openness so I do think and the street traffic and the walkability. So I do hope that you see these pavers, although an additional expense, is also a real enhancement to the project. I think it will contribute to what you're really trying to get at in terms of making this place a real part of the street. And I do think this goes towards that, so I do appreciate your, your willingness to go there.

President Slifka: Thank you, Mr. Wenograd. Anybody else? Okay. So Mr. O'Brien, based on your prior ruling, I guess we – I can just take these up one by one for –

Mr. O'Brien: Yes. That would be –

President Slifka: Okay. All right. For number one, I'm just gonna use these abbreviatedly but based on my notes, number one, the 7:00 a.m. start time consistent with our Town Noise Ordinance. All those in favor?

All: Aye.

President Slifka: Those opposed? Okay, that one carries. Number two, truck route along Prospect Avenue with minimal impact on Park Road. I think Mr. O'Brien said it better than I did but you know what I mean. All those in favor?

All: Aye.

President Slifka: Those opposed? Okay, number two carries. Number three, streetscape improvements with pavers as discussed in the hearing and here. All those in favor?

All: Aye.

President Slifka: Those opposed? Okay, three passes. Number four, the lane striping consistent with the statements from Ms. Hayes and the diagram that was submitted during the public hearing. All those in favor?

All: Aye.

President Slifka: Those opposed? Okay, number four carries. So these now have all been incorporated into the conditions of approval as previously brought forward.

SDD # 145
27 Park Road and 14 Ringgold Street
(Arcadia Crossing)
Conditions of Approval

1. **Approval of Application**

The application is hereby approved, subject, however, to the "Conditions of Approval" set forth below.

2. **Conditions of Approval**

A. Official Plans

Implicit in the approval of the Special Development District is the condition that the premises shall be used only in accordance with the official application materials, plans and associated exhibits related to the application as supplemented or modified by any amended plans and documents or representations submitted during the public hearing process. Any other use shall require the express approval of the Town Council in accordance with the Zoning Ordinances of the Town of West Hartford.

B. Premises Contact

The Applicant shall provide the Town Planner, from time to time, as necessary, with the name (or title) of a person and a telephone number where that person can be reached or where messages for that person may be left, to act as a liaison between the Town and the Applicant. The identity of the party and the telephone number may be changed from time to time by notice to the Town Planner. If different individuals should be contacted regarding different aspects of operations within the area of the Special Development District, multiple contact people should be designated as necessary. This information shall also be provided to any adjoining property owner requesting same.

C. Solid Waste-Operational Condition

Solid waste collection shall be the responsibility of the property owner/manager.

Solid waste collection within the Special Development District shall be permitted between 8:00 a.m. and 6:00 p.m. on weekdays and between 9:00 a.m. and 5:00 p.m. on Saturdays. Waste collection shall not be permitted on Sundays.

D. Special Site Use or Operational Requirements

1. Snow Removal

The maintenance plan referred to in Condition D(3) shall contain provisions dealing with snow removal. Specifically, the snow removal plan shall call for the removal from required off-street parking areas, and fire lanes of all snow deposits greater than four (4) inches in depth. Accumulated snow shall be removed from the site or stored on-site in a designated snow storage area where such storage will not encroach into or damage required landscaped areas or parking spaces.

2. Property Maintenance-Sweeping

Motorized sweeping equipment may be used only between 8:00 a.m. and 6:00 p.m. on Mondays through Fridays and between 9:00 a.m. and 5:00 p.m. on Saturdays. Motorized sweeping equipment shall not be permitted on Sundays.

3. Maintenance Plan

The Applicant shall, prior to the filing of the Special Development District on the Land Records, submit for review and approval by the Town Manager or his designee, a yearly maintenance plan for the Special Development District. Said plan shall designate the individuals responsible for establishing maintenance objectives and an ongoing schedule of maintenance activities to ensure the aesthetic quality and cleanliness of the site. The maintenance plan shall include, but not be limited to, a timetable for all required installation and maintenance activities with respect to plantings, landscaping and screening; access driveways, parking area; curbing, sidewalks and berms; lighting; signage, storage, refuse and litter control; building exteriors and other site amenities proposed in the plans.

4. Landscaping and Fencing

Applicant will maintain all landscaped areas including mowing, weeding and brush removal and be responsible for replacement of plantings where necessary.

5. Site Lighting

All outdoor lighting shall be down-shielded so as to prevent glare onto adjoining properties.

6. Construction

- a. During construction, all tractor trailers and construction vehicles serving the site shall use designated travel routes to be established by the Director of Community Services. Prospect Avenue between Park Road and I-84 shall be used as the primary travel route, with Park Road and the northern leg of Prospect Avenue serving as secondary routes only where necessary.
- b. Final construction plans for improvements to the Park Road/Prospect Avenue intersection, including maintenance and protection of traffic and pedestrians during construction, shall be transmitted to the Town Engineer and Town Planner for their review, coordination with the City of Hartford and approval prior to the issuance of building permits. Upon completion of the off-site improvements, the applicant shall submit to the Town Planner for review and approval by the Town Engineer as-built construction plans certifying that all off-site work has been completed in accordance with said plans. Such certification shall be made by a registered professional engineer.
- c. The developer shall ensure that construction activities comply with the noise ordinances of the Town of West Hartford (West Hartford Code of Ordinances) in all respects. It is specifically noted that West Hartford Code of Ordinances §123-2M only exempts construction activity from the provisions of the Town's noise limits

“between the hours of 7:00 a.m. to one hour after sundown, Monday through Saturday.”

- d. The public sidewalk shown on the approved plans along the Park Road frontage between Prospect Avenue and Ringgold Street will be constructed of brick pavers to match the pavers already in place on the opposite side of Park Road. This sidewalk area will include the sidewalk within the current easement area(s) granted to the Town of West Hartford and those portions of the sidewalk which are being relocated into areas for which easements are to be granted to the Town of West Hartford in the future, as shown on the approved plans.

E. Utilities to be underground

New electrical, telephone, cable television and other utilities shall be placed underground.

F. Engineering Inspections, Certification and Final Approval of Improvements

The Applicant shall submit to the Town Planner, for review and approval by the Town Engineer, construction plans certifying that all improvements have been completed to the approved SDD plans. Such certification shall be made by a registered professional engineer.

G. Computer Media Information

All mapping and construction plans shall be prepared in electronic format using the Connecticut Geodetic System for inclusion into the Town’s Geographical Information System.

H. Final Plan Review

Implicit in the SDD approval is the requirement that the record plans and exhibits establish the minimum standard of design and improvement for this project. As specific drawings for the project are prepared, refined and detailed, the filed SDD plans and exhibits shall serve to identify the major standards for the quality of design and improvements. It is expected that detailed site grading and development plans, architectural plans, landscape plans, erosion and sedimentation control plans and other project development details and plans may be prepared and approved under applicable Town ordinances and standards.

The Town Planner in cooperation with Town staff, including but not limited to the Fire Department and the Community Services Department, shall coordinate the final review and approval of the project design to insure compatibility and consistency with the Special Development District Plans approved by the Town Council. No building permit shall be issued and construction shall not begin until all appropriate Town Departments have reviewed and approved the plans as submitted to the Town.

I. Final Plans

Final plan submissions and supporting documents shall address the Town Council conditions of approval.

President Slifka: Now we return to discussion of the application as a whole. I guess I'll exercise my prerogative to go first unless somebody is dying to. All right. Mrs. Cantor said go ahead so I will. So the – one of the – before I even held a town office here, I – one of the first things that I was encouraged to do and I think it's been something that everybody sitting at this table who's run for office has also done subsequently was to reach out and meet members of the Park Road Association and to meet many of the individuals therein. And Angelo Faenza was here earlier tonight who is one of the leaders of it, its founder, and one of the leaders for many years there along with Richard Patrissi. And I had the real blessing of, you know, getting to know them and getting to work with people in the Park Road Association up 'til this day. And it's almost ancient history now but the Park Road Business Association was created at a time when the Park Road community was really struggling and in large part due to gang activity that had kinda bled over from Hartford. And it was not considered a great area and they really needed the town's help. And then-Manager, Barry Feldman, sat down with them and said, well, we'd like to – we wanna be there to help you in ways that're appropriate for government and so what can we do? And the Association was created. All the business owners would show up every week and then – when I say business owners, it's not just literally business owners. It's people like the Sisters of St. Joseph, who were neighbors, and were actively at those meetings and up to through today. And so I had the great privilege of being there to watch what has developed along Park Road. And several years ago, we heard the sisters share the intent that they've shared throughout this process that said, you know, we've gotten to a certain size and maybe this property's a little big for us. We need to do something with it. We certainly wanna be here but very clearly I heard from them that their perhaps greatest goal out of this was to do something that left a great legacy on Park Road, that they had been there, obviously, for decades but they were particularly proud of being part of the - and it gets overused but I'll use it again tonight, the Renaissance of Park Road that had gone ever since, which is now a place that has vibrant restaurants, a reopened Prospect Café, and an award-winning Playhouse. It's a pretty amazing thing to come from a place that roughly 20 years ago no one wanted to be in. And so I viewed with, you know, great excitement this application coming forward that met all the criteria that the nuns had put out many years ago, that are not easy to match by their own testimony. They hafta be there. We hafta preserve the historic character of the property. It hafta be something that is beautiful. It hafta not use the open space. It hafta to preserve as much of the existing structure as you can and there are several others. That makes a project very complicated and very expensive. I know they went through a very difficult process in finding an appropriate partner and they did in Mr. Scobie. So what then came before the Council is \$100 million project in an area of town that is still up and coming and that has viewed this largely as a great, great addition to the neighborhood. Then it got to our table and we really haven't talked about any of that at all. It – then we immediately began, I think we, I feel we spent a few minutes on the application and all – most, the bulk of our time on the concept of affordable housing, which got brought up as part of this. So I say this at the outset 'cause I will address the affordable housing to kind of remind ourselves that, in sort of in typical West Hartford fashion we are burying the lead, which is if we approve this, we have – we would be doing something absolutely transformative for this neighborhood. It's also something maybe for the first time that's also transformative for our neighbors in Hartford. I know that when I sat down with now-Mayor Bronin for the first time,

that I specifically mentioned this part of town as an opportunity where we could cooperate more between Hartford and West Hartford. There were – that we could leverage the wonderful and very little publicized friendship and cooperation of over 20 years between the Park Street Business Association and the Park Road Business Association. And that, wow, to say we have an investment of this kind that is not subsidized, it is not partly – it does not come with tax breaks or anything like that. And then at the end of the day has the beauty of the sisters staying and being part of it? I, you know, I can't imagine anything better. But we haven't talked about any of that because we have been – we have really been talking about affordable housing. So I am going to say this – I am extremely excited. I am going to approve this – I am going to vote to approve this. I hope that my colleagues will because I think that this is one of those legacy kinds of – kinds of projects and one that it's sort of amazing that we've been talking about it the way we have because, in the end, we had maybe one or two people who came out actually saying they were opposed to it. The discussions about this have not even people who have come with concerns have not been about whether the project is good or bad. It's about whether we're doing enough with respect to affordable housing at this application. So I wanna remind ourselves that at a fundamental level, we're talking about something that everybody seems to think is absolutely fantastic and will be wonderful for this area. So I'm gonna be very proud to support it and to be part of it. Regarding the affordable housing issue, I support keeping the application as-is and we're gonna talk more about affordable housing very shortly when we're done with this. But this is why. I think we have attempted through the hearing tonight to get all the information in the record that we have had but maybe the public has not had a benefit to hear to this point. We have a legal opinion that said we – sorry, I'm getting a note. Oh, okay. A note saying stop talking. Not a shock if that's the case. Not the first time. That – so we, first, the Council is confronted with whether it would be even legal for us to do what had been suggested by the advocates. And I, and by the way, I wanna start by saying I thank all of the advocates for affordable housing who have come out to speak about this. They've raised a very important issue and as we'll get to later, perhaps. It's one we haven't spent enough time on but relative to this project, it's been pretty complicated. So we have the legal opinion but let's put that aside and say what – whether you could or you couldn't. What we did learn through this hearing because I think it's important for everybody to know that the Council has tried to do its job and balance the respective interests with respect to that request. We had testimony from Mr. Scobie tonight and he said it's unlikely he would've even pursued this application in the first place had we had an existing subsidy in place. He outlined the many areas of increased costs that are a result of the very wonderful requests that the sisters have made that be part of the process, the historic and otherwise. We have the reality that the units set aside for the sisters of 36 are in effect already affordable units that're part of this. So adding more on for all the merit there may be there, from the testimony we've received, suggests that this very wonderful project would otherwise be financially not viable. I think the quote I had from Mr. – well, actually, one more thing. That a benefit of us not completing the hearing on one night back in December was there was another month where we were able to research this concept. We were able to request the developer go do more work in that area and he, according to his testimony, he did evaluate the program that had been presented to us by the state in between and testified that – his quote was it was unworkable if he were to try to pursue that financing. So I – we've tried to do our diligence – due diligence there to see if we – it would be workable to include it and for – I'm concluding that it's not. And based on that, we'll be comfortable going forward with the application as-is. Now, I can even feel myself shrugging my shoulders as I say that and I hafta remind myself that,

wait a second, putting that aside, as disappointing as that might be, this is still a terrific outcome for the community. That said, we, as we will get into shortly, I do appreciate again the issues raised by affordable housing advocates and perhaps they have highlighted something that needs more attention by this Council and as we'll get to later, that is something that we are going to definitely pursue. But it's not gonna be something that can be done in the application. If we had been voting on this about a month ago, we would've maybe been saying, you know, we'd like to think about it some more but it's simply too late. It may be not legal but it's already too late and you couldn't impose it on it at this time. The benefit of the month that we had in between was we were able to actually get some more information and maybe give that a better evaluation, so it's possible it's too late. Perhaps, that's, in part, our responsibility 'cause we haven't had a policy in place but we have gotten additional information that suggested with what is available to us, what has been suggested, that either had we done this in advance, this application never would've come to us and if we had – and that for the things that are available, the developer has looked into it and unfortunately, it doesn't work in this particular project 'cause it is very unique. So I will stop running on the mouth. But for all those reasons, I will very happy to support the project but I will also be pursuing that we spend our energies looking further into the issue of affordable housing immediately. And we'll get to that later tonight. Mrs. Cantor.

Councilor Cantor: Thank you. I wanna start by thanking – this is an incredibly exciting project and I don't want all the focus that it took – it became this project but it really is a policy that the town needs to deal with and I do think – I completely agree with what the Mayor said. I think our discussion – we didn't talk enough about the merits of this project and what this really – it is a pivotal, pivotal project for Hartford and West Hartford. It's a – we – I'm so thrilled that you are going to be investing in our community and I – you know, when we first got the application, I looked up your company and you have remarkable projects and you've done a lot of – you were founded on the basis of providing affordable housing. So I do believe that if you could've done it in this project, you would have but this wasn't the project for you to do it. That being said and I won't talk about that a minute more, we focus on many things on the Town Council but one of the things that we value, that we also are working on, is historical preservation. And that was a very, very important piece for the sisters and it is to us as a Council and it is to our community. And that does cost money and it costs time, which is money. So again, I know some of those conditions really added up when you started to put the numbers on what those costs are. I don't even know if you know all the costs that're gonna be when we're working again with an existing building. So we appreciate that and we know that adds to the responsibility of what you were bidding on and what you are purchasing. Minimizing the footprint, we believe in environmentally-sound projects and preservation of greenspace and those were priorities for the sisters. And that is something that, again, costs money. It costs – it minimizes profits and it causes us to plan and make difficult decisions. And when you are costing, I think you said \$32,000 a parking space versus 6, that's a significant difference and that's important. If it was to have an affordable housing component, I don't think again that parking underground would've been a possibility but that was a condition by the owners of the property, that was a condition for the sisters, something also that we value again all being weighed. We also – to have this be an impact and we talked about the fact that this is an area that is vulnerable to or has seen difficult times and is vulnerable to difficult times. When the Park – the Playhouse on Park, Park Road Playhouse was struggling and became the Playhouse on Park, we had many discussions about that. I've also been to neighborhood associations. This neighborhood association is as active as

any neighborhood association could possibly be and we use it all over town to say you can do this too if you, you know, use your businesses and your residents to make your community better, your surroundings better. And it did change the life of the businesses along that street and we've seen the redevelopment. I'm so sorry excited when the Josephs get up here and talk about their commitment to our community and we bagged for hunger for them. I'm on the Food Share Board. They make remarkable contributions to our community. And when we talk about Paul and Jeff Emery. I've been into the Prospect Café probably more than I wanna say but very, you know, remarkable and a really brave investment to make to one of our landmarks and we value that very much. And Chip, what he did, Chip Kohn, those – these people are, their livelihood relies on this vibrant center and this walkable center and we know young people. I have children 18 through 19, I'm sorry, through 27. They want to be in urban environments. They want walkability. It's green and it's – it builds community and it builds safe communities. So I'm very, very excited about and all that you have brought to the – your response, the only response but probably the best response to this project. So I thank you so much. I do think this will also be a spark for redevelopment that will incorporate affordable housing, a newer model of affordable housing in the area, and I'm looking forward to that phase because I think we all are a little frustrated with the situation that we were in, that we think about it on every project. I personally, actually my husband and I bought a two-family house in 1985. We sold it in 1990 and we had a couple of offers and one of the offers was the United States government to provide affordable housing. My husband and I looked at each other and we said, what a remarkable thing to give – to sell this maybe at, you know, a little less profit but that was okay to provide two flats right near Morley School, walking distance to Morley School, to people that could afford to live there. And it would be in perpetuity. So I'm personally invested. I also have another property that is in a similar situation. I take real pride in allowing that ability for people. Again, my children included, a second year teacher – one of my sons works for a nonprofit. They fall into that category. They are struggling to make their life in our town and we wanna make it easier for them. So we are gonna look at more opportunities and we're gonna talk about more. So this is something I wish we hadn't had this discussion. I wish we had had maybe more information going into this and everybody was better aware. I think my only regret is that the discussion at the town – we should've started by saying is there an affordable housing component and why that was very early on so everybody understood probably very early that the conditions for this were different and didn't allow for this project. And if the project had to change, it may not happen. And so I think that's a very important discussion that we probably all should've had early on and we will have early on. So that being said, I wanna thank you for being a – hopefully a new member of our community, for making the significant investment, for taking pride in what you do, and I will be supporting the project. Thank you.

President Slifka: Thank you, Mrs. Cantor. Mr. Davidoff.

Councilor Davidoff: Thank you, Mr. Mayor. I'll begin by saying I'm going to vote in the affirmative for this project. And I think it was quite evident during the public hearing that my emphasis is on zoning and zoning matters and site plans and things that're in our code and I did read all these pages in two point, three point, or whatever they are, all the memos that came back and forth from Town Staff and traced them out to make certain that we got all the answers that we needed because the thing that I like most about serving on the Council is the zoning and that's the thing that gets me really motivated and I feel that I make one of my greatest

contributions by that, by asking about the little details because any project – every project which someone presents is important but a quality project has answers to the details. And I made certain that I asked those questions and I got the answers that we in our community are looking for because the residents of West Hartford have high expectations in this community and expect that we favor – vote in favor of proposals that will improve the quality of life of all our residents regardless of where they live. And I wanna commend Mr. Coursey on the community outreach with respect to this project. There were people in favor, people not in favor, people uncertain. But what makes our job easier and what we have seen at this Council table is when community outreach is not done properly, the application usually is not very good and leaves a lotta questions and a lotta issues for us at the table to digest and to discern as to what's really going on here. But when you have that community outreach and you have the opinions of the people who were adjacent to the property, as well as – those who live there as well as those who work and own businesses there, you get a different flavor as to the voices that're being stated and we're able to listen and their voices are heard. As a small business owner myself, there is nothing more important than having more potential customers in your vicinity. Yes, you as the business owner need to take the appropriate steps to give those people who are your customers reasons to shop and to frequent your businesses and that would be good business practice to do that. Just because 300 new tenants are moving into these apartments doesn't guarantee you that you're gonna get 300 new customers. You need to do your part to work hard to do it but what this development is doing is giving you that potential and that opportunity. And I think that's very important within itself to create those opportunities. I think those are – those're quite important. So I listened to all business owners who work and own businesses along Park Road, as well as our Playhouse Director as well as the Josephs who are integral parts of this neighborhood. And they're like, yes, this would be good. When you're considering redevelopment and we're talking about redevelopment of a parcel. We're not talking about basically someone constructing a new building. There's sensitivities as to what's acceptable in the neighborhood. What can the neighborhood tolerate? What does the neighborhood want? What will benefit the neighbor and how will this – how will these new neighbors be welcomed and seen as good neighbors in our community. And I think all those questions were answered. And when I'm not sitting here, a lotta people say, wow, West Hartford's got another development. You've – you're like the envy of the region. People want to come here. Well they wanna come here because of what we offer our residents. We have quality schools. We have excellent parks. We have excellent quality of life. That's what it boils down to. It's a safe community. It's a place that you're proud to say you're from West Hartford. The scope of the investment is probably second to that of Blue Back Square's and one that I sat on many years ago. And I sit back and I say I think tonight's gonna be a historic vote just on the scope of the dollars being invested in West Hartford. And you just need to step back and there're people who will say that we're making the wrong decision. We're doing things that aren't right and people said when I cast my vote in favor of Blue Back Square, you're making a wrong decision and I looked at it and I say, boy, I sure think that's the greatest decision I ever cast a vote for. And I feel the same way here. It's a vision. It's a vision about our future. It's about redevelopment. It's opportunities. It's terrific. It really is. And I wanna touch on what the sisters' vision was. I've never really had an interaction with any of the sisters. I know that they've always done good deeds and charitable works and they've taken a vow of poverty and they're going to be able to remain in that property that they call home, that little section of West Hartford that they call home and that they've come to enjoy and to appreciate. And as one who took care of elderly parents, I can understand that as one ages, one wants to stay

in their comfortable surroundings and if that's the – this location here, it's like keeping your parent at home. And I can truly relate to that experience as one who had done that for his own parents keeping them at home. And I understand that and I can appreciate it and I think that's what we're doing here. You may be sorta downsizing and asking for a little assistance because as you old – get older, you do need some assistance but it doesn't mean that you just want to give up on that community that you've come to love and enjoy. So we are in charge of our own destiny here in West Hartford. This project reinforces that to me. It shows that others see that West Hartford's a viable place to make a financial investment. It's a place that people want to be. And I'll just leave with this last note. West Hartford's about its neighborhoods. This project is in harmony with our neighborhoods and with this particular neighborhood. And we're asked often to decide zoning matters. Does it fit in the neighborhood? Is the project going to fit in the neighborhood? Are we gonna upset the people who are already there? And tonight, I don't think we upset the people who're already there. I think we're going to make a lotta people in the neighborhood very happy. They're gonna be quite welcoming to welcome new people to the neighborhood. And I think that's one of the roles as a Town Councilor is to expand on that vision of promoting projects, which are in harmony with the neighborhoods which we all cherish throughout town. This development could take place in any corner of West Hartford and we may see other developments come forward in other parts of West Hartford. And the standard would be the same. So for all those reasons and without touching the affordable housing object because my main thing obviously was zoning and that's what I wanted to talk about 'cause we're deciding a zoning hearing and I apologize to the attorney but there are things that I like to see get on the record so that we have no question if there'd be an appeal as to whether or not the Council did its due diligence and I think this evening we have established all the elements necessary to avoid any type of appeal that the Council didn't do the right thing based on the right standards in a zoning application. So for all those good reasons, I wish you much success in this project and look forward to coming to a ribbon cutting and visiting your site when it's opening and I think you'll prove a lotta people in the community right that you're doing the right thing. Thank you.

President Slifka: Okay. Thank you, Mr. Davidoff. Mrs. Hall.

Councilor Hall: Thank you, Mr. Mayor. I will try to be very brief and not be repetitive and go over ground that my colleagues have already very eloquently gone over. But – so first and foremost, I wanna say that I am very thankful that our sisters are going to remain a part of our community. They have been such a vital part of our community and, you know, my mom and Sister St. Henry worked together for many years so I'm so happy that they're still gonna be close by for when they wanna go out to lunch and you'll all be in good hands with Sister St. Henry there. I wanna thank Center Plan – Center Development Corp. I really understand what a big investment this is. As a banker, I work with a lot of our commercial real estate people and I know what a risk you're taking too and I appreciate that and I appreciate your wanting to take that risk in West Hartford. And it is a risk at our point – on our behalf too because we wanna make sure that our partners, you know, the thing doesn't flounder and take years and years and all that. So I, too, did a little due diligence and was very much impressed with your track record. So I'm excited about that. I also want to point out that, you know, West Hartford is doing these things without any tax incentives whatsoever and that is – that's huge. I think we also get a little bit of a reputation of being a tough place to do a development in and I know we are. Hopefully,

that has paid dividends over time and it's been a worthwhile process that you went through and hopefully your project was improved by the work that DRAC and our staff went through 'cause I know they take it very seriously. I'd also like to make sure we don't tip over and become so, you know, stringent in our requirements that people don't wanna do business with us, so I'm just always trying to maintain that balance. So lastly, I would just say I am very happy to support this. I hope you get to work on planning your float for the Park Parade, Park Road Parade, and we look forward to seeing you there. Thanks

President Slifka: Thank you. Mrs. Kerrigan.

Councilor Kerrigan: I thought it was Mr. Barnes' turn. I don't know.

President Slifka: Well, we can let Mr. Barnes go.

Councilor Kerrigan: We're taking turns.

Councilor Barnes: Thank you, Mrs. Kerrigan. Appreciate that.

Councilor Kerrigan: Or Mr. Williams. He always goes last.

Councilor Barnes: Well, I guess I get to cast the deciding vote. I support the application, so if you guys wanna leave, you can go.

Councilor Kerrigan: I think it was my turn. Hold on a second.

Councilor Barnes: I think it's gonna be a great addition to the neighborhood and the record – evidence that's been brought before us is the neighbors support it, the sisters are happy, the neighborhood businesses are happy and it sounds like a great project and no reason not to vote to approve it. With the respect to the affordable housing component, you know, I've sat on the Council for just over two years and we haven't had an issue like this come before the Council. We've approved a number of apartment complexes and to the best of my recollection, the only question that's usually asked during on these proceedings is is there gonna be any affordable component to this project? And so far the answer's been no and we take that answer and we move on. And so a number of weeks ago, we received - started receiving information about affordable housing and, you know, making it a requirement of this project and some people suggested, you know, they weren't talking about half, 50% of the development but maybe 30 or 15 or 10 that we could make it a requirement. And so we all started to varying degrees, to get educated about affordable housing policy. And so with respect to this project for me, you know, the fact that we don't have a legal right, according to the opinion of our Corporation Counsel, to make it a requirement or a condition of this project, for me, was pretty dispositive that was the end of the issue. But then there was the second fairness component to the whole conversation. And as Mr. Scobie shared with us tonight and during the last hearing, for about three years he's been putting this project together and it wasn't until a number of months ago when the issue of affordable housing came to the forefront and he ended up getting contacted by the state about this Just-in-Time financing, etc. And so I felt like you can't plan a race and run to the finish line and then move the finish line at the last minute so someone hasta continue to run, particularly for

something that they didn't train for. So I think there's a fairness component and I would have been very, very reluctant to make the condition simply because of the fairness. And so the third and final point that I wanna briefly touch on. First, I wanna thank the Town Manager for setting the record straight as to the type of community that West Hartford is, that - the type of community that we live in. And I was surprised and struck by some of the comments that were made during the last proceeding and this proceeding and also in emails that we've received suggesting that we weren't that type of community, that we were some type of exclusive enclave, so to speak, or the suggestion that decisions that the Council or the town would make, you know, would somehow be discriminatory. And I find that simply baseless and inconsistent with the demographics and the diversity in our town and one further point to the Town Manager's comment is that there're approximately 70 different languages that're spoken in our town. And you simply - that is diversity. That is the definition of diversity. And so some of the comments that we received tonight, in particular I believe it was Ms. Wilson's comments that were read by Ms. Mulready referencing World War II housing policy and quotes from the then-Town Manager that, you know, African Americans needed to be kept out of town were personally offensive to me. Or that suggesting that that's what was happening in the context of this proceeding that we were trying to keep people out of our community or likewise, the last gentleman that spoke who, I believe, was a state housing policy person and what could best be described as a threat to us to either have affordable housing or risk getting sued by the state or federal government for discriminatory housing practices based upon disparate treatment I thought was way over the top. And so affordable housing is important and economic diversity in our community is likewise important but the reality is the cost of living in our state and in our town is high and there are many reasons for that. But the reason affordable housing may not be part of this project and in fact, it's not gonna be is not for some discriminatory reason and any suggestions that it is simply is not the case. And so I wanted to address that upfront because it's just simply not true. And as I said, I'm glad the Town Manager set the record straight with that. And so with that said, I look forward to learning more about affordable housing policy, which I think is something that we're gonna talk about later on tonight, and considering these issues whenever - considering these issues in more detail. And so, as I said, I support the application. I appreciate your commitment to West Hartford and as Mr. Davidoff said, I look forward to the ribbon cutting. Thank you.

President Slifka: Thank you, Mr. Barnes. How 'bout now, Mrs. Kerrigan?

Councilor Kerrigan: Now. Thank you. Thank you. Thank you. My voice is usually sleeping by now. I think I should wake it up. I will wholeheartedly, enthusiastically, without any hesitation, I'm ecstatic that you're gonna be a neighbor. I live on Arnoldale a couple blocks, probably the closest person. The Sisters of St. Josephs are my neighbors. And it wasn't until this development came before me that I come to really get to know my neighbors. You know, they're responsible for the Tabor House. They're responsible for the House of Bread. They're responsible for St. Francis, the hospital. Of all of the legacies that you leave behind and there are vast and I'm sure your work is not done, the discussion of work-house, workforce housing, the discussion of mixed income housing for - as a Council to take that, to embrace it. The problem with a community that cares so much, that is so engaged, everything takes so long. You have paid your penance. You've paid your penance many times by sitting through all the meetings you have so you have had to let go of many houses and I'm so happy that you're able to stay in your home in our neighborhood. And I do wanna say thank you to John Scobie and your

development. I did, as others did, looked you up as soon as I found out who were you were and I was, like, really, you know, they're into affordable housing. Everything sounded so wonderful but when I sat down with the sisters, they could not speak more highly of what you're doing. Thank you for the open space. And I don't think it's lost on any of us that Jane Sedgwick who, as every single sister that I met said she was a convert. She was somebody who believed one thing and came around to believe something else. So I'm just ecstatic. I support you 100%. Thank you.

President Slifka: Thank you, Ms. Kerrigan. Mr. Wenograd.

Councilor Wenograd: Thank you. I'm also enthusiastic about this project. And it's getting late and I'll try to be as brief as possible without diminishing, you know, my joy in having this go forward. A few points, certainly, the best part about it is what it does for the neighborhood, for Park Road. It is a neighborhood that could use the boost. It's been doing very well. It will now do better and that will be a great thing to watch. Only slightly behind my happiness for Park Road is my happiness for Park Street. I can't imagine a better thing for our neighbors on the other side of Prospect. And it is vitally important for us in West Hartford that Hartford do well. There is no moat on Prospect and the boost that this development and the – our new neighbors will be producing, we'll just have many great rewards. So I'm happy for both sides of the street. I'm also – one of the first things I looked at – I did not look at as in great detail, I suspect, as Mr. Davidoff's but one of the first things I looked for was the fence. My – I – we worried that this would be something like a gated community, that it would be a monolith facing Hartford – facing Park Road and I could imagine a project that would be sort of interdirected and really not improve the neighborhood and you've done the opposite. The new fencing, the openness, the fact that, you know, the circle is open and people will walk in and out, I mean, that's great. And I think that is a different form of development than some we've seen elsewhere. I think it is exactly what we need. And I'm so I'm – thank you for that and it'll be even nicer with the pavers. The other thing – more broader policy, when I was running for office this time and knocking on doors, one of the concerns we talked about affordability of the town but of course, one of the issues that keeps on coming up is the ability of seniors to stay in their homes. And everybody talks about, you know, how do you have that done? Well here's a project that is keeping, I'm guessing at seniors but maybe not, all of you – but some maybe, seniors staying in their home. I – that is, you know, a huge advance over, you know, the tales we hear. And so, again, related to the affordability piece. The fact that so many of our great citizens can get to stay in town in the place – in a comfortable place, in home is wonderful and I'm just thrilled that you'll stay as our neighbors. I will say a couple things that also concern me that were addressed. The house that Beth talked about not being moved. I mean, I was concerned about the architecture of it but my bigger concern was as to who was living there. And I will say in terms of the affordability piece, had that been rental property, I would've had a lot to say. If we were actually losing rental property for the sake of the – this project, I would have had pretty big reservations. But in fact, we are not losing. It's all gain. And so, like I said, if that had been rental property, that was of somewhat of an affordable nature, I would have been looking for some remedies for that so we don't have a loss. And in getting to a little bit of what Mr. Barnes said, I think actually the history does matter and I think that housing patterns that have been set even a generation or two ago still have ongoing effects and I don't think we can ignore that. I do think we have a wonderful community and I agree with everything Mr. Van Winkle said about

how wonderful it is. But I don't think we can be complacent and I think that change will come and we need to be very aware of losing affordable housing by whatever definition we come up with. So I think we need to look forward to that and be very active and making sure we're not having affordable housing getting replaced by higher end. We don't wanna become the enclave and I think that is a real risk that we hafta work to prevent. But this is not the project to talk about that 'cause that's not what you're doing. You're actually bringing into a neighborhood a diversity that will be welcoming. So again, there are big concerns on that front but this isn't the project that is the issue. And you're doing, again, just wonderful stuff. One other just point I need to make. It has come up a few times, not very often, but a few times we've heard the talk about, well, don't worry because we're not gonna have many children here. It won't add to the tax burden. And I just – I do wanna say I'm sure it will come up again one more time on the Council. It's really an argument that I reject. I am not afraid of having more children move to West Hartford; quite the opposite. If your project will bring lots of children, that is a good thing. We need them as our next generation and I think we – I worry about towns that seek development without kids because they're worried about the short-term impact of taxes without looking at the long-term impact of a society that doesn't have enough children and I don't wanna be that type of a place. So I'll ask for the future as developers come through, we are supposed to be predictable. Please don't make that argument to me. It won't get ya any points with me. And frankly, when you had the photo up of the kids playing in the – on the PowerPoint, you erased that problem 'cause you showed some kids. It looked like a mistake but I liked it so – playing soccer and the whole thing. So I'll conclude, I'd – I – again, thank you. I welcome you to town. You'll – you're gonna be great neighbors. Your tenants are gonna be great neighbors. And it'll be great to meet them.

President Slifka: Thank you, Mr. Wenograd. Mr. Williams.

Councilor Williams: Thank you, Mr. Mayor. I will be brief. I will I can guarantee you I'll be briefer. I think the project is a great one. I think to dovetail off what Denise said on the record, the fact that we offered no tax incentives and that we – we're able to have this development occur based upon the loan incentive, the merit of what West Hartford is, I think, is remarkable and it should form future policy. I think that it's beautiful. I think keeping the sisters in the – where they are and maintaining the façade of the building and its core structure is a great feature. Having spoken to the Park Road Association, I know all the businesses are enthusiastically behind it. I think that's extremely important. But I really think it is, as the Mayor said, remarkable that we're having an investment of \$100 million in the Town of West Hartford in a state that is experiencing, no secret to anyone, great economic troubles. So I think it speaks to the fact that West Hartford is a unique place that we are able to have this sort of investment and I'm really excited for it. I thank you for all the work. I know you were responsive to all the town's requests and that these hearings aren't necessarily easy, so thank you.

President Slifka: He kept his word. All right. And then Mr. Kavalier.

Mr. Kavalier: Thank you, Mr. Mayor. As a resident of West Hartford, I first must say it has been a privilege to sit in on this portion of what has been a very long process for many others. It was interesting to see and getting up to speed on all this – going back to the original RFP that the sisters put out, which I can best describe as they set the bar really high of what they expected, not

to anyone's surprise. And it was an RFP that hurdles and obstacles and challenges and they found a developer, a developer, one developer apparently, who did not view those as obstacles but viewed those as opportunities. And I think if anything was clear through the end of the process that I heard, it was that the community viewed them as opportunities, the business community, the residents whether they were from around the block or across the street, viewed this as the right developer, the right project. The sisters had tremendous care in what they wanted and, again, no surprise, they were right. And everything that we heard, even though there were more complications and even though I learned a whole bunch along the way, didn't in any way diminish what was coming before this body from the sisters through the developer. And I will be very proud to join all of you in supporting it. Thank you.

President Slifka: Thank you, Mr. Kavalier. Well said. I've also been given a note from the Clerk that apparently this is the last time Mr. Kavalier will be sitting with us because his term as an alternate is expiring. I didn't ..yeah, we have one more thing but after that eloquent comment, I thought it was a great time to say, holy cow, this is – look what we're gonna be missing. I didn't wanna wait 'til the next one that's support to be short and we just kinda throw it in. So thank you for all your service.

Mr. Kavalier: Thank all of you.

President Slifka: So we've all spoken at various lengths at this point. If there's nothing further, then we need a roll call vote, Ms. Labrot.

Ms. Labrot: Councilor Barnes, Cantor, Davidoff, Hall, Kerrigan, Slifka, Wenograd and Williams voted YES. Alternate Kavalier voted YES

Ms. Labrot: It's approved.

President Slifka: Congratulations and God bless you, sisters. So it is late but moving – add to the Agenda not subtract from it, I'd like to entertain a motion to suspend the rules for purpose of raising a resolution.

Councilor Cantor: So moved.

Councilor Davidoff: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries.

SUSPENSE ITEM: RESOLUTION CONCERNING SUSTAINABLE HOUSING OPPORTUNITIES

ADOPTED

WHEREAS, West Hartford's extraordinary success as a vibrant, diverse, economically viable and sustainable community results from continuous public and private initiatives that add value to the town as a place to live, raise families, work and do business as well as adding value to the tax base;

WHEREAS, Community sustainability includes the continuing assurance that West Hartford will be strategic in its planning and marketing so that the community retains its character as an attractive and affordable community for each generation to live in;

NOW, THEREFORE, BE IT RESOLVED that the Town Manager shall cause a review to be made and shall report to the Town Council on or before March 22, 2016 profiling (1) the comparative current mix of home ownership and rental housing in terms of market value and cost of occupancy over the past 25 years, (2) residential in-migration and out-migration trends, (3) future opportunities for housing development and redevelopment, (4) comparative data regarding affordable housing initiatives in Greater Hartford and other comparative Connecticut communities, and (5) additional ways that town planning and economic development can strategically include sustainable and affordable housing opportunities, especially home ownership.

President Slifka: Thank you for that. I'd like to entertain a motion to adopt the suspense resolution, which is a – I'll read it in full. It's a resolution concerning sustainable housing opportunities. "WHEREAS, West Hartford's extraordinary success as a vibrant, diverse, economically viable and sustainable community results from continuous public and private initiatives that add value to the town as a place to live, raise families, work and do business as well as adding value to the tax base; and WHEREAS, Community sustainability includes the continuing assurance that West Hartford will be strategic in its planning and marketing so that the community retains its character as an attractive and affordable community for each generation to live in; NOW, THEREFORE, BE IT RESOLVED that the Town Manager shall cause a review to be made and shall report to the Town Council on or before March 22, 2016 profiling (1) the comparative current mix of home ownership and rental housing in terms of market value and cost of occupancy over the past 25 years; (2) residential in-migration and out-migration trends; (3) future opportunities for housing development and redevelopment; (4) comparative data regarding affordable housing initiatives in Greater Hartford and other comparative Connecticut communities; and (5) additional ways that town planning and economic development can strategically include sustainable and affordable housing opportunities, especially home ownership." And this has been introduced by myself and my colleagues on the Democratic side of the aisle. I guess I need a second before we discuss it.

Councilor Cantor: Second.

President Slifka: Okay. No. So moved and second. Sorry.

Councilor Cantor: So moved.

Councilor Davidoff: Second.

President Slifka: Thank you. Thank you. All right. So now that I've stepped all over that procedural piece. Listen, this is very brief. And I hope people could hear what it was but following on the heels of the discussion we've had over two lengthy evenings of public hearings and the discussion we've had in adopting the prior project, this is quite clearly a – in response to the discussion that we have in – regarding affordable housing in West Hartford. I wanna make clear to the advocates who have come before us that, although I suspect many or all of them will be disappointed with the action or lack of action the Council took in choosing not to impose an affordable requirement into the project beyond as arguably what was already in it by virtue of the nuns being present, that we feel that the issue deserves a lot more attention and that – then we wanna put it front and center and not just give lip service to it but to demonstrate through something like this that we are committed to investigating this further, to getting the proper information and in short order, hopefully having something come back to the Council in terms of a recommendation. If we're going to do something, I think we got, you know, through – a sense of the discussion we've had, you find out that a lot was presented to us that suggested that it would be a very easy choice and as we asked lots of questions and got ourselves educated, we find out that affordable housing is a very confusing, very challenging topic, a very complicated topic that can be interpreted differently by many different people. We even had tonight the statement of – meant two different definitions presented as to what was affordable and they both were probably right, which makes it even more confusing. So we wanna make sure that we get this right. We have heard some of the information the Manager has given us already. The intent of this is to broaden it and bring that back to all of us, so we can make an educated decision on what to do. Something that would be viable, would be sustainable, would be workable but we don't know what that would be right now and we wanna have all that information. I will note that this discussion is not starting actually this minute. It – and it's not just starting with the hearings that we've had. In Community Planning, chaired by Mr. Wenograd, and with Mrs. Cantor and Mr. Barnes, right? Yes. That they've already had one Community Planning Committee meeting that did have this is an Agenda item. They already have a second that is planned so this is – this is ongoing but we wanna make sure that – to those who brought this to our attention to show you we are paying attention. We are responding and that we are not just saying get us the information but get it by a particular date and in particular so that members of the Community Planning Committee can dive deeper into it and make an informed decision. So that's it in short. I don't know if anybody wants to add anything to that? Mrs. Cantor.

Councilor Cantor: I just wanna thank Commissioner Lundgren for coming and speaking and informing of the Just-in-Time financing. It's a relatively new and creative and flexible product that – or service actually for developers and we look forward to learning more about it and whether we would love as a community, I think it would be wonderful if an – a developer could take advantage of that. So and I wanna thank the Governor for all the initiatives that he's done state-wide too so – but we'll be learning a lot and, you know, we will come back with, hopefully, some recommendations that are right for West Hartford.

President Slifka: Okay. Anyone else? Mrs. Hall.

Councilor Hall: I just wanna say that it's also a good time to review this 'cause there's a lotta different regulations. Again, as a banker, these type of investments are very popular with banks because of the Community Reinvestment Act and there have been some changes to tax law

around that just recently. So I think we wanna make sure that in addition to looking at all the demographics and whatever, we're also including in this a review of some of the changes in the regulations that could be affecting it.

President Slifka: Anyone else? Okay. With that, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. I need to ask that we suspend the rules again-entertain a motion to suspend the rules again 'cause I was given a note that we had a resident, who wanted to speak to item number 11 regarding the UConn property, and we somehow missed her during the Public Forum so let's give her the chance to do that before we take the item up.

Councilor Cantor: So moved.

Councilor Davidoff: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're sorry we missed you and thanks for waiting.

Ms. Gerjuoy: No, thank you very much for allowing me to speak at this late hour. My name is Berrie Gerjuoy. I live at 106 Dover Road. I've been a West Hartford resident for a long time, although I left for a little while to go to Hartford and then came back again. And I just wanted to make sure that you were aware as you are, you know, you're finishing a process and voting on a new development in town and the next item that you're gonna be taking up is a discussion of whether to consider purchasing or negotiating for the purchase of the West Hartford UConn Campus. I just wanted to make sure that you were aware that there is a beautiful, 300-year-old oak tree on the campus on the east side of Trout Brook, which is not easily replaceable. And so as you are thinking about whether to potentially negotiate for the purchase of that property, just to take that tree into account and then as you go forward with any planned development, whether it's through the town or through someone else, that the tree is considered. If you want to see more of the tree, you can go to notabletrees.conncoll.edu. It is a – the Connecticut Notable Trees Project and this is our state co-champion white oak, which happens to be in West Hartford. It's tied for first place based on points with another white oak in Sharon, CT [laughs] and it – I just think that with all the comments that I've heard tonight about open space and nature and preservation and history, this tree is a great example of that. It was standing at the time that the – Charter Oak was standing. It's the same type of – same species of tree, a great place for kids to learn about local and state history and also preservation and nature. It's a native tree. Thank you.

President Slifka: Thank you. Safe to say we've heard a lotta about trees lately and you're – if you're saving us from another one going down, bless you for that. Okay. Okay so back to the Agenda. No more suspension. Number 9, Mrs. Cantor.

ITEM #9 – APPLICATION ON BEHALF OF BROOKDALE SENIOR LIVING, INC. THE OWNER AND OPERATOR OF CHATFIELD OF WEST HARTFORD, AND BROOKDALE LIVING COMMUNITIES OF CT-WH, INC. THE OWNER OF 1 CHATFIELD DRIVE, TO AMEND SPECIAL DEVELOPMENT DISTRICT PLAN #41 TO ADD A NEW ENTRANCE CANOPY AT THE EXISTING CHATFIELD WEST HARTFORD INDEPENDENT LIVING BUILDING AND ADJUST LANDSCAPING AND PAVING ELIMINATING A COURTYARD AND MISCELLANEOUS SIDEWALKS.

APPROVED, 9-0

Councilor Cantor: Application on behalf of Brookdale Senior Living, Inc., the owner and operator of Chatfield of West Hartford, and Brookdale Living Communities of CT-WH, Inc. the owner of 1 Chatfield Drive, to amend Special Development District plan 41 to add a new entrance canopy at the existing Chatfield West Hartford Independent Living Building and adjust landscaping and paving eliminating a courtyard and miscellaneous sidewalks. I move that we adopt.

Councilor Davidoff: Second.

President Slifka: Okay. Motion's made and seconded. As indicated, this was the subject of a public hearing earlier tonight. Any discussion? Okay. Oh, go ahead.

Councilor Hall: I would just say that when I toured the facility last year, the first thing I thought of is why don't they have this covered canopy going all the way out so that, you know, it just made more sense. So I think it's a great idea, glad to support it, and glad for this continued investment in our community.

President Slifka: Anyone else? Mrs. Cantor.

Councilor Cantor: I'm sorry that it took so long for us to get to this but it is a great improvement to the property and we really appreciate Brookdale's investment in our community.

President Slifka: Okay. Anyone else? Mrs. Casperson.

Councilor Casperson: I just wanted to say besides thank you for the investment in our community, you know, when you're going to visit the senior centers and people area sitting out there in the afternoon and being protected by the sun, this gives them another place to kind of view the world and to be outside, so thank you so much for that.

President Slifka: Thank you. And note officially this is your last vote, Mr. Kavalier, so thank you for joining us, sitting in for Mr. Wenograd. I concur with everybody's comments and say

for those that might've seen the presentation, I am very excited to see the West Hartford bar scene spread to Chatfield. It's gonna be very interesting.

Councilor Cantor: You're too young.

President Slifka: Yes. Okay. If there's nothing further, all those in favor.

Councilor Cantor: No, it's a roll call.

President Slifka: Oh, roll call. Jeez, I'm sorry. Thank you. A roll call, please. I got a little carried away.

Councilors Barnes, Cantor, Casperson, Davidoff, Hall, Kerrigan, Slifka, Williams voted YES
Alternate Kavalier voted YES

Ms. Labrot: It's unanimous.

President Slifka: Thank you. Take care, Mr. Kavalier. God speed. Okay. We're finally up to New Business, number 10, and before we go into it, we need some instruction.

NEW BUSINESS:

ITEM #10 - RESOLUTION ADOPTING REVISED STANDING RULES OF THE WEST HARTFORD TOWN COUNCIL FOR THE 2015 – 2017 TERM

RECEIVED AND PLACED ON JANUARY 26, 2016, AGENDA FOR SECOND READING (See Attachment A for Revised Standing Rules)

WHEREAS the Town Council of West Hartford has operated pursuant to certain standing rules for many years; and

WHEREAS these rules have not been revised or updated for several terms of the Council; and

WHEREAS a number of revisions to the rules are warranted to clarify procedures and to take advantage of changing technology; and

WHEREAS the Rules Committee of the Town Council has met and recommends the revised standing rules attached hereto

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the Standing Rules of The Town Council for the 2015-2017 Term are hereby adopted in the form attached hereto.

President Slifka: Mr. O'Brien, this one's a slightly complicated. We have a substitute resolution and we wanna make sure we make the proper motion to have it "read" before the Council but also put on the next Agenda as I understand is the proper procedure.

Mr. O'Brien: That's right and that's in accordance with Rule 43 of your standing rules. Now you – we don't actually hafta read this whole thing tonight 'cause I think that'd drive everyone crazy but it is introduced, so this would then be placed on the next Agenda, the next Council Meeting where you can vote up or down or make amendments.

President Slifka: So what's the proper motion first?

Mr. O'Brien: The proper motion is to receive and place on the Agenda for the next Council meeting, which is January 26.

Councilor Cantor: I move - so moved.

Councilor Davidoff: Second.

President Slifka: Thank you, Mr. O'Brien. And just – okay. All – with that there, what we are – what're we talking about? We are talking about the revised Council rules so there are rules that are adopted by the Rules Committee, which is comprised of myself, Mrs. Cantor, and Mrs. Hall, which are just the rules that we use to run these meetings, to establish the Agenda, establish the order of it and certain related things and we had – a meeting on this last night. There have been some more or less technical changes suggested by our Corporation Counsel and that is the – what's being introduced but we do – in order to get it done, we can't vote on it tonight. It has to happen at the next meeting. It's to receive and table – receive and place on the next Agenda. I don't know if table would mean we did nothing with it so...okay. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Number 11, Mrs. Cantor.

ITEM #11 – RESOLUTION AUTHORIZING NEGOTIATIONS FOR THE PURCHASE OF THE UNIVERSITY OF CONNECTICUT – WEST HARTFORD CAMPUS PROPERTY

ADOPTED, 8-0, 1 ABSTAIN

WHEREAS the University of Connecticut (“the University”) owns approximately fifty-eight (58) acres in West Hartford on the north side of Asylum Avenue at the intersection of Trout Brook Drive; and

WHEREAS the University intends to relocate its operations from the Town of West Hartford to the City of Hartford in the fall of 2017; and

WHEREAS as a result of that relocation the University will no longer need the West Hartford campus and therefore intends to sell the property; and

WHEREAS Connecticut General Statutes § 3-14b provides that before the West Hartford campus can be sold, the University must notify the Town, its state representative, and its state

senator of the University's intention to sell the property; and

WHEREAS Conn. Gen. Stat. § 3-14b further provides that the Town must have the first opportunity to purchase the property provided that the Town gives notice of its interest within forty-five (45) days of the Town being notified of the University's intention to sell; and

WHEREAS on December 1, 2015, the University's President formally gave notice to the Town of its intention to sell the West Hartford campus;

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the Town Manager is hereby authorized to give the University written notice of the Town's interest in purchasing the West Hartford campus subject to negotiations with the University in furtherance of that interest.

Councilor Cantor: Resolution authorizing negotiations for the purchase of the University of Connecticut - West Hartford campus property. I move that we adopt but I'm recusing myself.

President Slifka: Oh, I'm sorry. We shouldn't have had you – we'll take you out and we'll start over again.

Councilor Cantor: I'm sitting out.

President Slifka: - can you make the motion, please?

Councilor Davidoff: I move the authorization on negotiations for the purchase of the University of Connecticut – West Hartford campus property.

President Slifka: Is there a second?

Councilor Kerrigan: Second.

President Slifka: Okay. Moved and seconded. Mr. Van Winkle, Mr. Barnes, Mr. Wenograd? Does somebody wanna speak to it? Someone?

Mr. Van Winkle: Kimberly, could you come up? As we know well, the University of Connecticut several years ago decided to move its campus to the City of Hartford and this property is surplus, unneeded for any state purpose, and their process begins with an offer to the community. Kimberly, can you just explain the legal process that we go through here?

Ms. Boneham: Sure. The legal process as it's noted in the resolution as dictated by statute. Basically, on December 1, the University's President formally gave notice to the town of its intention to sell the West Hartford campus. The Town of West Hartford then, according to statute, has 45 days to give UConn notice of its interest in negotiating with the University. And upon doing that, the statute provides a further 60 days to come to some sort of agreement as far as the terms of the purchase. If the town chooses not to, then UConn is free to offer it to anybody else who might be interested. But should that occur, the town then gets a second bite at

the apple, so to speak, in that they can then go ahead and pursue that purchase under those new terms and conditions. And that's sort of it in a nutshell at this late hour.

President Slifka: Thank you. Anything further? Mr. Barnes, Wenograd as the cosponsors?

Councilor Wenograd: Let's get a good price.

President Slifka: You're nodding yes. Okay. Mrs. Hall.

Councilor Hall: I just wanna point out that this isn't saying go forth and purchase this. This is giving you the authorization to have discussions and it – the discussions may come to nothing or they may come to some arrangement but I just wanna make sure we're all on the same page here and our audience is on the same page, that we didn't just authorize you with a blank check to go out and buy something.

Mr. Van Winkle: So, yes. I mean, that's clearly what we're doing here. We're just sitting down and discussing this with the University of Connecticut. We'll give him – give the University a letter of our interest in beginning those negotiations and there is a lot to be discussed here. It is more than a good price, if you pardon me on that. We are presently undertaking a study of the site. We have hired engineers to go out and measure wetlands, to go out and map the floodplains, go out – we'll be looking at the hazardous materials in the buildings. So as if you were buying a used car, you'd wanna make sure a mechanic looked at it and said, you know, there's a problem here, there's a problem there. That affects price but it also affects what you can do with the property. And so we need to understand what value this property has not only for the town as a piece of land but as a development site, as a public use site or whatnot. So we're gonna spend some time over the next few weeks with our – the firm we've hired to take a look at the site and be able to come back to the Committee with information about the physical site. At the same time, we'll be sitting with the University having discussions about price and opportunities. You know, we don't have somebody who's called up and said I wanna offer you \$30 million for this site. We've had people express interest in the site, nonprofits primarily at this point in time, but nobody has really come and indicated anything of substance to us to say, yup, we are – want it. We're ready. We like this. We're ready to go. People do call us and say what could we do with it and that's gonna be a process here. First, we're gonna do the physical answer to the question what can we do with this physically 'cause can you build? Can you build? And then the second question comes to you if we should purchase. What would you want to happen to the site, which is not gonna be an easy question. It'll be a very complex and difficult question if we own it or even if we don't own it. If you don't purchase this, we tell UConn no, you keep it. It is zoned for single family residential. It's possible someone could build a single-family residential on it – I – we'll look at the numbers on that. I'm not sure that really works economically. So you'll still get a bite at the apple in the zoning here if someone comes and wants to build apartments on this site, they would hafta come back to the Council for that zone change, single-family, multi-family. Offices and not single family but offices so you potentially would see this even if – you'd still have control of the future development site whether we owned it or didn't. So it's – it's gonna be one of the more complex and difficult things. You thought tonight was complex. This'll be a complex process that we're gonna go through to get through the right answer for the Town of West Hartford.

Councilor Hall: And just from previous discussions, we have done some preliminary work and the state has deferred a lot of maintenance to the existing buildings and we can already assume that dealing with some of the remediation of asbestos and things like that could run \$5, \$6, \$7 million. Are we – have we gotten any of those numbers? I just – I wanna make sure people understand this is not just this pristine site sitting out there waiting for someone to do something with it. There's –

Mr. Van Winkle: Potentially this – we don't have the answer 5, 6, 7 – I don't know the answer to that question. This – these buildings are not – have not been taken to the level we take our buildings to, the energy efficiency investments that we make in our buildings so they operate, you know, as efficient as we can and we make returns off those things. The removal of hazardous materials. These buildings were built in the times of PCBs and asbestos and they're – we observed some of those things in the building when we walked through with all the staff. There are some – a number of code issues that, as a town, we would expect to be corrected. That's my perception that hasn't that that hasn't been corrected so, yeah. There's a lot of things going – this old, used car is gonna need some work before we could even use it for public purpose if we had a public purpose. So there's a lot to be looked at there.

President Slifka: Okay. Anything further? Go ahead.

Councilor Barnes: Just one follow up for the Town Manager on the – kind of the rights of the town and the chronology. My understanding is we have the right to negotiate and we have the right of first refusal on the property. And then subsequently, if we pass on that opportunity and somebody else comes along and makes an offer for the property that we have a second right to purchase the property at that price, correct? And then if we don't –

Mr. Van Winkle: That's correct.

Councilor Barnes: - and somebody else purchases the property then we have the zoning authority to monitor what happens, what use the property is –

Mr. Van Winkle: Yes.

Councilor Barnes: - what it's used for.

Mr. Van Winkle: You do short of – it's zoned single-family residential. Someone can come into the TPZ, get subdivision and begin – go, come to us and get a building permit and you wouldn't see that and it'd be single-family residential. And so we need to look at all – that question in detail with the Committee, talk about, well, what are the “buy right” uses of this property. What could they be? What're the legal issues with some of those “buy-right”? We talked about affordable housing tonight. There're some issues there that, you know, we just need to acknowledge that someone could approach us and you would say no and they might still have the opportunity to do what they want. So we're gonna look at all those.

Councilor Barnes: Okay. But just so we're clear we have the second option to purchase?

Mr. Van Winkle: Yes. As Kimberly said, there's a second bite at the apple. Do you wanna?

Ms. Boneham: Yes. You would have a second opportunity and the statute contemplates a similar timeframe, so it's not something that you need to decide within five days or anything like that. You would have 45 and 60 days to make that decision as far as the second bite.

Councilor Barnes: Okay. Thank you.

President Slifka: Okay. Anything further? Okay. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Go forth and negotiate, sir. All right. Next is Announcements.

ITEM #12 - ANNOUNCEMENTS

President Slifka: Given the hour, I am gonna skip the Announcements. Reports from Corporation Counsel. Mr. O'Brien, do you have anything for us?

ITEM #13 - REPORT OF CORPORATION COUNSEL

Mr. O'Brien: No and no Executive Session so.

President Slifka: Good. God bless you. Okay, we do have Appointments so I'll start with Mrs. Cantor.

ITEM #14 - APPOINTMENTS

Councilor Cantor: Okay. I would like to appoint Harry Captain as Council Zoning Alternate for a term ending 12/31/18 (a glutton for punishment), appoint David Brandwein for – to the Library Board for a term ending 12/31/20.

President Slifka: And Mrs. Hall.

Councilor Hall: Yes. I'd also like to reappoint Jennifer Herz-Helmrich to Risk Management Advisory Board for a term ending 12/31/2018; appoint Karl Fransson as an alternate member to the Historic District Commission for a term ending 12/31/2020; appoint Ashwin Raghavan as an alternate member to the Clean Energy Task Force; and also appoint Garrett Flynn as a Council Zoning Alternate for a term ending 12/31/2018.

President Slifka: Is there a second?

Councilor Davidoff: Second.

President Slifka: Okay. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We have no need for Executive Session.

ITEM #26 - CONSENT CALENDAR – ADOPTED

ITEM #16 – FROM TOWN PLAN AND ZONING – RE: 27 PARK ROAD AND RINGGOLD STREET – RECOMMENDING APPROVAL

ITEM #17 – FROM TOWN PLAN AND ZONING – RE: 1 CHATFIELD DRIVE – RECOMMENDING APPROVAL

ITEM #18 – FROM DESIGN REVIEW ADVISORY COMMITTEE – RE: 1 CHATFIELD DRIVE – RECOMMENDING APPROVAL

ITEM #19 – FROM TOWN PLAN AND ZONING RECENT PLANNING ACTION – 91 PARK ROAD, 289 SOUTH MAIN STREET

ITEM #20 – FROM INLAND WETLAND AND WATERCOURSES AGENCY RECENT PLANNING ACTION – RE: 27 PARK ROAD AND 14 RINGGOLD STREET

ITEM #21 – MINUTES FROM PUBLIC SAFETY COMMITTEE – 12-3-2015

ITEM #22 – MINUTES FROM HUMAN SERVICES COMMITTEE – 12-8-2015

ITEM #23 – MINUTES FROM FINANCE AND BUDGET COMMITTEE – 12-16-2015

ITEM #24 – MINUTES FROM COMMUNITY PLANNING AND PHYSICAL SERVICES COMMITTEE – 12-15-2015

ITEM #25 – FROM BLUM, SHAPIRO & COMPANY, P.C. RE: COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR JULY 1, 2014 – JUNE 30, 2015 AND FEDERAL AND STATE SINGLE AUDIT REPORTS

President Slifka: I'd like to entertain a motion to adopt the Consent Calendar.

Councilor Cantor: So moved.

Councilor Davidoff: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Under Communications, 27.

COMMUNICATIONS:

ITEM #27 – FROM BETH KERRIGAN RESIGNING FROM THE HOUSING AUTHORITY: RECEIVED

Councilor Cantor: Communications from Beth Kerrigan, 12/10/15, resigning from the Housing Authority. I would like to thank her for her service.

President Slifka: And move that we receive.

Councilor Cantor: I move that we receive.

Councilor Davidoff: Second.

President Slifka: All those in favor save for Mrs. Kerrigan, signify by saying aye.

All: Aye.

President Slifka: Those opposed? Motion carries. Thank you, Beth. And welcome here. And then number 28.

ITEM #28 – FROM EDWARD PEASE RESIGNING FROM THE BOARD OF ASSESSMENT APPEALS: RECEIVED

Councilor Cantor: From Edward Pease resigning from the Board of Assessment Appeals, 12/8/2015. I move that we receive.

Councilor Davidoff: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Would you like to –

Councilor Hall: I would also like to thank Mr. Pease for his service on the Board of Assessment Appeals.

President Slifka: Okay. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We have no Petitions so I'd like to entertain a motion to adjourn.

ITEM #30 – ADJOURNMENT

Councilor Cantor: So moved.

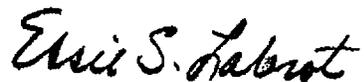
Councilor Davidoff: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're adjourned. Good night.

Meeting adjourned at 11:42 p.m.



Essie S. Labrot
Town Clerk/Council Clerk

ESL/dd

APPROVED AT JANUARY 26, 2016, TOWN COUNCIL MEETING

Attachment A

**STANDING RULES OF THE WEST HARTFORD
TOWN COUNCIL FOR 2011-2013/2015-2017 TERM**

The following Standing Rules shall govern the West Hartford Town Council for the 2011-2015 through 2013-2017 term.

MEETINGS

1. ~~1.~~ ~~Subject to Rule 2, r~~Regular meetings shall be held at 7:30 p.m. on the second and fourth Tuesday of each month except that there shall be one regular meeting during each of the months of July, August and December, the dates of which shall be set by resolution, ~~except that~~

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a. ~~When any such Tuesday regular meeting date is a public holiday, the regular meeting shall be held on the next following business day or as established by resolution of the Town Council, and except that~~

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b. ~~The second meeting in April shall be exclusively for dedicated to budget-related resolutions and ordinances, provided however, that other items may be placed on the agenda where necessary to comply with state law. There shall be one regular meeting, set by resolution, to be held during July, August and December.~~

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Commented [PA1]: This change is purely an effort to clarify the existing rule. The only substantive change is the reference in (b) to items going on the April agenda.

In addition to the foregoing regular meetings, the Town Council shall hold one Community Comment meeting in each month except that such meetings shall not be held in July or August or in November during the year of municipal elections. Though this Community Comment meeting may be held prior to a regular Town Council meeting, the date, time and location of such meeting shall be determined by the President based upon the number of items to be considered; the Town Council's schedule of other meetings and public hearings; and the desire to hold the meeting at an alternative location in the interest of better engaging the public regarding issues of concern. Any West Hartford elector or taxpayer may make written request to address the Town Council at such meeting regarding: (1) any subject matter(s) upon which the Council may act within the scope of its authority; or (2) community events of a charitable or nonprofit nature regarding which the signer of the communication wishes to obtain the support or participation of the Council, provided the subject matter of such communication is not otherwise subject to public hearing by the Town Council. Communications shall be placed on the agenda of the next Community Comment meeting which is not less than seven (7) days following actual receipt thereof. The signer of such a communications or the spokesperson(s) for any group whose communication is so received, may address the Town Council regarding the subject thereof at the meeting at which said communication is received for up to five (5) minutes in total.

2. In ~~the~~ a year of ~~at~~ the municipal elections, the Council shall ~~meet only twice~~ schedule two regular meetings in November: ~~for a regular session meeting on,~~ the Tuesday after the election; and, ~~for~~ the installation meeting of the new Council on, the second Tuesday after the election at 8:00 p.m. as required by Charter.

3. Special meetings, as defined in the Freedom of Information Act, shall be held only upon written order of the President or of any four Councilors. Such notice ~~The notice of such meetings shall specify the purpose or purposes for which such meeting is called, and the time and the place where the special meeting is to be held, and no other business shall be considered. At least forty-eight hours prior to such meeting, the Clerk shall give notice of such meeting by (1) causing a copy of the call notice to be left at the residence of each Councilor and at the office of the Town Manager and (2) posting the notice of such special meetings. Any Councilor may elect to receive such notice(s) via e-mail at a designated e-mail address rather than by physical delivery to their residence.~~

4. All meetings shall be held at the Town Hall unless impracticable or, in specific cases where public interest requires otherwise, when so ordered by the Council, or when such other place shall have been specified in the notice of the meeting by order of the President of the Council.

5. At all regular meetings, the order of business shall be as follows:

- (1) Pledge of Allegiance
- (2) Roll Call
- (3) Approval of Minutes
- (4) Public Forum
- (5) Reports of Town Manager
- (6) Consideration of Consent Calendar
- (7) Unfinished Business
- (8) New Business
- (9) Announcements
- (10) Reports of Corporation Counsel
- (11) Appointments
- [(12) Executive Session]
- (12~~3~~) Reports of Standing or Special Committees
- (13~~4~~) Consent Calendar
- (14~~5~~) Communications
- (15~~6~~) Petitions
- (16) Executive Session
- (17) Adjournment

Commented [PA2]: The FOIA requires 24-hours notice. Your rules have always provided for 48-hours notice. The FOIA also provides that "In addition, such written notice shall be delivered to the usual place of abode of each member of the public agency so that the same is received prior to such special meeting. The requirement of delivery of such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the public agency a written waiver of delivery of such notice. Such waiver may be given by telegram. The requirement of delivery of such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes." This is an attempt to provide an e-mail option which is FOIA compliant and would eliminate the need for other delivery procedures.

Commented [PA3]: This change simply reflects current practice.

6. The public forum under the order of business shall be that portion of each regular meeting during which residents or taxpayers of the town may each address the Council

for not more than three minutes regarding any other item of the agenda which is not otherwise subject to public hearing.

7. Communications shall be limited to those formal communications from other Town agencies or officials where formal acknowledgement by the Town Council is necessary or appropriate. Petitions shall be limited to those types of petitions contemplated in the Charter of the Town of West Hartford. The signer of a communication received by the Council under the order of business, or the spokesperson(s) for any group whose petition or communication is so received, may address the Council on the subject of the petition or communication for up to five minutes in total; provided the subject matter of such petition or communication is not otherwise subject to public hearing.
8. Except as otherwise provided under these Standing Rules, any item or items upon which final action may be taken at a regular meeting under the order of business, may, upon a motion duly seconded, be moved to the consent calendar absent objection by any Councilor at any time prior to final action thereon. The consent calendar shall be voted without debate as a single item.
9. All reports to be received by the Council from any board-~~or~~, commission, or similar body, or from any standing committee or special committee of the Council, shall be in writing; and, if an ordinance or resolution is recommended therein, a copy of such ordinance or resolution shall be included with the report.
10. Members of the public who participate in meetings of the Council or any committee thereof are expected to observe the same level of decorum which is expected of members themselves pursuant to Robert's Rules of Order. The Chairperson of any such meeting may caution any speaker or rule any indecorous remarks to be out of order and may decline to recognize the maker thereof for the remainder of the meeting.

AGENDA

11. All items proposed for the agenda of a regular meeting shall be submitted in writing (including e-mail messages) and shall be filed with the Clerk not later than 10:00 a.m. on the seventh day preceding the date of such meeting.
12. The President of the Council, upon consultation with the Town Manager, shall instruct the Clerk as to what items are to be included on the agenda for each regular meeting or special meeting. Each ordinance or resolution included on the agenda shall show the name of the sponsor or sponsors.
13. The Clerk shall forthwith send each Councilor a copy of the agenda and a copy of each item included thereon. The Clerk shall make copies of each agenda available to the public on request and, for regular meetings, shall publish the same in a newspaper

having general circulation in the Townpost the same on the website of the Town of West Hartford.

Commented [PA4]: There is no legal requirement that Town Council meetings be published. This appears to be required to comply with General Statutes sec. 7-3 but that statute applies to "town meetings".

HEARINGS

14. General procedures for the conduct of public hearings (excluding zoning and other ordinances but including budget hearings) and other public forums shall be posted on the bulletin board outside the Clerk's office website of the Town of West Hartford and made available in the Town Clerk's office. Any changes in said general procedures and any procedures applicable to zoning or other ordinance hearings shall be announced at the commencement of each public hearing by the President of the Council. The President may direct that proponents and opponents present testimony in alternate half-hour periods. For good cause, the Council may continue ~~at~~ the hearing to another convenient date of which due notice shall be given.
15. A registry shall be provided not later than one-half hour prior to a public hearing and any resident or taxpayer who wishes to speak may enter his or her name and address therein; provided, however, that any such person desiring to speak shall be permitted to do so whether or not he or she has made such entry in the register.
16. In the case of a public hearing on a zoning application pursuant to Charter Chapter XII, Section 5(b), including any application for designation or amendment of a special development district, the applicant shall file with the Clerk on or before the seventh day preceding the commencement of the public hearing at least twelve copies of any written reports or similar written information which the applicant intends to offer for the record at the public hearing. Where the document in question is directly responsive to questions, comments or recommendations from Town staff or town agencies or is responsive to questions from Town Council or public comment elicited during the hearing itself, the applicant is encouraged to tender same as promptly as possible, but shall be entitled to submit such documents at any time prior to the close of the public hearing. The Council may waive the requirements of this section only upon a two-third's vote.

Commented [PA5]: See prior comment.

ORGANIZATION

17. Whenever the Council shall organize as a committee of the whole for the purpose of considering a single subject, debate shall be limited to such subject, and no other subject shall be introduced until a motion to resolve into the regular order of business shall prevail and the report of such committee of the whole shall have been received by the Council.
18. The President of the Council shall appoint the following standing committees:

- (1) An Administration and Technology Committee to be responsible for government organization; claims against the town; central offices and services; and technology strategies.
- (2) A Finance and Budget Committee to be responsible for overseeing the operational budget; capital improvement programming and overseeing the capital budget; financial and program planning; budgeting and accounting; auditing and financial oversight; and debt and sundry.
- (3) An Education Liaison Committee to be responsible for joint deliberation with an equivalent committee appointed by the Board of Education to consider matters of mutual interests affecting the public schools.
- (4) A Human Services Committee to be responsible for health and social services, including youth and senior citizen services; housing; historic preservation; libraries; parks and recreation; cemeteries; and federal/state block grant allocation.
- (5) A Governmental Liaison Committee to be responsible for liaison with the Town commissioners to the Metropolitan District Commission; monitoring federal and state legislation, regulation and funding, for monitoring regional affairs, e.g., CCROG, CCM; and for providing advocacy for such efforts as may be expressly authorized by vote of the Council. Council-appointed liaison to other governmental bodies, quasi-governmental bodies and regional organizations shall report to this Committee.
- (6) A Community Planning and Physical Services Committee to be responsible for public works; planning and zoning code enforcement; economic and community development; community maintenance, including solid waste alternatives; parking regulation and parking facilities; public transportation; and municipal buildings and grounds planning and maintenance, including energy conservation.
- (7) A Public Safety Committee to be responsible for fire and police services; emergency medical services; and traffic regulation.
- (8) A Rules Committee to be responsible for amendments to these Standing Rules.

19. The President of the Council may appoint, or by Council resolution shall appoint, such special committee as may be desirable from time to time, provided that any such committee shall be appointed for an express purpose or purposes and may be appointed for a set period of time.

20. Except as otherwise provided in these Standing Rules, each standing committee and ~~special committee~~ shall be composed of three Councilors, not more than two of whom

Commented [PA6]: As currently written, special committees must be appointed for a fixed period. This change allows them to be appointed for an indefinite period.

Commented [PA7]: This excludes special committees from the three-member rule.

shall be of the same political party, and the President of the Council shall designate one Councilor on each such committee to serve as chairperson. Special committees may consist of two or more members, provided that the requirements of Connecticut law regarding minority representation shall be observed and special committees consisting of two members shall not be comprised of members of the same political party.

21. The President and Vice President of the Council shall serve, *ex officio* and without vote, on all standing committees and special committees, except such committees to which they are otherwise duly appointed in full.
22. Committee meetings shall be called by the chairperson thereof, or by request of two-thirds of the committee members. Except in the case of an emergency, committee meetings shall be called upon written notice, which notice shall be given no less than forty-eight hours prior to the committee meeting. All Councilors and the Town Manager shall be notified of all committee meetings by the Clerk. Any Councilor may elect to receive such notice(s) via e-mail at a designated e-mail address rather than by physical delivery to their residence.
23. All regional meetings and agendas shall be posted by the Clerk. Minutes of those meetings shall be kept in binders for made available to the public once they are provided to the Clerk.
24. Any Councilor may attend the meeting of any committee and, except when a committee member has or desires the floor, any Councilor shall have the privilege of the floor at any committee meeting.
25. Each committee shall keep at least summary minutes of its proceedings, copies of which shall, within seven days following a committee meeting, be filed with the Clerk who shall forthwith send such minutes to all Councilors and the Town Manager and place them in binders for the public make them available to the public.
26. The Clerk shall keep a record of all matters on which the Council has acted by way of a motion to commit or to refer, which shall be updated and distributed periodically to the Council, and posted for the public.

Commented [PA8]: This allows the Clerk the latitude to keep this information in a format of her choosing.

Commented [PA9]: See preceding comment.

EXPENDITURES

27. No expenditure of funds appropriated to the Town Council shall be made, other than for routine purposes, in excess of two hundred fifty dollars except upon the express prior authorization of the President of the Council, or in excess of five hundred dollars except upon the express prior authorization of the Council.

GENERAL PROCEDURES

28. The President or, in the absence of the President, the Vice President, shall preside at all regular meetings and special meetings, and at all public hearings. In the absence of the President and Vice President, the Council shall choose from among its majority members, a Councilor who shall act as President until the President or Vice President shall appear.
29. Except when a Councilor has or desires the floor, the Town Manager shall have the privilege of the floor for the purpose of providing information on the business and affairs of the Town; and the office of Corporation Counsel shall likewise have the privilege of the floor for the purpose of advising the Council on the introduction of or action on any proposed ordinance, or on any question of law or procedure.
30. No ordinance or resolution without a fiscal note, as required in accordance with the provisions of Sections 18-50 and 18-52, inclusive, of the Code of Ordinances, shall be subject to final action by the Council unless such requirement is dispensed with by vote of at least two-thirds of the Council present and voting.
31. No proposed ordinance shall be subject to final action by the Council without the written opinion by the Corporation Counsel certifying its legal sufficiency and legal correctness of form.
32. A roll call vote shall be required for final action on any ordinance or zoning matter, and otherwise shall be taken when requested by any Councilor.
33. When a question is under debate, no motion shall be received except a motion to adjourn, to limit debate, to table, to withdraw, to call the previous question, to postpone indefinitely, to postpone to a date certain, to commit, or to amend, which several motions shall have precedence in the order stated herein. A motion to adjourn or a motion to limit debate shall always be in order, even when another has the floor.
34. When a motion has been voted, it shall be in order at any time before final adjournment of the meeting at which the motion has been voted, for any Councilor who voted on the prevailing side to move to reconsider the question, and such motion for reconsideration shall take precedence over all other questions except a motion to adjourn or a motion to limit debate.
35. Withdrawal of a matter on the Council agenda may be permitted at a regular or special council meeting in accordance with Robert's Rules of Order. However, prior to the President stating the question, the maker(s) of any such matter who wish(es) to withdraw it from Council consideration may explain briefly the reasons for such withdrawal, but there shall be no debate.

WITHDRAWAL OF ZONING PETITIONS

36. Prior to Setting Hearing. Prior to the time the Council sets a public hearing on a petition for a proposed zoning amendment, including an application for a special development district, the applicant may withdraw such petition as of right upon notification of the Council.
37. After Hearing Set but Before Beginning of Testimony. Once the Council has set a public hearing on a petition for a proposed zoning amendment, including an application for a special development district, but prior to the taking of any testimony at such hearing, the applicant may withdraw such petition provided that such petition or any other petition relating to the same area or solely to portions of the same area and asking the same changes, shall not be introduced for twelve months next following such withdrawal. The Council may waive such condition only upon a two-third's vote of its entire membership at a regular or special Council meeting.
38. After Beginning Testimony. Once any testimony on the merits at the public hearing has begun, a proposed zoning petition, including an application for a special development district, may not be withdrawn and any such petition, or any other petition relating to the same area or solely to portions of the same area and asking the same changes, shall not be reheard within the twelve months next following the hearing on such petition, except as may be otherwise permitted in advance by two-third's vote of the entire membership of the Council at the time of final action on the petition at a regular or special Council meeting.
39. When the Council takes final action on any zoning ordinance, the Council shall state upon the record the reasons for its action.

RULES

40. A copy of these Standing Rules shall be posted on the ~~bulletin board outside the Clerk's office~~ website of the Town of West Hartford and made available in the Town Clerk's office.
41. Any of these Standing Rules may be suspended by two-thirds vote of the Council present and voting.
42. Robert's Rules of Order shall be the source authority and shall control all matters of parliamentary procedure not otherwise specified in these Standing Rules.

43. Any proposed amendment to these Standing Rules shall be submitted in accordance with the provisions of Rule 11 hereinabove and shall thereafter be adopted only by two-thirds vote of Councilors present and voting at ~~the~~ a subsequent regular meeting. Prior to final action by the Council, each such proposed amendment shall be committed to the Rules Committee for review and comment unless such proposed amendment originated with the Rules Committee itself.

Commented [PA10]: Clarifies amendment process where the rules changes start with the Rules Committee.

**GENERAL PROCEDURES FOR PUBLIC HEARINGS
AND PUBLIC FORUMS (EXCEPT HEARINGS ON ORDINANCES¹)**

These procedures are promulgated in accordance with Council Rule 14 and shall be posted on the ~~Town Clerk's bulletin board~~ website of the Town of West Hartford and made available in the Town Clerk's office. The following represents the procedures for public hearings (non zoning), including budget hearings, provided that the president may ~~77 announce an amendment to~~ modify these procedures when conditions require:

- I. A sign-up sheet shall be provided one-half hour prior to the hearing.
- II. Speakers will be called in order from the sign-up sheet, provided that only those persons who have not yet addressed the Council on the issues subject to hearing shall be called.
- III. The President may permit a presentation by the administration prior to calling on members of the public.
- IV. Unless the Council waives its rules by a two-thirds vote, only West Hartford residents or taxpayers may address the Council.
- V. After each person on the sign-up sheet has spoken, the President shall call on other persons who have not yet spoken who wish to address the Council.
- VI. Each speaker shall limit his/her comments to items on the notice of the meeting.
- VII. All speakers shall be confined to three minutes each, except that persons providing the Council with a group's duly authorized position on an issue may speak for up to five minutes.
- VIII. Speakers may not yield their allotted time to others in order for others to expand their three minutes.

¹THESE PROCEDURES SHALL NOT APPLY TO HEARINGS PERTAINING TO ZONING ORDINANCES, OTHER ORDINANCES OR MATTERS WHERE PROCEDURES ARE SUBJECT TO CONTRARY STATE OR FEDERAL LAW OR REGULATION.

- IX. If a hearing is continued to another date and time, the Council will continue the hearing by first calling speakers from the original sign-up sheet who have not yet spoken.
- X. An additional sign-up sheet shall be provided one-half hour prior to the continued hearing.
- XI. After the completion of the original sign-up sheet, the President shall call speakers from the new sign-up sheet in the order in which they have signed said sheet, provided that only those persons who have not yet addressed the Council on the issues subject to hearing shall be called.
- XII. After each person on the sign-up sheets has been given an opportunity to speak, the President shall call on other persons who have not yet spoken at the original or continued hearing who wish to address the Council.
- XIII. At the conclusion of the hearing or continued hearing, the Council may, by majority vote, permit speakers who have already addressed the Council at the original or continued hearing to address them again for an additional three minutes. The President may set a total time limitation for receiving such additional comments and shall announce such limitation prior to the above-referenced vote by the Council.
- XIV. If the number of speakers and the time obligations of the Council permit, the President may announce, at the commencement of the hearing, that each speaker may have an additional specified time to address the Council.