

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

ITEM #1 - MEETING CALLED TO ORDER: 8:28 P.M.

Vice President Cantor: Calling the Town Council meeting to order and we're going to start with the Pledge of Allegiance.

ITEM #2 - PLEDGE OF ALLEGIANCE

Vice President Cantor: Okay, we are running a little late but I'm going to make us a little bit later. I have a few things I need to say. Mayor Slifka is traveling but in the, the past, the last couple of weeks since we've met, we've had several losses in our community. And actually, although he didn't reside in our community, Mayor Slifka's grandfather passed away and, he was present at a lot of functions that I went to because Scott would often talk about him in such glowing terms. And many things that he had difficulty talking about and he was really in, in, I think he was at every, almost every Veterans Day that we ever celebrated, where Scott would give a speech, he would refer to his grandfather. So I just want to read a little bit of his obituary so you get to him a little bit and then I'll tell you something that the Council's doing in his honor. Frank Simaga, 98, of Whiting, Illinois passed away peacefully on Thursday, March 24 and he was the loving father of Charlene, Janeace, and Robert Slifka, who are like members of our family; and grandfather to Scott and Noelle, Jonathan and Andrea Slifka; and great-grandfather to Betsy Slifka. He was born on October 22, 1917 in Whiting, Indiana, I'm sorry, to Frank and Sophie Simaga. He was a lifelong resident and graduate of the high school. He was an active member of the former S.S. Peter & Paul Church, Whiting, where he sang in the church choir and was chairman of the annual church picnic lamb roast for 17 years. As a young man, Frank was renowned for his ballroom dancing and a proud member of the Greatest Generation. Frank enlisted in the U.S. Army at the start of World War II, served in the African and European Theatres and was part of General Patton's troops, helping liberate death camps, a searing experience he never forgot. He was a member of the American Legion, Whiting Post 80. He produced, his proudest achievement was his family, especially his grandchildren, whom he delighted in and called him "Papa." He also said that he was a good, his biggest fortune was to have the ability to participate in the childhood of each of his grandchildren. He worked at the Amoco Oil Company for 38 years and he will be sadly missed. We decided as a Council to contribute in some way to our Veterans' Memorial and we decided we're going to work with the family to do a paver in our Veterans' Memorial in his honor. So just so you know that and I think it will be a, I think it will be, it will please the family to know that we're thinking about them and, and we'll honor his loss. And he will be here at every Veterans Day celebration from then on. We also lost a former member of this body. Maish Neiditz, as he was known, was 98-years-old of West Hartford and he died with his family by his side. He was a graduate of Weaver and Yale, was a U.S. Veteran of World War II and served in the Army Corps of Engineers as a B-17 navigator in the European theatre of battle. He attended the Executive Training Program at Jordan Marsh, then he and his brother started the Neiditz Brothers Furniture in Hartford. He was an active member of Young Israel in West Hartford and the Yale Club of

Hartford. He was in, active in West Hartford town politics and served as Town, he replaced Nan, actually, I had Essie do a little, our Town Clerk, do a little research and he replaced Nan Glass so she could become Town Clerk in 1978 on the Council and served until 1981. He also served on TPZ from 1986-1994. So again, it's a sign of these incredible heroes that lived in our, in our community or in the, in our country and also gave themselves to service and we, he will be missed. I know many members of his family and, and he was a, a real fixture in our community. And I know that our community and our hearts are heavy from Melissa Molin, 21, who tragically died in a car accident in New Hampshire and just wanted to know I, I went to the wake and the line was hours long. Our hearts and our thoughts are with the family. So then we will start with the roll call.

ITEM #3 - ROLL CALL: MAYOR SLIFKA, COUNCILOR CASPERSON AND COUNCILOR KERRIGAN WERE ABSENT. MR. FRANKEL, MR. GORDON, AND MR. CAPTAIN SAT IN AS ALTERNATES FOR THE ZONING APPLICATIONS.

Vice President Cantor: Just one more note before we go into the rest of it. We have a, it's school vacation week and so a number of our, our Councilors are out. We have three people that are replaced by the three gentlemen that you just heard announced and we want to thank them for their filling in. And Harry, Mr. Captain is, is back at the table. Feels like you're home again, right? Anyway, okay. So Mr., number four, Mr. Davidoff.

ITEM #4 - APPROVAL OF MINUTES - RECEIVED

Councilor Davidoff: I move the approval of the Minutes of the Town Council meeting of 3/22/2016; the Public Hearing, Ordinance Permitting Increased Density in the Central Business (BC) Zone, 3/22/2016; the Public Hearing Concerning the Budget Fiscal Year 2016/2017 on 3/22/2016; the Public Hearing Concerning the Budget Fiscal Year 2016/2017 on 3/29/2016.

Councilor Wenograd: Second.

Vice President Cantor: Motion's been made and seconded. All those in favor?

All: Aye.

Vice President Cantor: Those opposed? Motion passes. Public Forum. Can...

ITEM #5 - PUBLIC FORUM

Vice President Cantor: Okay. There's no one signed up to speak. If there's anybody here that would like to speak to something that's not the subject of a Public Hearing? Okay. Thank you. And so we'll move to number six, Reports from the Town Manager. Mr. Van Winkle.

ITEM #6 - REPORTS FROM THE TOWN MANAGER

Mr. Van Winkle: Thank you. You may remember that in 2015 this Town Council made a formal commitment to safer streets in the Town of West Hartford for all people, cars, buses,

bicycles. We adopted what was called a Complete Streets Policy. I am pleased to say that the Smart Growth America, which collects all of the smart, the Complete Street policies across the nation and rates them each year, we were, came in number two after Reading, PA, who is the first town ever to get 100 points on their Complete Streets Policy. We came in number two with 94.4 points for our Complete Streets Policy. I think, still think we're number one but it's just nice to see all the hard work that you and Staff put in to develop that Complete Streets Policy, to have it recognized nationally. There's a planning and design workshop for the New Park area and you can join us in that workshop and share your ideas on New Park Avenue and the transit area and it will be called TAD, Transit Area Development, on Wednesday, April 20th at Elmwood Community Center, Room 110. And you can drop in, you can drop in any time between 2:00 and 8:00 p.m. and give us your input to what you might see as the changes that are coming, I believe, to New Park Avenue. I wanted to mention that we are, have a, I'm going to let the Town Clerk do this, an absentee process.

Ms. Labrot: Yes. Who would have thought Connecticut might matter in this, but we already issued about 600 absentee ballots. So you can come to the Town Clerk's office. You must be a registered Democrat or Republican in order to vote in this primary. You, if you are an Unaffiliated, you have until noon on Monday, April 25, to register with either party. So applications can be picked up at the Clerk's office or downloaded off our Town website. Once the application's received, we'll mail out the ballot within the next day or you can do it right in person in our office. We are extending our hours on Fridays for the next two Fridays until 4:30 for the purpose of issuing these ballots. So I hope everyone gets out and votes.

Mr. Van Winkle: On April 27 at 7:00 p.m., we will be holding a meeting in the auditorium. We have invited the Metropolitan District Commission to come and provide a presentation and answer questions from the Council and from our residents about their recent decision to sell water to a water bottling company in Bloomfield. So that's April 27 at 7:00 p.m. in our Town Hall Auditorium. We've also scheduled a meeting on May 2 in Town Hall on the future use of the UConn site. We'll be sending out that information to the residents that are affected or are near that site in the coming days but I just wanted everyone to know that we'll be meeting on that issue also on May 2, 7:00 p.m., here in Town Hall. That's all I have. If you have any questions, I'd be glad to answer them.

Vice President Cantor: Thank you, Mr. Van Winkle. Mr. Barnes?

Councilor Barnes: Sure, thank you. Mr. Van Winkle, just following up on, on the last point about the, the May 2 Hearing on the UConn site. Since our last meeting on March 22, there've been a number of developments on the UConn property front and I was just wondering if you could just give us a, a rundown as, of what has happened over the last week to 10 days.

Mr. Van Winkle: Sure. UConn at their last Board of Trustees meeting accepted a Letter of Intent from a private firm called the Weiming Educational Group. Weiming offered to buy the site and turn it into a private secondary school. This is a Letter of Intent and it merely says we're, we're willing to offer this. Are you willing to, are we, are you willing to accept? The next step in that process is for them to get together and do a Purchase and Sale Agreement. After that, the private firm will have a, 90 days to do their due diligence, which is they'll need to

inspect the buildings and the site and determine if what they're looking to do on that site makes sense to them financially. And if there are any, sort of like having a home inspection before you sell your home, they have any issues they need to be concerned about that they didn't know of. Once they've done their due diligence, they will then have until the end of the year to come to the Town of West Hartford to seek zoning approval for a potential use of that site as a private school. On the 2nd of May, we still have an opportunity for the Town of West Hartford to purchase the site directly. They offered the University of Hartford \$12.6 million. We have the right to purchase that site at a number similar to that.

Councilor Williams: I'm sorry, you mentioned the University of Hartford. I think you mean...

Mr. Van Winkle: I'm sorry, University of Connecticut. Yes, thank you.

Councilor Barnes: Okay. Um...and so and you mentioned the, the right to match. Is there a date, a certain whereby we have to make that decision?

Mr. Van Winkle: The University has communicated to us that they believe that we have 45 days from the Board of Trustees' acceptance of the, of the Letter of Intent. The law concerning the Right of First Refusal of the Sale of State Properties is, is not very detailed and well-written. From the point, some point, there's 45 days for the Town to step back in to that decision. So if we use their date, we would have until around May 15 for the Town to make that decision of whether to purchase the site. If we were to debate this, you know, our, it would seem to me, not a lawyer, that purchase and sale date would be a more appropriate date to move those 45 days. But regardless, we've scheduled something on May 2, which will at least allow us to hear from the neighborhood and understand some of the financial implications about the future use of this site.

Councilor Barnes: Okay. And do you know if the prospective purchaser is going to be in attendance at the, the Hearing?

Mr. Van Winkle: I do not know that.

Councilor Barnes: Okay. And do you know if there's going to be any community outreach around that, that neighborhood in advance of the May 2 Hearing...

Mr. Van Winkle: Yes, without question.

Councilor Barnes: ...to let the folks know?

Mr. Van Winkle: Yup, without question. We will be sending out a, a broadcast. We, we sent this out early in this process many months ago, so we will be reaching out to the neighborhood that potentially would be affected by this to make sure they know this meeting is here.

Councilor Barnes: Okay. And do you know, can you share with the community what you know, if anything, about the prospective purchaser and how they intend to use the property?

Mr. Van Winkle: The, the prospective purchaser is a foreign corporation that is looking to build an international institute is what they referred to it as when they talked to me several weeks ago. They would bring secondary school students to the site so this is, you know, high school students who would come to the site to receive an education. There was a discussion about those students also attending public schools be they in West Hartford or, or Northeast Catholic or, or Farmington, that they're, this potentially could be a school where they educate students at the site but those students also would leave that site and go to public, our public high schools as well as potentially others. It is all at this point a discussion. There isn't, there isn't a document so I can say, you know, here's what they gave me. There isn't a, a plan or anything like that and so that's really the next step in this process for them to come and, and begin to talk to us from a, a zoning perspective, right? And that potentially can come before the Council. And if there's a relationship with the schools, then there would be the need to be some agreement with the Board of Education.

Councilor Barnes: Okay. And do we have a sense of the, kind of the, the scope of what this purchaser is looking to do on this property in terms of number of students?

Mr. Van Winkle: In our, in our early discussions, again, there was nothing firm but in our early discussions they talked about less than 500 students with me.

Councilor Barnes: Okay. And, and the reason I ask the question is I've been at a, a number of community meetings where the number has been as high as 700 students and I just, you know, for purposes of getting notice out to the public, I think it's important that they know the scope of, of what's being proposed here as soon as we can make that information available.

Mr. Van Winkle: Yup. To put in perspective, 500 students would be about the size of one of our elementary schools in West Hartford so...these students don't have cars. They would be dormed on the site. They would live on the site, which obviously would be different than any of our public schools. I, I, again, you know, whether it's 200, 500, or 700, there has not been anything given to us that we would have that understanding. That should be forthcoming once they do a purchase and sale, they'll begin to provide some concept. But I, again, I don't think if this moves forward, if, if this, the Town does not take their, the right to purchase this property and this moves forward, we're talking about the end of 2016 when we'd actually see some zoning permits.

Councilor Barnes: Okay. Well, because the, the sale is, is kind of the, the leading event of this, it kind of ties our hands a little bit in terms of exploring, you know, what, what is being proposed here because once the, the Town decides not to exercise the right to match this particular purchase price and we go into public discussion and, and Hearings down the road, we will have lost the opportunity to purchase the property and we will be left with simply the, the zoning authority under the, the Special Use Permit in terms of, you know, you know, having any type of impact or influence on, on what this project is. So I, I, you know, I stress the importance of and I'm happy that we are having this Hearing on, on May 2 so the community can come out. Hopefully, this purchaser will be in attendance and be prepared to talk about, you know, who they are, what they do, and what their intentions are and have the public be able to ask them questions and learn more about it and for the Council, quite frankly, to learn more about it before

we have to make this very important decision. And based upon the timeline you've provided, it seems, you know, with less than two weeks later we would have to to, to, you know, discuss and, and have a vote about whether to potentially purchase a \$12.5 million parcel here in Town. So one, I hope that gives us enough time and, and two, I think it would be important to, you know, try and reach an agreement with UConn on what that date is, whether it is from the, the date of the memo that advises us of their intention of, you know, pursuing this deal with Weiming, whether it is from the date of the Letter of Intent going forward, or whether it is, in fact, from the Purchase and Sale Agreement, which if it were towards the end of April, would give us until the middle of June to make that decision and give us more time to, to have that discussion. So I, you know, I, I hope we can get a date in writing so we're not flying blind so to speak.

Mr. Van Winkle: Our, our Corporation Counsel's office wrote the University, questioning their start date of the 45 days. I spoke with their chief lawyer and asked him to, this week to respond to that because they did not officially respond to it. So he said he would do that right away, so I would expect momentarily we'll have a response to our question about when that starts.

Councilor Barnes: Very good. Thank you.

Vice President Cantor: Mr. Davidoff? I'm sorry, Mr. Williams.

Councilor Williams: Okay, thank you, Madam Deputy Mayor, appreciate it. Just to follow up on some of the questions asked by Councilman Barnes, Mr. Van Winkle. With respect to the May 2 Hearing on Weiming, you know, we understand that we've had the Assistant Superintendent go to Weiming in China and there's a relationship there in connection with the exchange program. And there's also been sort of a, a relationship between our Board of Ed and our education administration with respect to a potential matriculation program wherein Weiming students at their school, at UConn, could potentially matriculate into our high schools and you've said that tonight and of course, it's not a secret as you said at the last meeting. So what I was wondering is with respect to this May 2 Hearing, will there be any representatives of the Board of Education, excuse me, of our educational administration to present with respect to discussions they may have had with Weiming about student matriculation into our high school and the benefits as they see them to our students of such a program?

Mr. Van Winkle: The Superintendent of Schools will be in attendance.

Councilor Williams: That's great. Thank you. The second question I had is I know you just stated you're not sure whether Weiming will attend the May 2 meeting but will they be invited to?

Mr. Van Winkle: We will, we will give them notice of the meeting without question.

Councilor Williams: Okay.

Mr. Van Winkle: And I, I would just say to you that, you know, they don't know the answer to a lot of the questions we'd like to ask. I think, you know, we'd like to know some of those specifics. They need some time to develop it. You know, can they renovate those buildings and

reuse them? Do they have to build more? How many students do they have? They don't know those questions so a lot of the things that we may want to ask, they may not have at their hands now but we will certainly inform them of the meeting.

Councilor Williams: And that's fair enough. I think one of the issues and it was very well put actually by Councilwoman Kerrigan at the planning meeting is I think that what the Town needs to know and what the Town Council needs to be informed is what Weiming's vision is with respect to the potential relationship with our schools and our Town so that we can all make an informed decision as a body as to what we want to do with UConn, so thank you, Mr. Van Winkle. I appreciate it.

Vice President Cantor: Mrs. Hall. He's, he's...

Councilor Hall: Oh, clearly my colleagues are, have covered this question. I just have a, back to finances and I'm wondering if you can share with us what we've learned from the State and the impact the State's budget on what we may end up with in terms of ECS and some of the other grants that will affect our budget process.

Mr. Van Winkle: If I knew the answer to that question, I'd be glad to share it with the Governor, I think. We had you know, the, the legislature is in the final weeks. They're supposed to adjourn on May 4. Now, they can certainly go into Special Session but they only have a few weeks left. The Appropriations Committee put out a bill...I'm trying to think, late last week that we used to look and see what, how that left the Town of West Hartford. And that left us okay. We're, actually, we're in better shape under that bill. The Governor today late this afternoon put out a, a second budget, which is unprecedented. That's just never happened. And those clearly indicate that there are going to be some significant cuts to the revenues at West Hartford. I don't know the answer to it completely because it's a complex issue at this moment and it's only been hours. But our ECS numbers are 3.5 million off of where they were in the biennial budget, which was adopted last year, and about a 1.4 million under what we have in the Town Manager's proposed budget. Not just educational cost sharing dollars. All the other grants have been, under the Governor's proposed budget, have been re-scrambled and so I don't know the answer. We will know that in the next few days. And we will need to know it by the 25th of April because you are required by your Charter to adopt a budget by the 25th of April or we will need to make a decision one way or the other whether we know one way or the other, we'll need to make one.

Councilor Hall: I hate to say thank you.

Vice President Cantor: Yeah. Thank you, Mrs. Hall. Mr. Davidoff.

Councilor Davidoff: Thank you, Deputy Mayor. Mr. Van Winkle, my two colleagues, Mr. Barnes and Mr. Williams, addressed the issue of the public discussion that we're going to have on May 2 in the auditorium and I think there's an important point that needs to be made. It's going to be a public discussion not a Public Hearing and not a Zoning Hearing, correct?

Mr. Van Winkle: That's correct. It's not a Zoning Hearing. This is, you know, this is primarily a discussion about whether the Town of West Hartford takes its option to purchase the property. I mean, that's the outcome of that Hearing. It's not a Zoning Hearing. But I, it's my understanding, though, we will be seeking public input into that decision.

Councilor Davidoff: Right. So, so the public knows, there was a meeting, I don't remember, I think it was last week with this specific topic of UConn and the topic was whether or not, what course of action the, the Town wished to pursue with respect to the UConn property. And I recall myself asking the question, so we're going to have this public discussion and it's going to hopefully enlighten us as to what our constituents' wishes are with respect to whether or not we should take steps to purchase this property for the \$12.6 million. And I asked at that Committee meeting whether or not the Town would be presenting some type of financial model with respect to how we were going to be able to accomplish the, the purchase because I think in order to make an educated, informed decision, one would need to know what the financial impact on this community would be if this Town exercised the, the option to purchase. So I just want to confirm this evening that there will be someone from the administration to outline the costs and how we would go about funding this type of purchase.

Mr. Van Winkle: Yes, You know, certainly part of the intent of that meeting is for the Town Manager to describe how you would fund that, the costs associated, what, just a general discussion about what then do you do. You own this property, what then do you do and what those options might be. And so we've done our due diligence because we were looking at that question as to whether we should purchase that property and so, yes, as part of that discussion on May 2, will be a discussion of the financial impact and how you might fund that if you were to make that decision.

Councilor Davidoff: And, and also at the meeting, Minority Leader Hall had diagramed out a scenario tree of possible options and I'm certain that we'll probably investigate or have some type of dialogue on the different paths that this thing could take. Is that correct? I just want to make sure we have a general understanding of what we're setting our constituents up in terms of we're coming out to this meeting so what's that actually mean by coming to a public discussion.

Mr. Van Winkle: Yes. Councilwoman Hall did a wonderful kind of tree. You know, yes, no. All right. If it's yes, yes, no and she carried it out so you probably have used that in your professional life. Yeah, if she could share with me what the, but that's, that's part of the, you know, these are financial questions. All right, you need 12.6 million to buy it, so how do you, what do you do? How do you purchase with that kind of money? And what are the financial impacts to the Town? And then, now that we own it, what are the options as you move forward? And so that would be part of that discussion, hopefully, that we could just kind of walk through. Not with any intent of this is the option but that that tree grows as you move out and make decisions.

Councilor Davidoff: Right. So, so I guess it would be fair to say that the Council has had extensive discussion at the Council level in Committee with respect to the UConn property, the options that have been presented, the options that could be presented and the options that maybe we haven't even thought of yet because we haven't gotten that input from, from the public yet.

But I think it's important to note, as of this evening, no decision has been made with respect to the, to the purchase or not purchasing the UConn property, correct?

Mr. Van Winkle: That is correct.

Councilor Davidoff: Okay, thank you.

Vice President Cantor: Mr. Wenograd.

Councilor Wenograd: Thank you, Deputy Mayor. I just want to, just to mention in terms of that meeting we had. It was a regularly scheduled meeting of the Community Planning and Physical Services Committee. It was a public announced meeting. It was posted. It was held and those are all open to the public. We don't, did not, in fact, have any attendance from anybody who wasn't either elected by or working for the Town or Board but, which is not uncommon for our meetings, but I'd love to have people come to more of them. So those are posted. I hope people, you know, do, you know, look on the website for those meetings. So it was no secret thing. It was, again, posted where we're supposed to post things and we did have that discussion and agreed that we should have a bigger meeting, a better advertised meeting, to really give the public an opportunity to weigh in. We've all been hearing people's views. It's a big topic of conversation in Town. I'm, I'm happy to see our reporting team here as a chance to get this out even more. Hopefully, you'll do the outreach. Hopefully, we'll have articles. I'd love to get as much attention as possible. We want a big crowd because it's a, it's a big deal. I mean, this is a big decision to make. There're lots of ideas and we really do need to hear them before we make this decision on whether to buy the property and then, again, as it goes along, if we, whether we buy it or not, there's going to be, as Councilman Hall mentioned, the, her tree, whether we buy it or not, there's going to be still lots of options down the road as to other possibilities for us and for the Town as a whole. So thank you for scheduling this and hopefully we'll all learn more about what's going on.

Mr. Van Winkle: I would just add to Councilman Wenograd's comments of, you know, you, you've held several meetings on this at the Committee level and the meeting before the last one I think we did have some residents from the neighborhood...

Councilor Wenograd: That's right. We did.

Mr. Van Winkle: ...who, who did attend. And the Council appropriated money last year so that we could do the due diligence portion. We hired outside expertise to look at the, the wetlands, the engineering, the, the potential restrictions on the site of its use. So you've been doing this for a while. It's just now that it's coming to the fore that you're getting to that point where we need to make a decision.

Councilor Wenograd: Thank you for your efforts.

Vice President Cantor: Thank you. Yes, Mr. Barnes.

Councilor Barnes: Thank you. What's that? That's why they looked so interested. Just to, to follow up on a, on a couple of the comments with respect to kind of the purpose of the, of the Hearing as I see it more so than simply just to kind of kick around ideas about what we would, you know, like to see on that property, we have one purchaser that's interested in the property with a stated purpose of use for what they want to do. And so I really see the Hearing more about what their plans are and so besides just being, you know, receiving notice of the meeting, I think they should be asked to join. I think they would want to join and at least answer the questions to the extent that they can, and I think in their absence, it would be pretty telling if they decided not to show up and, and answer questions about it. And with respect to Mr. Davidoff's comment about the Council and Subcommittee having extensive discussions about the use of the property and the ideas, I respectfully disagree. I don't think we really have had a lot of discussions about, you know, prospective use of the property. We've gone into, started discussions with UConn that didn't end up anywhere, and on May 30, we were advised that there was a, this private school that was interested in, in purchasing the property. So I don't think we had a lot of time to, to discuss it. And finally, to Mr. Wenograd's comment about, you know, these Subcommittee meetings being open to the public and with respect to UConn in particular, I recall being at UConn in August of 2014 in a room in their auditorium with about 200 residents from the neighborhood and from the Town and Town leadership was there. Mr. Van Winkle was there. The Mayor was there. And I sat and listened. I believe a couple of us were, were there and I recall specifically the Mayor saying to the people in the audience that they will have input. They will be heard. They will have an opportunity to listen to and be involved in the discussion about what ultimately would end up in this property. And so, while I think we're now late in the game running up against a hard deadline, I think this Hearing is a must. I'm glad it's happening. I hope it's well attended. And I hope we have more of a discussion than simply, you know, what our blue sky ideas are rather than actually doing some due diligence on this prospective purchaser. And so my concept, as I shared at that Committee meeting, would be to have two tables, two long tables, Town Council on one side and Weiming on the other, a projector with a slideshow about what they intend to do with a microphone in the middle and West Hartford residents have the opportunity to get up and ask questions and get answers. And so I hope that is what takes place on May 2. Thank you.

Mr. Van Winkle: I just, if I could, just a comment. One is I'll disagree. I think we had a lot of discussions about uses because I know we, we laid out single-family homes, we talked about the restrictions on the site, we talked about the office kinds of uses that would generate traffic. So and then we even talked about affordable housing that Council recently adopted a, a policy to try to develop affordable housing in the site and one of the ways you provide those incentives is to provide a site to affordable housing developer as an incentive to build. So we've had a lot of discussions in that. And I would just reiterate what I said earlier. I don't think Weiming knows the answer to any of those questions at this point in time. They have only a, a deal that says I can get out of this deal if I don't like it. They have, at the end of this year, can step out of this deal as I understand it from the University. We've, I've shared with you the papers that the University has given us, so I don't think we, we, they can tell you this is how many students or we need to build a building or whatever. So...we're really early in that process to answer those questions.

Vice President Cantor: Mr. Wenograd.

Councilor Wenograd: Thank you. In response to Councilman Barnes, I mean, there's, you're, I disagree that there's any conflict between the idea of having a Committee meeting that was considering sort of a business-type, you know, we're going through the legalities. Certainly, from the beginning of making the big decision even to authorize the Town Manager to, you know, to spend money to inspect the property, you know, and to begin the negotiation process, we've, you know, spent a lot of time, you know, assigning our own resources and spending money to make sure we were in a position, just in case to some extent, you know, the trigger, the deadline got triggered. We hoped that we would have more time but a buyer was found and the 45-day notice is statutory. So I, there was always the intention to have...the meeting you were at was before I was elected and that, I didn't attend that one but I, I think it's always been the intent to have, obviously, the way we do everything in Town, with as much public input as possible. But you know, so, the idea that we had, I mean, the discussions that were appropriate for a small Committee for the Subcommittee that deals with, again, the details that we would bring back to the full Council. I appreciate, you know, the, the sort of shock that we're all kind of feeling by the fact that we have now a stricter deadline than we had before and need to hurry up and really get a meeting in so that we can have the full discussion. But I, I don't think there's any sort of dichotomy between having the, the public input enough. I mean, we're, we all agree on that. The, the issue was it wasn't appropriate before we knew anything to even know what a plan was. Now we have a plan, as is noted, and we should address it and hear how people want to address it. And in terms of the...that's enough. I, I mean, the idea was, I mean, our, our goal is not to have uninformed discussions but to actually have the informed ones and really get to know as much as we can. What we haven't talked about a lot in those Committee meetings is the details of the relationship with the school and our schools, which is, again, to a large extent certainly, a Board of Ed issue. It impacts us all, and as residents, we all care about it. But you know, the Board of Ed hasn't provided or it has, you know, a defined plan. They're still in that working process. So you know, we want to hear more from them. We need to, we want and the fact that the Superintendent will be at that meeting is a good thing and we want to hear. But certainly, it's not really our role in, in our Subcommittee or Committee to talk about or to really delve into that detail of Board of Ed work. I don't know what the standards are. I don't know where I would even go for that information. I, we rely on the Board of Ed and their experience in their dealings. We got a, and they got to report to us if they want us to provide the infrastructure for their plan. So I, I think the process has been moving along appropriately. It has been definitely hurried up by the fact that UConn found a buyer and that might be a great thing for our Town but it's certainly a challenge and we will do it. And so we'll have our, we will have the meeting and again, I would just hope people show up. The details of it, how exactly it'll work out, we'll work out. You know, I'm sure we'll come up with a system that gives people the opportunity both to be heard and for us to get the information we need and the people to hear what these plans are to the extent they exist. And we'll hear more as we go along.

Vice President Cantor: Thank you, Mr. Wenograd. Mr. Williams.

Councilor Williams: Thank you, Deputy Mayor. Just to follow up, Mr. Van Winkle, on a comment you made about Weiming and your disagreement with Mr. Barnes about their ability to answer questions and also to address Mr. Wenograd's point. The piece of Weiming's purchase of UConn and the development of an international school is the use of our public school systems. If you research this, although Weiming has done similar programs in other parts of the country,

this would be wholly unprecedented as I've heard through Superintendent Moore's discussions and what's been contemplated and battered about in Commission meetings. So to say that Weiming shouldn't, cannot have answers I think is the wrong approach. Weiming better have answers because here's the deal. Weiming wants to use our public school system, we must be sure that it benefits each and every single one of our students first. That's our obligation. Now, to the point of the Board of Ed. We have a small window here where we have to make an informed decision about purchasing UConn and we cannot avoid the fact that right now one of the alternatives is Weiming. So we have to inform ourselves and understand what they propose if we are to make a decision as to purchasing UConn in light of Weiming's rights right now moving forward. So that's the piece I would put. I think we need to be stronger with respect to what we ask of Weiming because we have leverage with respect to how we react moving forward and I think it would be a mistake for not, for us as a body not to expect Weiming to have some certain answers because, again, we're very proud of our schools. They're great schools. That's one of the reason my kid's in Town and we have to make sure that whatever happens with UConn to the extent that it impacts our schools benefits our students. So that's, that, Mr. Van Winkle, I don't have a question but through you, thank you, sir.

Vice President Cantor: Okay. Anybody else? Just full disclosure, I am a UConn trustee, so I'm staying out of this discussion. It's a public meeting. Mrs. Hall.

Councilor Hall: You know, not so much in regard to Weiming but I think what confounds me and makes me glad we are having this discussion and hopefully airing it for the public is I feel like there's this property in the center of our Town. We sit here until all hours of the night doing development applications. We've, we've seen so many developers come before us and yet we haven't had a single developer come to us and say you know what? This would be a good thing. Have you guys thought about this in this piece of property? I mean, we have developers here in West Hartford that are national, that're just...we have a wealth of experience right here in our community. And I just, I feel like we haven't been able to tap into that depth to really, you know, is, is Weiming the only option out there? What're some other ideas? That's my two cents.

Mr. Van Winkle: Well let me just...

Vice President Cantor: Mr. Van Winkle.

Mr. Van Winkle: ...we're in a funny business in government, you know? You have a project sitting out here in the audience and you're going to make a decision of some small changes they're going to be doing. It, when he looked at a site in West Hartford and said, you know, that might make a good apartment complex for my, my company, he options the property. Didn't have a plan, doesn't have a design, doesn't know how many, doesn't and so we're sort of at those kinds of points. But he needs to get some sense of, you know, is this something the Town is going to entertain? This site is dramatically encumbered by wetlands and floodplains and that area that, where the buildings are on the site are really the only area where you can build on that site. We had a Hearing on that project until 4:00 in the morning? I forget how long we were here. We were here, a contentious and difficult hearing on that site, which in my opinion, you approved a project that was to the benefit of the Town and we'll have a wonderful development

there. But you, a project as simple as an apartment building became such a difficult issue. Developers won't step forward unless we give them some idea that, yeah, we'd be willing to, you know, we can do office on the site in a second. I don't think you're going to do office on the site. You put 400 employees on the site and we'll, we'll have some traffic issues we can't handle perhaps on the site. And so, you know, in our conversations with the neighborhood, they were reluctant to see this development, a commercial development, affordable development, whatever it is. And so trying to give, to get a developer interested, you've got to sort of say, well, here's what we think can work and we're kind of at a loss trying to come up with that. We went out and we talked to the University of Hartford. They're a school. This is a school. Would you be interested? We talked to the University of Saint Joseph's. You know, they're right next door. Is this an opportunity for them to do, thinking it's a use that's similar and probably would be acceptable, and that's, neither of those schools had any interest on that. So, you know, shopping it is one thing and I can certainly get a, an office guy here tomorrow. I don't think that's something you could, you'll really want to approve when we get there because it's a large site and a small office building is not what goes on that. It's 185,000 square feet of buildings on it now. That's like a major downtown building and it would be a significant impact on the neighborhood. So we've been trying to figure out, you know, what is the most acceptable and we went for the, the low, not the highest, most tax-creating use but a use that was similar, as I said, and we talked to universities to see if they would be willing to do it. So, you know, shopping it around, I first need to know what we're selling before we can say we can shop it around and we certainly would get interested parties if we could say, yes, you can put 300 units of apartments.

Councilor Hall: And I understand what you're saying completely and you've, you also have a tremendous amount of background and experience in this but, so I feel that there's a little bit of the chicken and the egg. It's, you've got, you know, three new Councilors on, on this body and, you know, really hearing about potential then helps us to winnow down, yeah, maybe that would be or maybe that wouldn't be but...I, I think some of those discussions and, and input from the community would, would be helpful for all of us.

Vice President Cantor: Okay, thank you. Number seven, Mr. Davidoff.

ITEM #7 - CONSIDERATION OF CONSENT CALENDAR: ITEMS 14 AND 18-27 TO RECEIVE

Councilor Davidoff: Item number seven, Consideration of the Consent Calendar. I move we place items 14, 18-27 on Consent.

Vice President Cantor: Okay, motion's been made and, and seconded. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Motion passes. Number eight, Mr. Davidoff.

UNFINISHED BUSINESS:

ITEM #8 - APPLICATION ON BEHALF OF CHICK-FIL-A, INC., PROPOSED LESSEE AND INTENDED DEVELOPER, AND ALDI, INC., OWNER OF 511 NEW PARK AVENUE, TO AMEND SPECIAL DEVELOPMENT DISTRICT #94 TO CONSTRUCT A NEW, FREESTANDING, SINGLE-STORY CHICK-FIL-A RESTAURANT WITH DRIVE-THRU AND OUTDOOR DINING TO THE NORTHEAST OF THE ALDI STORE. ADDITIONAL MODIFICATIONS TO THE SITE LAYOUT, INCLUDING PARKING, LANDSCAPING, LIGHTING, AND SIGNAGE, ARE PROPOSED.

TABLED TO MAY 10, 2016; HEARING CONTINUED TO MAY 10, 2016, AT 6:30 P.M.

Councilor Davidoff: An application on behalf of Chick-fil-A, Inc., proposed lessee and intended developer, and Aldi, Inc., owner 511 New Park Avenue, to amend Special Development District #94 to construct a new, freestanding, single story, Chick-fil-A restaurant with drive-thru and outdoor dining to the northeast of the Aldi store. Additional modifications to the site layout, including parking, landscaping, lighting and signage, are proposed. I move we table this item until May 10 at 6:30 p.m. in the Legislative Chambers.

Councilor Wenograd: Second.

Vice President Cantor: Motion's been made and seconded. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Okay, motion passes. Number nine, Mr. Davidoff.

ITEM #9 - APPLICATION ON BEHALF OF 2432 ALBANY AVENUE, LLC, REGARDING THE 2.3 ACRE PROPERTY LOCATED AT 2432 ALBANY AVENUE, SEEKING APPROVAL TO AMEND SPECIAL DEVELOPMENT DISTRICT #135, TO MAKE MINOR ARCHITECTURAL, LANDSCAPING, AND SIGNAGE MODIFICATIONS.

APPROVED, 9-0

Councilor Davidoff: I move we approve the Application on behalf of 2432 Albany Avenue, LLC, regarding the 2.3 acre property located at 2432 Albany Avenue, seeking approval to amend Special Development District #135, to make minor architectural, landscaping and signage modifications.

Councilor Wenograd: Second.

Vice President Cantor: Motion's been made and seconded. We're going to have a little discussion, I'm sure, before we do a vote on this. Is, anybody would like to go and talk about...any comments? Mr. Wenograd, your light went on for...

Councilor Wenograd: Thank you. I, I, I'll be brief. I appreciate the developer's presentation. I do think these are minor modifications that, you know, on their own would've been approved

automatically. I did, I've seen the sign. It is a very nice sign. And the comments that were made earlier about, obviously, the preferred route of having things approved in advance is obviously, you know, I, I share those concerns but I, certainly the presentation today explained that this was not anything nefarious and we do want to encourage this kind of, frankly, just great concern for the design. I mean, you're trying hard, you're making improvements because you want things to get better and that's a, a good thing to, to bring to us. So I appreciate the, all the effort.

Vice President Cantor: Thank you, Mr. Wenograd. Mr. Barnes.

Councilor Barnes: I concur with Mr. Wenograd and just wanted to take the opportunity to thank Mr. Davidoff for the extra effort in calling Todd Dumais and sharing the information with us tonight. It was very helpful. Thank you.

Vice President Cantor: Mrs. Hall. No, you're good?

Councilor Hall: I'm good.

Vice President Cantor: Okay. I just want to reiterate that the changes that were made had no impact on lighting and traffic, which was the public comment that was made, the one person that came for public comment. These issues are important to us and we will, we know that we have a traffic issue in Bishops Corner and are trying to work with the State to remedy some of that. And there's a Bishops Corner neighborhood association. I would urge, Isaac Andre Allen to go to talk about that with because they are making some progress on, with the State. And as far as I, I really appreciate the investment and the, I would say, caring and very intricate look that Mr. Sager is taking with this building because you almost knew the, the all the renovations by or just by heart from the, it was very, very quick that you, you could explain. It was just like a little, and we appreciate that. It shows that you're taking real pride in that building and I think that the, the changes are improvements. I know some of them are necessary but I, again, the sign, we would've love to have seen that first. I think we would've approved it no problem but the sign is, is wonderful and, and thank you for your investment and continued work on, in our community. Oh, sorry, Mr. Davidoff.

Councilor Davidoff: Thank you, Deputy Mayor.

Vice President Cantor: Should've known better.

Councilor Davidoff: Should've known better. There, it's not a Zoning Hearing. I don't want to comment on, but in all seriousness, I'd like to commend Mr. Sager for, for this project, for paying attention to the details. As we stated during the Public Hearing, there were a lot of details. They were described as minor in scope with my discussions with the, the Town Planner today. There are some that I don't know if I would've concurred or not concurred had they been brought here first. I would like to point out, though, that throughout the process and I don't know if we got this in the Public Hearing testimony, Mr. Sager and his colleagues were in constant contact with our DRAC, Design Review Advisory Commission, with respect to what they were doing so that I think that if there would've been red flags and we rely upon DRAC

quite, quite often, I think they would've made a mention to the Town Planner, who may have gotten this thing to us a, a little sooner or given us some, some notes in the recommendation as to whether or not to approve. But I, I don't think it can be lost on the fact that this Council does not like to be in the position of having to rubberstamp things that have already occurred and be that fair notice to anyone else who wishes to do zoning applications in the Town of Westford that we stand pretty firm that the ultimate decision makers when it's within our scope of authority rests with those who are elected to that. Our Charter requires us to act as a zoning authority, especially in Special Development Districts, and I know myself, as well as many of my colleagues, take this as a very serious obligation of office. So I need to get, to get that said. With all that said, though, I'm glad that the process with respect to the construction phase of Mr. Sager's project has not been hindered in that the project has been able to move forward such that any time soon we could start seeing residents, welcoming new residents in, into his building and into our community. And I think that's what it's all about because once we get these additional 64 units occupied, not only does that bring possibly in excess of 100 people into our neighborhood but the economic spiral effect of that to our businesses in the community is, is quite significant and something that we, we take very seriously. So I think everyone had very good comments during the Public Hearing and I will be supporting this application. Thank you.

Vice President Cantor: Thank you, Mr. Davidoff. Any other comments? Before we vote, I want to thank Mr. Frankel, Mr. Gordon, and Mr. Captain for filling in for our, three of our Councilors that are away for this meeting. And once we vote, you guys can skedaddle so, okay? All right. All those in favor?

Mr. O'Brien: A roll call vote.

Vice President Cantor: Oh, I'm sorry. This is a roll call. That's right.

Councilors Barnes, Cantor, Davidoff, Hall, Wenograd, Williams voted YES. Alternates Frankel, Gordon and Captain voted YES.

Ms. Labrot: It's unanimous. Thank you.

Vice President Cantor: Thank you very much. All right, number 10, Mr. Davidoff.

ITEM #10 - ORDINANCE PERMITTING INCREASED DENSITY IN THE CENTRAL BUSINESS (BC) ZONE

TABLED TO APRIL 25, 2016; HEARING CONTINUED TO APRIL 25, 2016, AT 7:25 P.M.

Councilor Davidoff: Item number 10, an Ordinance Permitting Increased Density in the Central Business (BC) Zone. I move that this be tabled to April 25.

Councilor Wenograd: Second.

Vice President Cantor: Motion's been made and seconded. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Motion passes. Number 11, Mr. Davidoff.

NEW BUSINESS:

ITEM #11 - RESOLUTION TO APPROPRIATE RECYCLING INCENTIVE GRANTS FOR WASTE REDUCTION INITIATIVES (WRI) AND UNIT BASED PRICING (UBP) PROGRAMS TOTALING \$70,000 FROM THE STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION IN THE FISCAL YEAR 2015-2016 BUDGET OF THE GENERAL FUND

ADOPTED

WHEREAS, the Town of West Hartford applied for and was awarded Recycling Incentive Grants in the amount of \$70,000 from the State of Connecticut's Department of Energy and Environmental Protection, and

WHEREAS, the Town of West Hartford is cooperating with the Department of Energy and Environmental Protection and their waste reductions initiatives, and

WHEREAS, the Department of Public Works is carefully examining how a Save Money and Reduce Trash (SMART) program could be implemented to achieve the goal of creating a system that would be cost effective and provide maximum financial benefit to residents, and

WHEREAS, the Town will utilize grant funds to provide for a unit-based pricing public outreach and education campaign,

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD does hereby appropriate grant funds of \$70,000 and amends the fiscal year 2015-2016 General Fund budget as follows:

Estimated Revenues

01-310200-30104-9071

State Grants \$70,000

Appropriations

01-310200-30104-2070

Professional Services \$70,000

Councilor Davidoff: Item number 11, I move that we adopt a Resolution to Appropriate Recycling Incentive Grants for Waste Reduction Initiatives (WRI) and Unit Based Pricing (UBP) Programs Totaling \$70,000 from the State of Connecticut Department of Energy and Environmental Protection in the Fiscal Year 2015-2016 Budget of the General Fund.

Councilor Wenograd: Second.

Vice President Cantor: Motion's been made and seconded. All those in favor? Oh, no! Hold on. Hold on. Yes, Mr. Van Winkle, first tell us.

Mr. Van Winkle: This is a grant from the State of Connecticut of \$70,000. It is not a, a program to start Pay as You Throw. We have been talking about the change that's going on in waste. And as we look forward, we spend many millions of dollars getting rid of garbage in West Hartford; picking it up and taking it to our, our, the plants that burn garbage and turn it into energy and picking up recycled material. And so we have seen in the last 20 years pretty dramatic changes to how we deal with garbage. When I first moved to West Hartford, the little, little truck ran up your driveway and picked it up right at your door. Today, we have two cans on wheels that a, a truck comes and no one ever gets out of the garbage truck anymore. They just magically pick it up with an arm. But garbage is going to change as the State has adopted a new solid waste plan for the State of Connecticut. And that solid waste plan has goals in it that says, you know, that we need to reduce the amount of garbage that we create and send into landfills or burn in our plants. And the goal of that plan was to find ways to do that. Some communities have looked at it from this Pay, Pay as You Throw, where you no longer get free garbage pickup. Someone will, you'll have to pay for that garbage you throw out. The concept behind that is a pure economic one. If it costs you to throw things away then you should throw fewer things away if there's a price on it. This effort is to try to begin to work with the community to understand what our options might be for waste reduction. You know, some communities have gone to another barrel to take compostable materials and we're now taking compostable materials out of our high schools and having them recycled at a farm. But whether commercial properties might be next on that; food stores and restaurants that you would take that compostable material, separate it from the garbage and not burn it, and take it away. So the, the concept is to reduce the amount of waste we end up with in the end. Whether that's the creation of a new waste stream like compostable materials or creation of different waste streams for different groups, commercial versus residential. And it's, it's an effort to, to help us develop some concepts working with the Department of Environmental Protection here and do some testing in the community about, you know, how do you see, do you understand what, what it costs us to get rid of your waste and do you recycle and what keeps you from recycling or what would give you incentive to recycle more? So this is a grant to help us kind of test our community on some of those ideas and help the State think about should they one day tell us this is the way we are going to get rid of our garbage, because I think at some point, they're going to begin to make some decisions. I don't think it's going to be any, in the next three years, but perhaps in the next five years, we're going to see some mandates on our community about our garbage. And this is an effort for us to sort of get ahead of it and think about it. We may take this study and put it on the shelf and it may be garbage one day but at least we'll have spent some time trying to figure this out.

Vice President Cantor: Thank you, Mr. Van Winkle. Mrs. Hall?

Councilor Hall: Yes. Mr. Van Winkle, do we actually have money from the State yet?

Mr. Van Winkle: Yes, we have the money from the State.

Councilor Hall: Okay. Just want to make sure that it's...

Mr. Van Winkle: Yes.

Councilor Hall: Thank you.

Vice President Cantor: Mr. Barnes?

Councilor Barnes: Thank you. A number of months ago, John Phillips came into our Committee meeting and talked about the Pay as You Throw Program, which, which you mentioned and it just so happened at that meeting there was some from the, the press that were there and, and wrote articles talking about it. And I think following that, I don't know, 30, 50 people have come up and said don't ever take away my right to throw my garbage out, period. And so they felt very strongly about that. And so when you started your comments, you said this is not part of the Pay as You Throw Program, but as Mr. Phillips explained to us and I think you went on to elaborate, this is part of the same process to study how we handle our solid waste and to have a discussion about it, as Mr. Phillips talked about it, talking to people in the community. This is about learning and education, and at some point, it may lead to a Pay as You Throw Program but it's not something that we're contemplating doing in this calendar year. We're still in the, you know, the learning phase. Is that, is that fair?

Mr. Van Winkle: That is correct. Certainly, you know, and it'll also be something that'll come before you. It's not something that's just going to happen. So whether it's in three years or five years or ten years, it would be a Town Council decision to implement a program perhaps under a State mandate at some point in the future. But right now all we're doing is kind of trying to figure out what the future of that solid waste is.

Councilor Barnes: Okay, thank you.

Vice President Cantor: Thank you. Mr. Williams?

Councilor Williams: Thank you, Deputy Mayor. Mr. Van Winkle, I just had a sort of question for my own sake. I know in our proposed budget that there's, I believe, 200K in grant money for Brixton having to do with sort of the potential for preparing for future State mandates. Is that right? And so just a...not to interrupt but just, I'm wondering the interplay between this and that.

Mr. Van Winkle: Yup. Our Brixton Street facility is where our Public Works Yard is in the southeast corner of Town. There is an old incinerator there that we used to burn garbage in West Hartford in the early 1970s and that plant is still there. It's been closed down for 40 years. We need to do something. We either got to knock it down or do, rejuvenate it for, I don't know, a dog park. I don't know. But we need to do something. We have a new operator who is down there who takes our recycled. If you take materials down there to be recycled or yard waste down there to be cycled, he takes all of our leaves and turns it back into earth. We got a new operator. He came and cleaned the site all up, made it really look amazing, changed it, and so he's talking to us about opportunities to maybe take some of those, those organic materials and using an aerobic digester that would turn organic material into energy right there. And so our 200,000 is to begin to look at, all right, if we're going to knock this building, which we're going

to knock down or it's going to fall down somewhere 100 years from now but we need to make those decisions to evaluate that site. So it's not related to this. It's related to garbage because we do bring what we refuse down there. We bring down, you know, the, the wood chippings and the, and the grass and the leaves and the recycled materials and that's part of this discussion about the future. But it is not about opening up a new incinerator down there. But it's, again, we're trying to look forward and think five years from now how's this going to operate and is there a better way for, to, for us to operate.

Councilor Williams: Thank you.

Vice President Cantor: Thank you. Anything else? Okay. On that note, we will vote. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Motion passes. Number 12, Mr. Davidoff.

ITEM #12 - RESOLUTION AUTHORIZING TOWN MANAGER TO EXECUTE CONTRACTS WITH THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

ADOPTED

WHEREAS, the Town of West Hartford, CT enters into a contract with the Department of Energy and Environmental Protection for the project entitled "2016 Municipal Waste Reduction Initiative";

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD, CT in furtherance of this resolution, authorizes Ronald Van Winkle, Town Manager of the Town of West Hartford to be duly authorized to enter into and sign said contracts on behalf of the Town of West Hartford; and

BE IT FURTHER RESOLVED THAT Ronald Van Winkle currently holds the title of Town Manager and has held that office since September 6, 2008. Ronald Van Winkle, Town Manager is further authorized to provide such additional information and execute such other documents as may be required by the local, state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

Councilor Davidoff: Item number 12. I move that we adopt a Resolution Authorizing Town Manager to Execute Contracts with the Department of Energy and Environmental Protection.

Councilor Wenograd: Second.

Vice President Cantor: Motion's been seconded. Mr. Van Winkle?

Mr. Van Winkle: Yes. This is just what I talked about except for the Department of Environmental Protection. The State's a funny animal. Every department has a different means of, of approving contracts. They require you to approve a Resolution that says that I am authorized to sign a \$70,000 contract. So this is the same that we just talked about just by their, their requirements requires me to have another Resolution, which the Clerk will certify to say he's okay to sign this.

Vice President Cantor: Okay. Any comments or questions on that? All right. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Motion passes. Number 13, Mr. Davidoff.

ITEM #13 - RESOLUTION TO APPROPRIATE GRANT FUNDS OF \$45,375 AWARDED TO THE TOWN OF WEST HARTFORD UNDER THE FEDERAL HIGHWAY SAFETY PROGRAM FOR THE PURPOSE OF DISTRACTED DRIVING HIGH VISIBILITY ENFORCEMENT

ADOPTED

WHEREAS, the Town of West Hartford applied for and was awarded Federal Funds under the Federal Highway Safety Program (Federal Aid Project 2016-405e-2, State Project 0196-0745-2-BB) in the amount of \$45,375 to provide Distracted Driving High Visibility Enforcement from April 4, 2016 through September 30, 2016, and

WHEREAS, the goal of this program is to reduce fatalities and injuries resulting from crashes caused by driver distraction, especially those caused by hand held mobile phone use, and

WHEREAS, this goal can be reached through increasing enforcement, especially high visibility enforcement of Connecticut's hand held mobile phone ban for drivers in areas identified to have high rates of fatal and injury crashes, and

WHEREAS, these grant funds are to be used for extra enforcement activities in accordance with both Federal and State regulations, policies, and procedures that govern the use of highway safety funds,

NOW, THEREFORE, BE THAT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD as grant funds under the Federal Highway Safety Program are received, they will be appropriated for the purpose of expanded Distracted Driving enforcement activities in accordance with the terms of the grant, and the General Fund budget will be amended as follows:

Increase Estimated Revenue

01-220402-20101-9070

Federal Grant Revenue

\$45,375

Increase Appropriations

01-220402-20101-1010

Overtime

\$45,375

Councilor Davidoff: Number 13, I move the adoption of a Resolution to Appropriate Grant Funds of \$45,375 Awarded to the Town of West Hartford under the Federal Highway Safety Program for the Purpose of Distracted Driving High Visibility Enforcement.

Councilor Wenograd: Second.

Vice President Cantor: Mr., motion's been made and seconded. Mr. Van Winkle, you want to?

Mr. Van Winkle: This is not new to us. We received a grant for this. We're very aggressive in our Police Department about getting grants. We are, we now have a grant for DWI that we received to provide additional DWI enforcement in West Hartford Center. But if you're driving around with your phone in your hand near your ear and talking on it, you're endangering the rest of us. It's been demonstrated over and over again. Distracted driving, whether you're talking, holding your phone, or tapping on your phone is dangerous to your fellow drivers and passengers in your car. So we received a grant of \$45,375 to provide additional coverage by our police force to enforce the distracted driving ordinances in the State of Connecticut. We've done this in the past. People as you, I, we've all seen people. Right now, you can stand out there and you can see somebody drive by with a phone in their hand and, you know, we're trying to get the message out to people that, that's dangerous and so this kind of enforcement, you know, hopefully we, if we write some tickets that will, that person will remember that I got to pull over if I'm going to talk on my phone or use my speaker system in my car, one of those two. But it's something we've been doing over the last few years and it's been successful with us and we're, again, just trying to get the message out to keep off your phone while you're driving.

Vice President Cantor: Thank you, Mr. Van Winkle. All those, you all set? All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Okay, motion passes. Now we're on to Announcements.

ITEM #15 - ANNOUNCEMENTS

Vice President Cantor: I have, I'm going to start with an, I, I'm going to share. We, the, my Democratic colleagues who are not, some of them are not here, half of them are not here, decided to write a letter to Senator Bye. We were all sort of doing different things and processing some of the discussions that we had on MDC and we decided to write a, a letter in, in advance of our meeting with MDC that was just scheduled on April 27 to talk about West Hartford's role or concern in, in some of these decisions. And we know we don't have authority directly over many of these things but we felt like we should get our, our thoughts out. So I just wanted to really quickly go through that we are, we had some concerns. We voiced them. We understand that residential and manufacturing and commercial use has decreased over the recent decades, which is driving MDC's, I think, initiative to sell water. But the Niagara Bottling Plant or the

general concept of selling MDC water for the sole purpose of bottling water, we as a group, thought that it was, it was not a, a good thing to do. Furthermore, we feel that the transparency surrounding the arrangement was extremely insufficient. We had no knowledge of the arrangement. Again, it was not mislabeled but the labels were a little bit misleading I think and so we want to have that discussion with our, our MDC, MDC administration, leadership and our Commissioners if they're there. We also have urged MDC to cancel or amend the contract and not enter future agreements with bottled water companies. In addition, we are not supportive of providing volume discounts for water entities whose only product is bottled water. Again, in the coming weeks we're going to have a meeting. And while we respect that communities have different needs and we respect their right to make different decisions regarding economic development, West Hartford does not use tax abatement for economic development. And then we know that the, the bill has gone under several changes. I've talked to Senator Bye several times and we don't have a final wording on the bill but we, we just wanted to do this in advance. These are some of our concerns. Heads up. This is, you know, where we, we believe. And not all of us agree with every line but all of us agree with the content of the, of the letter and it was signed by Mayor Scott Slifka, Deputy Mayor Shari Cantor, Leon Davidoff, Ben Wenograd, Judy Casperson, and Beth Kerrigan. And we had a little bit, we actually offered it to our Republican colleagues and they're, Mrs. Hall's going to talk to, to that. It, it got ahead of us a little bit. Somebody released the letter ahead of it and so I think they didn't have advance notice to go through the letter in the way that they wanted to do so...

Councilor Hall: Thank you and, and thank you, Shari, for giving us the opportunity. Like you said, it kind of got out into the, the public before we had a chance as a Council because, you know, frankly, I do think a stronger letter would've been one that was authored by all of us.

Vice President Cantor: And that was our intent.

Councilor Hall: But there were some, there were some items that we were not in, in complete agreement with and there are also some things that we thought we should take this opportunity to really stress with MDC and our residents, and particularly, and, and thank you, Mr. Williams, for, for helping to put sort of our own letter together so that they will have both of ours. But what we wanted to point out as well was that West Hartford residents shoulder a disproportionate share of MDC's cost, given the ad valorem taxing structure. So West Hartford's annual contribution to the MDC for fiscal year 2017 will increase 6.2 percent or 526,000 and will total approximately 9 million in an increase of 1 million over the last two years. So West Hartford's contribution based upon consumption, this, this, its total would've been cut in half. So West Hartford is really subsidizing many of the other member towns and it continues to get worse and worse and this is a legislative issue and it needs to be addressed. And so all of this controversy around MDC and Niagara, I feel, is one of those opportunities for us to make our residents aware of it...enlist our, our legislators to try to help us change this because it's just not fair and especially as you look and other towns giving tax abatements. Meanwhile, we're subsidizing those other towns. It doesn't make sense. Like I said, there were a few issues that we were not able to come to agreement on, so we decided we would send our own letter penned by Councilman Williams and shared by Councilman Barnes and myself. Thank you.

Vice President Cantor: Thank you very much. And we do agree with the ad valorem too but we were focused on MDC on this particular and we've talked many times to our Commissioners and our Senator about the ad valorem. But anyway but that's more discussion to follow, no question.

Councilor Williams: And, Shari, if I may just add to that? I'll note that we have Kim Green here in the, in the audience today and who's been instrumental in bringing this issue to the forefront. So thank you, Kim. And Beth Kerrigan, a member of the Council, who from the Council's perspective, has been really a, a leader on this issue, getting out in front of this issue from the very beginning. She's not here tonight but I'd like to acknowledge the fact that, that she has done that and worked on a, a Resolution for the Council to sign, which never came to the, to the floor. The topic of the letter is actually SB-422, which Beth Bye, our Senator, proposed in the legislature and is currently being considered. And when we reviewed your letter, it seemed like it wasn't in full support of SB-422. And we wanted, one of the things we did in our letter was to make clear that with respect to not only protections in, in drought and emergency relief, that there were also that we support the fact that, you know, discount rates, whether it's for water or for the, the, the sewer tax that there wasn't a discounted rate for that as well. And we felt that, you know, those were, that it was important to state upfront that 422 was a bill that we support. We concur that transparency with respect to this issue has been seriously lacking and, and we hope that, you know, when we have MDC before us we'll have an opportunity to ask those questions. And, and finally, with respect to your letter, it seems to target, you know, a lawful business in the water bottling industry and the bill itself really addressed commercial entities generally receiving these type of benefits and so we felt that, you know, to the extent it was limited just to water bottling companies that it wasn't appropriate to, to sign onto that and to take that position. So thank you.

Vice President Cantor: Thank you. All right. Number...let's see. Where are we? Oh, I'm, I'm doing Announcements. West Hartford READS!, another visit on April 14 at Town Hall. Luis Alberto Urrea will visit West Hartford's Town Hall on Thursday, April 14 at 7:30 during National Library Week to talk about his book, *Into the Beautiful North*, and his life and work with a poet's grace and storyteller's drive. Urrea tells us about many ways one man can love two countries. The 13th Annual Health Fair, Thursday, April 14, 9:00-12:00, presented by Elmwood Senior Center and West Hartford/Bloomfield Health District. The 13th Annual Health Fair will be held on Thursday, April 14 from 9:00-12:00 at Elmwood Senior Center. The Fair features free health screenings, free chair massages, Reiki, manicures, delicious food. Father Daughter Boot Scootin Boogie Dance, Friday, April 15, 6:30-8:30, at the Elmwood Community Center. It's for fathers of all ages and daughters 5-13. Tickets are \$8 in advance and \$10 at the door. Community Vision Meeting for Fernridge Park, Monday, April 18, 7:00 p.m. You are invited to a community meeting on Monday, April 18 at 7:00 p.m., sponsored by Friends of Fernridge to discuss a long-term vision for Fernridge Park. This vision has been developed by University of Connecticut landscape architecture professor, Peter Miniutti, at the request of the Friends and the Town's Department of Human and Leisure Services. Professor Miniutti will lead the discussion, which be held on April 18 at Braeburn School cafeteria beginning at 7:00. Blood drive at Town Hall, Monday, April 18, 12:00-5:30. American Red Cross celebrates the contributions of its volunteers and asks people to become blood and platelet donors and it will, again, be held 12:00-5:30 at Town Hall. One Book, One Town celebrates April 21, 6:30-8:30. The story, oh no, this is, okay, yeah, it is different. West Hartford's special event will feature keynote speaker,

Christine Ieronimo, I guess, Connecticut author of *A Thirst for Home: A Story of Water across the World*. Emcee Brad Drazen, news anchor at NBC Connecticut, and sports speaker Steve Boyle, founder of 2-4-1 Sports, and Quest students from West Hartford Public Schools who will give their perspective on *Outcasts United*, this book's featured book. Shakespeare 400 Festival, Saturday, April 23, 11:00-4:00. Shakespeare's 400th anniversary is April 23 and events are being planned all over the world in Shakespeare's honor. The West Hartford Festival will take place at Blue Back Square in West Hartford to celebrate this momentous occasion on Saturday, April 23, 11:00-4:00. This event will feature an area theater company showcasing a, Shakespeare-related performance, monologue, scene, excerpt from production or musical performance. This event provides a great opportunity for theatrical companies to share their talents. If you're interested, please contact WeHaShakes400@gmail.com. There is no charge to participate in the festival. Webster War of Words Benefit Game Show, Thursday, April 29 at 6:00 p.m. If you like language and trivia, get your ticket now for 7th Webster's War of the Words. The Noah Webster House and West Hartford Historical Society's annual fundraiser will take place at 6:00 p.m. on Friday, April 29 at West Hartford Town Hall Auditorium. The highlight of the evening is the War of the Words, a lively interactive game show hosted by Peter Sokolowski, Merriam-Webster's Editor at Large. The game pits two teams of local celebrities against each other in a battle of wits and words that Noah Webster himself might have enjoyed. Tickets include dinner and drinks. They're \$50. Contact Noah Webster House. National Take-Back Day, April 30, 10:00-2:00. West Hartford Police Department and West Hartford/Bloomfield Health District will coordinate a collaborative effort to remove unwanted and unused pharmaceutical controlled substances and other medicines during National Take-Back Day. They will take place in Town Hall parking lot from 10:00-2:00. The program is anonymous and free of charge. It provides an opportunity for the public to surrender expired, unwanted, unused pharmaceutical-controlled substances and other medications for destruction. Prescription and over-the-counter solid dosage medications, tablets, and capsules will be accepted. It's good to keep it out of the water stream. All right. I think that's all I have. Anybody else? Yes, Mr. Davidoff.

Councilor Davidoff: I would be remiss but my daughter, Alanna, asked me to get this out into the Announcements. She's part of the Hall High Relay for Life Team, which supports the American Cancer Society, and one of the group events they came up with was a night of trivia at Hall High School. So if you don't have plans to attend the Mayor's Charity Ball on May 14, an alternative program can be you can go to the Hall High cafeteria at 7:00. Gather a team of six people, \$20 a member of a team for a team of 120. It will be a fun night of, of trivia and the top three teams will win prizes. For more information, you can either contact my daughter, myself, or the faculty advisor to the Relay, Relay for Life team, Mrs. Nicola Culmo. Thank you.

Vice President Cantor: Mrs. Hall. Sorry.

Councilor Hall: That's okay. And just another I wanted to point out. On Saturday, April 30 from 1:00-4:00 p.m., celebrating Charter Oak. The Charter Oak International Academy community is inviting everyone to come and share their old memories of Charter Oak and visit some of their favorite places there. If, they're trying to record memories so bring any memorabilia you're willing to donate. If you have items that they can photograph or make copies of, they would appreciate those as well. Light refreshments will be served and it's at Charter Oak International Academy at 425 Oakwood Ave.

Vice President Cantor: Thank you. Anything else? No? All right. I make a motion to suspend the rules for an item we have to approve a Capital Improvement Plan...read, I mean. No, no. It's a suspense item.

Councilor Davidoff: Receive.

Vice President Cantor: Receive a Capital Improvement Plan from TPZ. All those in favor?

Councilor Wenograd: Second.

Vice President Cantor: Oh, no. Okay. I'm making a motion, sorry.

Councilor Davidoff: All right, okay. Sorry, I thought we're...

Vice President Cantor: All right. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Okay.

SUSPENSE ITEM: FROM TOWN PLAN AND ZONING – PROGRAM FOR CAPITAL IMPROVEMENTS 2017-2028 – RECOMMENDING APPROVAL

RECEIVED

Vice President Cantor: Suspense item, Program for Capital Improvements, 2017-2028, just reading it in for the record, a letter dated April 6, 2016 from TPZ recommending approval because it wasn't on the Agenda. Those in favor?

All: Aye.

Vice President Cantor: All those opposed? No, I don't think we had to vote. I think it was just received but...I'm not the lawyer.

Councilor Davidoff: We did it.

Vice President Cantor: Okay. Now, we're, oh, number 28, Mr. Davidoff. Reports from Corp. Counsel, I'm sorry.

ITEM #16 - REPORTS FROM CORPORATION COUNSEL

Mr. O'Brien: Oh, that's okay. I don't, I don't have a formal report. And we don't need Executive Session, so that's good news and any questions that you have, I'll do my best to answer them.

Vice President Cantor: Any questions for Mr. O'Brien? Okay. No questions today. All right.

Mr. O'Brien: Thank you.

Vice President Cantor: Thank you. All right. Oh, Appointments. Mr. Davidoff.

ITEM #17 - APPOINTMENTS

Councilor Davidoff: Item number 17. I move we appoint Daniel Johnson to the Bicycle Advisory Commission. I appoint, I also move that we appoint Jill Morawski to the Bicycle Advisory Commission. I don't have the ending terms in my...oh, there are none, so until they choose not to serve any longer.

Vice President Cantor: Mrs. Hall?

Councilor Hall: Yes, I'd like to add on to that an, move to appoint Robert Levine, as an alternate member to the Board of Assessment Appeals for a term ending 12/31/2017.

Councilor Barnes: Second.

Councilor Wenograd: Second.

Vice President Cantor: All right, second, whatever, both. Motion's been made, motion's been made and seconded. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Okay, motion carries. Suspense, we did the suspense. Number 28.

ITEM #28 - CONSENT CALENDAR

ADOPTED

**ITEM #18 – FROM TOWN PLAN AND ZONING – RE: 511 NEW PARK AVENUE –
MOTION RECOMMENDING APPROVAL FAILED**

**ITEM #19 – FROM TOWN PLAN AND ZONING – RE: 2432 ALBANY AVENUE –
RECOMMENDING APPROVAL**

**ITEM #20 – FROM TOWN PLAN AND ZONING – RE: ORDINANCE PERMITTING
INCREASED DENSITY IN THE CENTRAL BUSINESS (BC) ZONE –
RECOMMENDING APPROVAL**

**ITEM #21 – FROM DESIGN REVIEW AND ADVISORY COMMITTEE – RE: 511 NEW
PARK AVENUE – RECOMMENDING APPROVAL**

ITEM #22 – FROM DESIGN REVIEW ADVISORY COMMITTEE – RE: 2432 ALBANY AVENUE – RECOMMENDING APPROVAL

ITEM #23 – FROM CAPITOL REGION COUNCIL OF GOVERNMENTS (CRCOG) – RE: 511 NEW PARK AVENUE – FINDING NO APPARENT CONFLICT

ITEM #24 – MINUTES FROM ADMINISTRATION AND TECHNOLOGY COMMITTEE 3-14-16

ITEM #25 – MINUTES FROM COMMUNITY PLANNING AND PHYSICAL SERVICES COMMITTEE 3-15-16; 3-16-16; 3-29-16

ITEM #26 – MINUTES FROM HUMAN SERVICES COMMITTEE 3-16-16

ITEM #27 – MINUTES FROM FINANCE AND BUDGET COMMITTEE 3-28-16

Councilor Davidoff: I move adoption of the Consent Calendar.

Councilor Wenograd: Second.

Vice President Cantor: Motion's been made and seconded. All those in favor?

All: Aye.

Vice President Cantor: Okay, all those opposed? Motion passes. Number 29, Mr. Davidoff. You closed your book prematurely.

COMMUNICATIONS:

ITEM #29 - NOTICE OF TOWN PLANNER'S INTENTION TO APPROVE PURSUANT TO SECTION 177-44C (9)(g) A REQUEST ON BEHALF OF JOHN PHILLIPS, DIRECTOR OF PUBLIC WORKS AND WEST HARTFORD TREE WARDEN, SEEKING APPROVAL FOR A REVISION TO SPECIAL DEVELOPMENT DISTRICT PLAN #113 LOCATED WITHIN THE STREET RIGHT-OF-WAY ALONG MEMORIAL, ISHAM, AND RAYMOND ROADS. THE REQUEST IS FOR MINOR MODIFICATIONS TO THE SIZE OF THE APPROVED PLANTINGS TO ADDRESS STREET TREE REPLACEMENT AND SAFETY CONCERNS.

RECEIVED

Councilor Davidoff: Item number 29 is I move that we receive the Notice of the Town Planner's intention to approve pursuant to Section 177-42C (9)(g) a request on behalf of John Phillips, Director of Public Works and West Hartford Tree Warden, seeking approval for revision to Special Development District Plan #113 located within the street right-of-way along Memorial, Isham and Raymond Roads. The request is for minor modifications to the size of the approved plantings to address street tree replacement and safety concerns.

Councilor Wenograd: Second.

Vice President Cantor: Motion's been made and seconded. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Okay, motion passes. Number 30, Mr. Davidoff?

ITEM #30 - FROM JAMES SULLIVAN (3-21-2016) RESIGNING FROM THE BICYCLE ADVISORY COMMITTEE

RECEIVED

Councilor Davidoff: Number 30, I move we receive the resignation of James Sullivan, who has resigned from the Bicycle Advisory Committee.

Vice President Cantor: Motion's been made and seconded. All those in favor?

All: Aye.

Vice President Cantor: All those opposed? Okay, motion passes. No Petitions. No need for Executive Session.

ITEM #33 - ADJOURNMENT

Vice President Cantor: Okay, I make a motion that we adjourn.

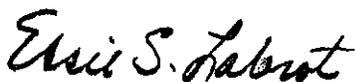
Councilor Davidoff: Second.

Vice President Cantor: Motion's made and seconded. All those in favor?

All: Aye.

Vice President Cantor: Okay.

Meeting adjourned at 9:50 p.m.



Essie S. Labrot
Town Clerk/Council Clerk

ESL/dd

APPROVED AT MAY 10, 2016, TOWN COUNCIL MEETING