

**WEST HARTFORD TOWN COUNCIL MEETING
JUNE 14, 2016
LEGISLATIVE CHAMBER**

ITEM #1 - MEETING CALLED TO ORDER AT 8:30 P.M.

ITEM #2 - PLEDGE OF ALLEGIANCE

President Cantor: Thank you very much, Alexia. Good job. I just want to start with a, a couple of difficult things that happened in the last couple of weeks. Actually, this is in chronological order. It's, it's not a matter of importance, but we lost a, a very important member of our, of our community, David Chase. He was a long-time West Hartford resident. I think he was 70 years, a philanthropist and developer that left his mark on the greater Hartford area. I just wanted to share a little bit about him. David Chase, 88, of West Hartford, founder and president of Chase Enterprises, passed away at his home on June 1, 2016. Born in Kielce, Poland, he was the son of Leon and Helen, I think Cilsa. He was, David was a Holocaust survivor, lifelong entrepreneur and philanthropist. He arrived in the United States as a teenager after surviving Auschwitz, Sachsenhausen and Mauthausen concentration camps. During the Holocaust, David and his sister, Helen, lost their parents and younger sister in addition to many other family members. After graduating from Weaver High School in Hartford, Connecticut, transferring from Hillyer College to the UConn pre-law program, he met the love of his life, Rhoda Cohen. David would frequently remark about how he felt this thunderbolt strike him when he met his wife, and they had been, remained married all this time until his passing. She was a constant source of encouragement. He played a leading role in developing the Hartford skyline, reinvigorating downtown Hartford in the 70's and 80's with the construction of the Gold Building, 1 Corporate Center known as the Stilts Building, 280 Trumbull Street. He also built New Haven's Connecticut Financial Center, which is the tallest building in New Haven, and many shopping centers. David was one of the first Americans to invest in Poland after the fall of the Berlin Wall, owing much of his friendship to Pope John Paul II, who asked that he return to Poland to help their transition from communism to capitalism. His Polish investments included the first Polish-American-owned bank, paving the way for his revolutionary infrastructure investment, where he invested in cable television in Poland. He was a tireless philanthropist. His work spanned many different religious, medical and societal causes. As a man of Jewish faith, he was dedicated to the people of Israel and the victims of the Holocaust. He co-founded the United States Holocaust Museum in Washington, D. C., led fundraising efforts for Yad Vashem and was heavily involved with the Rabbinical College of America, as well as supporting numerous hospitals and universities. Throughout his career, he was awarded numerous honorary doctorate degrees, crossed religious barriers with his work for the Foundation for Advancement of Catholic schools, strongly supported the Anti-Defamation League and worked on the Red Cross to support both Israel's Magen David Adom and Palestinian Red Crescent Society. His philanthropic work led to friendships with successive presidents and religious leaders, including Jimmy Carter, Lech Walesa and many others. David was a family man, a loving person that believed in everyone's ability to do good and better themselves. He is survived by his wife, Rhoda Chase of West Hartford, Arnold and Sandy Chase of West Hartford and Cheryl Chase and her husband, Judge Stuart Bear of West Hartford; grandchildren, William Chase and wife, Dr.

Lauren Kopyt Chase of West Hartford, Dara Dyer and husband, Ross Dyer of West Hartford, Sara Chase of New York City, Allison Chase of New York City, Melissa Chase of New York City and Landon Chase of Bloomfield; and great-grandchildren, Dylan and Riley Dyer of West Hartford and Samuel Chase of West Hartford. And he helped other survivors, too, in a remarkable way because he saw the, probably the worst in humanity and kept going with such an optimism that was very inspirational. And then I also want to take another moment to reflect on the horrible and tragic act of hate and terror in Orlando. We as a community stand in solidarity with the LGBTQ community, with the families and the victims of the wounded and they are in our thoughts and prayers this night and I just would like to take a moment and observe. [Moment of silence.] Thank you so much. Okay. Thank you, Alexia.

Councilor Hall: Good job.

President Cantor: All right. She will be in Congress some day or something. I don't know. But, or maybe president. Okay. Roll Call, Ms. Labrot.

ITEM #3 - ROLL CALL: COUNCILORS BARNES, CANTOR, DAVIDOFF, DODGE, HALL, KERRIGAN, WENOGRAD AND WILLIAMS WERE PRESENT. COUNCILOR CASPERSON WAS ABSENT. MS. RENFRO SAT AS ALTERNATE FOR PUBLIC HEARING.

President Cantor: Thank you. Number four, Mr. Davidoff.

ITEM #4 - APPROVAL OF MINUTES

Vice-President Davidoff: I move that we accept the Minutes and approve them from the Town Council's Special Meeting of 5/16/2016; the Town Council Meeting Minutes of 5/24/2016; the Public Hearing Minutes on 511 New Park Avenue on 5/10/2016; the Public Hearing Minutes, Resolution Authorizing Submission of the Neighborhood Assistance Grant Application of 5/24/2016.

Councilor Kerrigan: Second.

President Cantor: Motion has been made and seconded. All those in favor?

All: Aye.

President Cantor: All those opposed? Motion carries. Number five, Public Forum.

ITEM #5 - PUBLIC FORUM

President Cantor: We have no one signed up for the Public Forum. This is an opportunity to address items on the Town Council Agenda that will not, that we will act upon on tonight's meeting and not subject to a public hearing. Does anybody out there want to comment? I didn't think so. Okay. Number six, Mr. Van Winkle.

ITEM #6 - REPORTS OF TOWN MANAGER

Mr. Van Winkle: Thank you, Mayor. I don't have anything in particular to talk about except for the same thing I talked to you about multiple times. We're all driving too fast. Two weeks ago,

we had two families here with very different roads, talking about how cars speeding on their streets have taken away their front yards, taken away their neighborhoods for the families. I was at both those sites and lastly at, on Trout Brook Drive at rush hour with the Police Chief and we stood on their front lawn and felt uncomfortable as cars whizzed by and, and found things like this on their lawns from car accidents that happened that hit telephone poles and had other things happen. Every one of us is driving too fast. You have all sped in your car at some point in time. We all know that. And we all need to recognize the impact we have on our neighbors, on our community when we do that. And so there's not a whole lot that the town can do to stop you from speeding. We will write tickets, but we don't have enough police officers to catch the, all the cars that are speeding in West Hartford. The physical changes we make in the streets have really modest impact on speeding. So what I ask for everybody and I've asked this multiple times and if you don't listen I'm going to keep asking it, is for all of us to try to slow down. There's a speed limit on your street. Drive the speed limit on your street. Start with your own street and then try to and follow the speed limits on all of our arterial streets, where traffic is more dense and more rapid. That's really all I have tonight. If you have any questions, I'd be glad to answer them.

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

Councilor Hall: Thank you. Could you, Mr. Town Manager, just go through what people should expect when they get their tax bill on their cars, because I, I'm just worried that that word is not getting out and we should use this opportunity to go over that again.

Mr. Van Winkle: Yup. Thank you. We get a list of addresses for automobiles from the Department of Motor Vehicles. It comes out of their new software. We got that list and saw that we were approximately 500 cars short over what we had last year, which is unusual. We don't see that kind of reduction in our, and we began to look through our list and we found that none of the school buses that are located in West Hartford were on our list at all. And Ellington called and said that they found them. They were in their community. They had all of the school buses in the greater Hartford region as being domiciled in Ellington. They were delighted by the increase in their tax base, but unfortunately, it was wrong. In your tax bill for your automobile will be a notice that says that if this tax bill is wrong, call us because we don't know if you own that car or don't own that car. It's what DMV tells us. If you own a car and you didn't get a tax bill, don't celebrate because we are still required by law to charge you 18% interest on your not paying a bill that is due, regardless of whether we notify you or not. We are still required to charge 18% interest on that payment. So if you don't get the tax bill, call us. If you get a tax bill that doesn't belong to you, call us. We are hopeful that the numbers are going to be okay but it seems likely and DMV themselves have sent out a notice saying that there are going to be some errors in the tax bills for automobiles. So if, if something's funny, just give us a call. You can call the Tax Collector's office in the Town Hall and we'll help you figure that out.

President Cantor: Thank you. It's a nightmare. Okay. Anybody else? Okay, Mr. Barnes.

Councilor Barnes: Thank you. Mr. Town Manager, the, originally the UConn Purchase and Sale Agreement was on our Agenda for tonight and I believe as of yesterday it was pushed, I believe,

to our next meeting. I was just wondering if you could advise the public as to why that happened?

Mr. Van Winkle: Sure. At your last meeting, we sent it to the Town Plan and Zoning Commission. They recommended approval. It comes back to this committee. The Resolution would appropriate \$250,000, which is our first payment to UConn until we complete our inspection of the site. We are not in an adversarial position with UConn. We are attempting to resolve some language issues. You know, the, UConn is selling it to us at a price, which is perhaps below what the market price is for that property if it were to be commercially developed or something. And they are doing that with the permission and, that if we were to flip it to someone at a commercial development price, that they should actually get a portion of that. And we're trying to write that language and our lawyers and UConn's lawyers are, are going back and forth, trying to get to all the instances. It's unfortunate that, you know, there are a million ways to sell a property, you know, and after seven years in this agreement, we don't owe them anything. We could flip it after seven years. Well, suppose we did a balloon payment? No payments now and in seven years you did? So there has to be a whole lot of language in there that covers the things that might happen and we're close. I expect on the 28th it will be before you and be here for your approval. We're just trying to dot the I's and cross the T's here. It's not a, there's not a conflict and there's no question that we'll be able to bring back to you a, a Purchase and Sale Agreement, which you will find acceptable.

Councilor Barnes: Thank you.

President Cantor: Thank you, Mr. Barnes. Anybody else? Okay. Number seven, Mr. Davidoff.

ITEM #7 - CONSIDERATION OF CONSENT CALENDAR: ITEMS 16-21 TO RECEIVE.

Vice-President Davidoff: I move that we place Items 16 through 21 on the Consent Calendar.

Councilor Kerrigan: Second.

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

All: Aye.

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

UNFINISHED BUSINESS:

ITEM #8 - APPLICATION ON BEHALF OF LOOMIS-WOOLEY HOMEOWNERS ASSOCIATION (LWAOA), PROPERTY OWNER OF 645 PROSPECT AVENUE, TO AMEND SPECIAL DEVELOPMENT DISTRICT #125. LWAOA IS REQUESTING THE ELIMINATION OF CONDITION OF APPROVAL 2.C: "SOLID WASTE COLLECTION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER/MANAGER." IF APPROVED, WASTE AND RECYCLING SERVICES WILL BE PROVIDED BY THE TOWN OF WEST HARTFORD.

DENIED WITHOUT PREJUDICE 9-0; REFERRED TO COMMUNITY PLANNING AND PHYSICAL SERVICES COMMITTEE

Vice-President Davidoff: Item number eight, I move that we approve an Application on behalf of Loomis-Wooley Homeowners Association, LWHOA, property owner of 645 Prospect Avenue, to amend Special Development District No. 125. LWHOA is requesting the elimination of conditional approval 2.C: "Solid waste collection shall be the responsibility of the property owner/manager." If approved, waste and recycling services will be provided by the Town of West Hartford.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. I would like to actually propose an alternate motion that we, after discussion with some of my fellow Councilors, that we deny without prejudice and we refer to Community Planning for a further discussion on, a study on the inconsistencies and, and looking at policies of this, this issue of trash collection and the inconsistencies that we've seen. I, in an informal discussion, this was, this was an issue that may not have passed, and I would like to make sure that if it, it doesn't pass, if we do it this way, that you are free to come back at no, without prejudice, before a year and that we have more data on and understanding. You felt like you didn't have enough information with John Phillips. We also felt that way. We received the, the information back today. We also would like to dig into this a little further, understand why this is happening for this project, all the other projects, and future projects. We need to have some understanding. It may be valid that there are inconsistencies at a certain point in time that, but how many SDDs are there? So anyway, that was, that's what I would like to, to do. So, thank you either way. All right. So all those in favor of the counter, oh, I need a second first.

Councilor Kerrigan: Second.

President Cantor: All those in favor of the counter?

All: Aye.

President Cantor. And all those opposed? Okay, and the motion carries. And then we can go, have a discussion. Does anybody want to have a...Mrs. Hall.

Councilor Hall: I just want to point out that, you know, while we can't always fix things that happened in the past, I think it's our duty to make sure we don't compound errors. And I think had we moved forward tonight with a decision one way or the other, it was going to, you know, just further those inequities. So I think it makes sense for us to all step back and really analyze how does the town want to move forward? But we don't want to penalize the applicant with, with waiting a year before they could come back based upon whatever we, we come up with. So I think this is a good solution.

President Cantor: Thank you, Mrs. Hall. Anybody else? Okay. Seeing that it's not a roll call vote, right, so all those in . . .

Mr. O'Brien: No, it would be a roll call vote.

President Cantor: Oh, it is a roll call vote. I'm sorry. Okay?

Mr. O'Brien: The motion is to deny without prejudice.

President Cantor: The motion is to deny without prejudice and refer to Community Planning. Okay. Ms. Labrot.

Councilors Barnes, Cantor, Davidoff, Dodge, Hall, Kerrigan, Wenograd, Williams and alternate Renfro voted YES.

Ms. Labrot: It's unanimous.

President Cantor: Thank you for your efforts. I appreciate it and we'll, I mean, I'm sure we'll talk further. Thank you so much.

President Cantor: Number nine, Mr. Davidoff.

ITEM #9 - RESOLUTION AUTHORIZING THE PURCHASE OF THE UNIVERSITY OF CONNECTICUT - WEST HARTFORD CAMPUS PROPERTY

TABLED TO THE JUNE 28TH TOWN COUNCIL MEETING.

Vice-President Davidoff: I move that we table the Resolution authorizing the purchase of the University of Connecticut - West Hartford Campus property.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. All those...thank you, Ms. Renfro. All those in favor?

All: Aye.

President Cantor: All those opposed? Okay, no discussion. Number 10, Mr. Davidoff.

NEW BUSINESS:

ITEM #10 - ORDINANCE AMENDING THE ADMINISTRATIVE APPROVAL PROCESS APPLICABLE TO SPECIAL DEVELOPMENT DISTRICTS

SET FOR PUBLIC HEARING ON JULY 26, 2016, AT 6:15 P.M. AND REFERRED TO TPZ AND CRCOG

WHEREAS the Special Development District ("SDD") approval process has proven, time and time again, to be an invaluable development tool; and

WHEREAS the ordinance establishing the SDD process was first established at a time when development projects in West Hartford were far less complex than is now the case; and

WHEREAS the requirements imposed upon applicants to comply strictly with their approved SDD plans are extremely important but may, in some cases, actually be an impediment to the completion of projects; and

WHEREAS the authority granted to the Town Planner to approve certain minor amendments to approved SDD plans does not adequately address developers' needs to make minor plan modifications when addressing unanticipated issues; and

WHEREAS changes in technology and record-keeping practices make it unnecessary for applicants to submit multiple sets of final approved plans

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT section 177-44 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

- A. Purpose. In order to permit and encourage variety and flexibility in land development that will be in harmony with the objectives of the Comprehensive Plan for the Town's development, the Town Council, upon application, may approve, disapprove or approve with modifications a plan for the development of land, which plan may require changes in the regular standards applying to the permitted uses of land in the zoning district in which it is located, subject to the following standards and procedures.
- B. Standards.
 - (1) The property shall be not less than the minimum required lot size in any district unless the application is for a subdivision involving a variety of lot sizes.
 - (2) The Town Council shall make findings that the plan as approved will be:
 - (a) In harmony with the overall objective of the Comprehensive Plan, as defined in Article I of this chapter.
 - (b) Superior to a plan possible under the regular standards of this chapter.
 - (c) In harmony with the actual or permitted development of adjacent properties.
 - (3) The total density of development, in terms of floor space, dwelling units and land coverage, shall not be greater than that permitted in the district in which the property is located.
 - (4) The standards of the Town Subdivision Regulations shall be met where a subdivision is proposed.
- C. Procedure.
 - (1) Filing of application.
 - (a) An application for approval of a special development plan shall be made in writing to the Town Council by the owner or owners of the fee to the land and of the fee to the buildings which are the subject of the application, together with any other applicant. When receiving an application, the Town Council may waive the requirement that all owners of the fee to the land and of the fee to the buildings which are the subject

of the application sign said application if:

- [1] Requested to do so in writing by the owner of an interest in the subject property or a tenant thereof; and
- [2] Good cause can be shown for the applicant's failure to obtain the required signatures; and
- [3] The applicant certifies that it has mailed, by first-class mail, postage prepaid, a complete copy of the application to the owner(s) who did not sign the application at their last known business or residential address(es).

- (b) For purposes of this section, if the property which is the subject of the application is held as a condominium pursuant to the Common Interest Ownership Act, Connecticut General Statutes Ch. 828, as that chapter may be renumbered or recodified from time to time, or pursuant to any predecessors or successors to that act, the requirement that all owners of the fee to the land and of the fee to the buildings which are the subject of the application shall be deemed to be satisfied if the duly authorized representative of the unit owners' association executes the application.

(2) All applications shall include the following information:

(a) Plot plan.

- [1] Three prints of a plot plan of the property drawn to scale based upon Connecticut Geodetic Survey (CGS) datum and certified by a licensed surveyor or engineer, showing the information required under § 177-41B(1); and

[2] Either of the following:

[a] One copy of the plot plan described in Subsection C(2)(a)[1] of this section provided on such computer medium and in such computer program or language as may be established by the Director of Community Services from time to time; or

[b] An application, addressed to the Town Council, for a waiver of the requirement to produce the computerized plot plan set forth in Subsection C(2)(a)[2][a] of this section setting forth, in detail, the reason(s) why compliance with that provision is impractical, unfeasible or impossible.

(b) Three prints of all proposed building floor plans and elevations, drawn to a

scale of not less than 1/16 inch equals one foot, including an indication of all materials proposed to be used in all buildings.

- (c) Three prints of a landscaping plan indicating the location, size and species of all plant materials proposed to be preserved and planted.
 - (d) For each building and land area proposed to be used for other than residential purposes, a description of the proposed uses, operations and equipment, number of employees and other occupants and techniques to be used in preventing the emission of any noise, vibration, radiation, odor or dust, smoke, gas, fumes or other atmospheric pollution of any kind.
 - (e) A statement of the Director of Health as to the adequacy of any proposed sewage disposal system.
 - (f) The Town Council shall set a public hearing on the proposed plan and refer the proposed plan to the Town Plan and Zoning Commission in accordance with Chapter XII, Section 5(b), of the Town Charter (Special Act No. 562 of 1957 General Assembly), as amended. If the special development plan requires a change of zone, Chapter XII, as aforesaid, shall be followed, together with the following procedures, and said Charter compliance shall be separately noted; otherwise the following procedures shall govern, and said plan may be approved by a vote of not less than a majority of the members of the Council. In the event of a zone change, the Council shall designate a consolidated hearing.
- (3) The Commission shall consider the application and shall approve, disapprove or approve with modifications the proposed plan within 60 days after referral. The plan, after action by the Commission, shall be submitted to the Town Council for its action. If the Commission shall fail to act on the application within the stated time limit, the application shall be submitted to the Town Council without further requirements as to Commission action.
 - (4) The Town Council shall hold a public hearing on the proposed plan as acted upon by the Commission and shall approve, disapprove or approve with modifications. Such development plan, if approved by the Council, shall modify or supplement the regulations of this chapter as they apply to the property included in the approved plan.
 - (5) The Town Council may attach any conditions to its approval as it considers necessary in order to assure continued conformance with the approved plan and the zoning regulations and may also require the submission of a suitable performance bond to assure satisfactory completion of necessary improvements.
 - (6) A copy[Copies] of the approved plan on permanent tracing material shall be filed, at the applicant's expense, in the offices of the Town Clerk, [and Plan and Zoning Commission, and an] An additional paper copy[on permanent material] and an

electronic copy shall be filed in the office of the Town Planner[Plan and Zoning Commission]in formats which he or she may specify from time to time. Any approved plan not so filed within 90 days after approval by the Town Council shall be null and void.

- (7) A suitable notation shall be made in the Zoning Ordinance and on the Zoning Map identifying any property for which a special development plan has been approved.
- (8) Except as otherwise specified in this section, applications for changes in approved plans shall be made and acted upon using the same procedure as required for the initial applications.
- (9) The Town Planner can approve the following adjustments to an approved SDD plan without Town Council approval, but the approval of such adjustments will not be effective until the day following that next regular meeting of the Town Council (at which meeting such adjustment shall appear on the Town Council agenda), which meeting is at least 10 days following the Town Planner's notification of his or her decision. The communication from the Town Planner shall state that the Town Council may reject it. The Council shall reject all applications for which a sign was not posted, in accordance with the requirements of § 177-46, at least seven days before the date of the Council meeting. The Town Planner may approve an application for an adjustment in the SDD plan only if he or she determines that, as modified, the SDD plan will continue to [be in accordance with]serve the purposes of the original SDD plan approved by the Town Council and that the findings made by the Town Council pursuant to subsection B(2) of this section will be satisfied thereby. [In no event can t]The Town Planner may not adjust [provisions in]elements of an SDD plan such that limitations in the underlying zone are exceeded by said adjustment. Each of the following elements in an approved SDD plan may be adjusted by the Town Planner[, not to exceed five total element changes]. The Town Planner may approve an application for an adjustment pursuant to this section only once every [12]6 months, not including those instances in which the Town Council reverses the Town Planner's decision and not including those instances in which the application is required in order to address unanticipated and immediate health, safety and/or welfare needs; further adjustments may be made only by Town Council amendment of the SDD plan.
 - (a) Any distance or area measurement may be adjusted by up to a cumulative total of 10%, but bulk limitations may be adjusted up to 10% or [500]1,500 square feet, whichever is less.
 - (b) The type, size, number and location of plantings required for landscaping purposes (but not those required for screening from adjacent residential areas) may be adjusted by the substitution of other plantings in the same class (deciduous or nondeciduous); by plantings of similar size and

number[whose size differs by up to 10% of that required by the SDD ordinance]; and by locating plantings within a radius of 50 feet from a site specified in the SDD ordinance.

- (c) The arrangement of parking spaces within a designated area may be adjusted, and the number of required parking spaces (including the mixture of types of spaces required) may be adjusted by up to a cumulative total of 10% of the required number of spaces or 10 spaces, whichever is less.
 - (d) Minor architectural changes.
 - (e) The location of accessory uses and structures.
 - (f) The size of signs.
 - (g) Any adjustment necessary to conform to conditions of approval imposed by other federal, state or local agencies which may have jurisdiction with respect to any aspect of the property that is subject to the SDD plan.
- (10) No approval pursuant to this section shall be effective until the approval plan is filed as prescribed by § 177-44C(5).

Vice-President Davidoff: Number 10, I'd like to make a motion that we set for public hearing an Ordinance amending the administrative appeal, administrative approval process applicable to Special Development Districts on July 26 at 6:15 P.M. and refer to TPZ and CRCOG.

Councilor Kerrigan: Second.

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

All: Aye.

President Cantor: All those opposed? Okay, motion carries. Number 11, Mr. Davidoff.

ITEM #11 - ORDINANCE EXTENDING THE MORATORIUM ON THE APPROVAL OF GROUND-MOUNTED AND POLE-MOUNTED SOLAR ENERGY SYSTEMS IN RESIDENTIAL ZONES

SET FOR PUBLIC HEARING ON JULY 26, 2016, AT 6:25 P.M.; REFERRED TO TPZ AND CRCOG

WHEREAS the Town Council of West Hartford adopted an ordinance on October 28, 2014 which permits the installation of certain alternative energy systems within the Town; and

WHEREAS ground-mounted and pole-mounted solar energy systems are permitted as accessory uses in residential zones pursuant to said ordinance, subject to certain limitations; and

WHEREAS concerns have been raised about whether the limitations contained in said ordinance are sufficient to protect neighboring property owners; and

WHEREAS the Town Council adopted a six-month moratorium on the approval of ground-mounted and pole-mounted solar energy systems on January 26, 2016; and

WHEREAS the administration wishes to propose further restrictions on ground-mounted and pole-mounted solar energy systems to properly balance the interests of all property owners within the Town; and

WHEREAS the Town Council's meeting schedule during the months of July and August precludes the adoption of further restrictions before the expiration of the current moratorium period

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD that subsection 177-37.3E of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

E. Moratorium:

Notwithstanding the provisions of this section, the installation of ground-mounted or pole mounted solar energy systems shall not be a permitted use in any residential zone until the Town Council, acting as the Town's zoning authority, adopts revisions to the zoning ordinances regulating such systems or [for six (6) months following the effective date of this ordinance] until October 31, 2016, whichever is sooner.

Vice-President Davidoff: I'd like to move that we set for public hearing an Ordinance extending the moratorium on the approval of ground-mounted and pole-mounted solar energy systems in residential zones, public hearing to be set on July 26 at 6:25 P.M. and refer to TPZ and CRCOG.
Councilor Kerrigan: Second.

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

All: Aye.

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

ITEM #12 - RESOLUTION CONCERNING STATE FILING FOR CONSTRUCTION AND RENOVATION OF SCIENCE LABORATORY CLASSROOMS AT HALL HIGH SCHOOL

ADOPTED, 8-0

WHEREAS, it has been determined that there is a need to construct and renovate science laboratory classrooms at Hall High School, and

WHEREAS, the Board of Education and the Town Council have appropriated sufficient funding in the Hall Science Laboratory Classrooms Capital Account to undertake this project, and

WHEREAS, in order to be eligible for State school construction grant funds, the State Department of Education requires the authorization of the Town Council to initiate a school construction project,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of West Hartford that the Superintendent of Schools is authorized to file notice of a proposed school building project, to work with the established building committee, begin architectural drawings and make applications for grant assistance from the State Department of Education.

Vice-President Davidoff: I move that we adopt the Resolution concerning the state filing for construction renovation of science laboratory classrooms at Hall High School.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. Mr. Van Winkle, would you like to?

Mr. Van Winkle: Yes. Mayor, this is a Resolution that allows the Town of West Hartford, the Town Board of Education, to apply for a state grant. Under, under our construction rules in the Town of West Hartford and with the state, the state has been a participant in most of our new construction or substantial renovation projects of our schools. Historically, we've gotten grants of, from 40% to 80%. Eighty percent on our new Charter Oak School. In this case, you approved in your budget that was adopted in April, a capital appropriation for the construction of additional science classrooms and other classrooms at Hall High School that was estimated to be \$12.6 million and about 40% of that was to come from the state grant. Recently, the state adopted a bond or bond legislation that was just adopted by this last session and the state gave to the town \$8 million of that \$12.6 for the construction of the science labs. So tonight, you will, you should approve an authorization that the Superintendent begin the process for applying for that grant, working with his building committee, begin to do architectural drawings and make that grant application as soon as those drawings are done. This is necessary for the, the Education Department to be able to get this grant and so it's necessary for you to pass this.

President Cantor: Thank you, Mr. Van Winkle. Any comments or questions? Okay. All those in favor?

All: Aye.

President Cantor: All those opposed? Motion carries. Announcements.

ITEM #13 - ANNOUNCEMENTS

President Cantor: I have a couple quick ones. There will be a, actually, the interfaith leaders in our community have organized a Vigil tomorrow night at 6:00 P.M. in Blue Back Square and as far as I know, there will also be a deaf interpreter. I have not heard back yet. I had reached out to somebody but I have not heard back yet. Hopefully, there will. And I also, Alexia had mentioned, we went to a music and movie event, a public event at, at University of St. Joseph's. It is a, a new program. They are going to be doing five things over the next month. There's music and movies, including The Lego Movie, and it will be open to the public in their courtyard, and it was a really, really wonderfully-attended event and a lot of community outreach, which was great. And make sure that you come to thank Scott Slifka on Wednesday,

June 22, 5:30 to 8:30 in the auditorium. Tickets are \$35. You can go to www.whctv.org or call (860) 561-1260 to benefit WHCT-TV and the Town that Cares. Fun, it will be a fun night and give recognition to our dear friend and historic leader, Scott Slifka. Anybody else have other announcements?

Councilor Barnes: I do.

President Cantor: Mr. Barnes.

Councilor Barnes: I have one. Tonight we received a letter at the Council table and it related to the Tennessee Gas Pipeline. And some of you may recall from, I believe it was last summer, the issue came to light probably towards the end of the summer and we ended up having a public hearing in the auditorium that was very well attended to hear from Kinder Morgan and Tennessee Gas Company, talking about the project. And under the proposal at the time, it would've required a second or parallel gas line to run right through the MDC property here in West Hartford. And so there was a lot of concern about that and, and as a result of that, this Council passed a Resolution asking for further research and investigation about potential alternative routes for that, for that pipeline because we felt that that had not been done, that the alternatives had not been explored. Well, Tennessee Gas went ahead and filed an application with the Federal Energy Regulatory Commission in the fall of last year and we just received a letter, looks like it was dated a couple of weeks ago, but we just received the letter, saying that Tennessee Gas and Kinder Morgan are withdrawing their application to go forward with the proposed gas pipeline. And the, the stated reason is, as a result of inadequate capacity commitments from prospective customers and a determination that the project is uneconomic. So to those of you out there that were aware of this issue last summer and were wondering what happened to it, we have a resolution and it looks like Tennessee Gas will not be going forward with the, the project. And so as of now, there's no gas pipeline coming through West Hartford, so thank you.

President Cantor: Thank you, Mr. Barnes. Anybody else? Okay. Seeing none. Appointments, oh, no. Reports from Corporation Counsel. Mr. O'Brien.

ITEM #14 - REPORTS FROM CORPORATION COUNSEL

Mr. O'Brien: Yes. We don't need Executive Session, and I'll be happy to answer any questions you might have.

President Cantor: Thank you. Any questions for Mr. O'Brien? Okay, seeing none. Number 15, Mr. Davidoff.

ITEM #15 - APPOINTMENTS

Vice-President Davidoff: I move we appoint the following people to the following Commissions: Appoint Allyssa Norwood to the West Hartford Bloomfield Health District for a term ending 12/31/2019; appoint Max DuBuisson as an alternate to the Clean Energy Task Force; appoint Mayor Shari Cantor, Deputy Mayor Leon Davidoff and Minority Leader Denise Hall and Jim Bergenn to the Ethics Commission for a term ending 11/21/2017; appoint Gordon Binkhorst as an alternate to the Town Planning and Zoning for a term ending 12/31/2017; reappoint Chris Bennett to the Parks & Recreation Advisory Board for a term ending

12/31/2018; and reappoint Lawrence Josiah to the Veterans' Commission for a term ending 12/31/2018.

Councilor Kerrigan: Second.

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

All: Aye.

President Cantor: All those opposed? The motion carries. Number 22, Mr. Davidoff.

ITEM #22 - CONSENT CALENDAR

ADOPTED

ITEM #16 – FROM TOWN PLAN AND ZONING RE: 645 PROSPECT AVENUE – RECOMMENDING APPROVAL

ITEM #17 – FROM TOWN PLAN AND ZONING RE: PURCHASE OF UNIVERSITY OF CONNECTICUT-WEST HARTFORD CAMPUS PURCHASE – RECOMMENDING APPROVAL

ITEM #18 – FROM DESIGN REVIEW ADVISORY COMMITTEE RE: 645 PROSPECT AVENUE – RECOMMENDING APPROVAL

ITEM #19 – FROM CAPITOL REGION COUNCIL OF GOVERNMENTS (CRCOG) – RE: 645 PROSPECT AVENUE – FINDING NO APPARENT CONFLICT

ITEM #20 – MINUTES FROM PUBLIC SAFETY COMMITTEE 5-5-2016

ITEM #21 – MINUTES FROM FINANCE AND BUDGET COMMITTEE 5-9-2016

Vice-President Davidoff: I move adoption of the Consent Calendar.

Councilor Kerrigan: Second.

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

All: Aye.

President Cantor: All those opposed? Motion carries. No Communications, no Petitions, no Executive Session.

ITEM #26 - ADJOURNMENT

President Cantor: I make a motion that we adjourn.

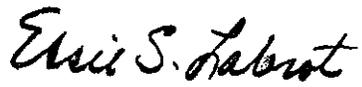
Vice-President Davidoff: Second.

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

All: Aye.

President Cantor: Those opposed? Motion carries.

Meeting adjourned at 8:57 P.M.



Essie S. Labrot
Town Clerk/Council Clerk

ESL/pt

APPROVED AT JULY 26, 2016, TOWN COUNCIL MEETING