

**WEST HARTFORD TOWN COUNCIL MEETING
OCTOBER 13, 2016
LEGISLATIVE CHAMBER**

ITEM #1 - MEETING CALLED TO ORDER AT 7:31 P.M.

President Cantor: Okay, we're going to call the Town Council meeting to order but we have a very special group to lead us in the Pledge of Allegiance so I would, I'd like to ask Troop 441 from Webster Hill to come up and lead the Pledge of Allegiance. So come on on this side. Come around the podium and come over here.

ITEM #2 - PLEDGE OF ALLEGIANCE

President Cantor: Okay. Do you want to take a picture while you're up here and can we get everyone in here? Thank you so much for coming. All right. Thank you very much. And while they're sitting down, we can take attendance, Ms. Labrot?

ITEM #3 - ROLL CALL: COUNCILORS BARNES, CANTOR, DAVIDOFF, DODGE, HALL, KERRIGAN, WENOGRAD AND WILLIAMS WERE PRESENT. COUNCILOR CASPERSON WAS ABSENT.

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

ITEM #4 - APPROVAL OF MINUTES: RECEIVED

Councilor Davidoff: Thank you, Madam Mayor. I move the approval of the Minutes of the Town Council meeting of 9/27/2016; the Minutes of the Public Hearing, Ordinance Revising Policies and Procedures for the Collection of Refuse, 9/13/2016; and approval of the Minutes of the Public Hearing, the Ordinance Amendment Application on behalf of Lexham West Hartford Owner, LLC, of 9/27/2016.

Councilor Kerrigan: Second.

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

Councilors: Aye.

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

ITEM #5 - PUBLIC FORUM

President Cantor: We have a section in the Town Council where people can speak for, for two minutes unless they're a member of a group, that would be for five minutes, on things that unrelated to a Public Hearing but relate to something on the Town Council Agenda. I have somebody that signed up, Don Bailey. Come on up and state your name and address for the record and the number, the item number that you're referring to, speaking. Then you're here, you're here. Thank you. No problem.

Mr. Bailey: It's in relation to the, the Ordinance in consideration for establishments, entertainment...

President Cantor: We are holding a Public Hearing on that, and you're welcome to come and speak on that. Thank you so much. Okay, I appreciate it. Thank you. Okay, is there anybody else that is in the audience that would like to speak to something on the Agenda but not subject to a Public Hearing? Okay. Thank you so much. Number six, Mr. Davidoff.

ITEM #6 - CONSIDERATION OF CONSENT CALENDAR: ITEMS 16 AND 17 TO RECEIVE.

Councilor Davidoff: Thank you, Madam Mayor. I'd like to place items 16 and 17 on the Consent Calendar.

Councilor Kerrigan: Second.

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

Councilors: Aye.

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

NEW BUSINESS:

ITEM #8 - ORDINANCE ESTABLISHING PROCEDURES FOR LICENSING AND PUBLIC SAFETY POLICE DETAILS AT ENTERTAINMENT ESTABLISHMENTS

SET FOR PUBLIC HEARING ON OCTOBER 25, 2016, AT 6:30 P.M.

WHEREAS the zoning ordinances of the Town of West Hartford do not permit nightclubs or other similar establishments, but certain places of business located in the Town may hold themselves out to the public as restaurants, nonprofit membership clubs, or other permitted uses while operating more like a nightclub than any use which is permitted within the Town; and

WHEREAS such establishments, which provide amplified music, sound or other noise for musical performances or dancing may have a detrimental effect on adjacent public or private property because of excessive noise, accumulation of outdoor trash, and alcohol abuse; and

WHEREAS such establishments have been known to draw a large number of patrons, resulting in a detrimental effect on public safety including, but not limited to, problems with loitering, fighting and other physical altercations which are injurious to the public health, and other serious criminal activities; and

WHEREAS the requirement of an entertainment license will provide standards for the appropriate operation of such places of business and penalties for violations thereto; and

WHEREAS the requirement of police details will aid in preventing crimes and nuisance, provide for public order, safety, and peace for residents and the general public, and protect employees and guests of establishments such as those described herein.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the West Hartford Code of Ordinances is hereby amended by the addition of the following new chapter thereto.

CHAPTER 75. ENTERTAINMENT LICENSES AND PUBLIC SAFETY POLICE DETAILS.

ARTICLE I. Entertainment Licenses.

Section 75-1. Definitions.

The following words shall have the meaning given in this section unless the context clearly suggests otherwise. All words and terms not defined herein shall be interpreted in accord with standard usage.

Abatement Plan. A written plan developed by the Chief of Police and the licensee which describes the measures that shall be taken by the licensee to abate any violations of the Operational Restrictions as detailed in Section 75-3.

Amplified or Amplification. Any music, sound or other noise which utilizes electronic equipment such as electronically powered microphones, speakers, or bullhorns to increase the decibel level thereof.

Application. An entertainment license application the form of which shall be provided by the Chief of Police to all persons required to obtain a license pursuant to this chapter.

Entertainment. Live or pre-recorded amplified musical performances, and or dancing to live or pre-recorded amplified music or song, either by patrons or by performers for the benefit of an audience of two or more persons.

Establishment. Any existing or proposed place of business located in the Town, regardless of its classification for purposes of the Town's zoning ordinances, regardless of whether it is open to the public or is maintained as a private club and regardless of whether an admission, membership or other fee is charged in order to attend, which provides amplified entertainment.

Incident Report. Documentation generated by the police or fire department when public safety personnel report or are summoned or a complaint is filed regarding any loud, disturbing, illegal or violent conduct on the premises of an establishment.

Licensee. The owner of the structure in which the establishment is located, the operator of the establishment (if different from the owner), and the liquor permittee for the establishment designated by the State of Connecticut shall all be required to be co-applicants for, and shall execute the application for an entertainment license. All licensees shall be bound equally to comply with the requirements of this chapter and each licensee shall be subject to the penalties established herein for each violation thereof.

Low Volume. Sound played at a level such that a person speaking in a normal tone of voice can be heard clearly over this sound by another person standing thirty-six (36) inches away.

Police Detail. One or more police officers assigned to an establishment to maintain order, prevent crime, and enforce State statutes and regulations and Town ordinances.

Section 75-2. Entertainment Licenses.

- A. **Applicability; Exemptions.** This chapter shall apply to any place of business located within the Town of West Hartford offering, on a regular or occasional basis, entertainment which includes (1) live or pre-recorded amplified musical performances, or (2) dancing to live or pre-recorded amplified music or song, except for the following exempt activities:
- (1) Religious services or performances at any church or other place of worship;
 - (2) Any place of business providing music systems operated at a low volume which does not disrupt normal conversation and is not intended for entertainment;
 - (3) Any activity approved by the Town or otherwise permitted by law to take place on public land;
 - (4) Public and private school programs; studios for instruction in music or dance; and
 - (5) Activities of organizations that are tax-exempt under section 501(c)(3) of the Internal Revenue Code.
- B. **Application Requirements.** An Application shall be submitted to the Chief of Police to provide entertainment in all establishments as herein defined. Each Licensee of an Establishment shall be held responsible for all violations of the requirements and restrictions specified herein. Approval of the Application shall be required prior to the commencement of operation as an establishment providing entertainment, as defined herein. An Application shall include a completed Application Form as provided by the Town. An Application shall not be submitted prior to receipt of all required land use approvals for the proposed use.
- C. **Application Review.** The Application shall be submitted to the Chief of Police, who shall approve or deny the Application within thirty (30) days after submission. An Application shall be approved if: (1) it complies with all requirements set forth in this chapter and in the application itself; (2) the applicant establishes compliance with the zoning ordinances of the Town of West Hartford; (3) the applicant establishes compliance with any other applicable statutes and/or ordinances such as, but not limited to, food service licensing and/or liquor licensing laws. If the Chief of Police denies the Application, he shall state, in writing, why the Application does not comply with the requirements of this chapter.
- D. **Duration.** A license shall be valid until (1) there is a change in the licensee, as herein

defined, in which case a new Application shall be submitted and approved prior to the commencement of any applicable activity after the change or, (2) the license is revoked pursuant to the provisions of this chapter. A license is not transferable.

- E. Existing Establishments. Any establishment which is lawfully in existence as of the effective date of this Ordinance shall be allowed to continue providing entertainment provided that it files an Application no later than thirty (30) days after the effective date of this Ordinance.

Section 75-3. Operational Restrictions.

Any establishment which receives a license under this Ordinance shall comply, as a condition of the license, with the requirements of this chapter as well as all other federal, state and/or local laws. The following requirements, which are intended to provide reasonable assurances that the quiet, safety and cleanliness of the premises and vicinity are maintained, shall be met at all times:

- A. Noise.
 - (i) A licensee shall not make, cause to be made or otherwise allow any unreasonable noise to emanate from the establishment. Noise shall be deemed to be unreasonable when it disturbs, injures or endangers the peace or health of neighboring persons of ordinary sensibilities or when it endangers the health, safety or welfare of the community. Any such noise shall be considered to be a noise disturbance and public nuisance. The prohibitions of this section shall apply whether or not the noise exceeds the decibel levels set forth in Chapter 123 of the West Hartford Code of Ordinances.
 - (ii) Amplified music permitted with outdoor dining pursuant to an approved special use permit shall not be considered unreasonable noise.
- B. Hours of Operation.
 - (i) Entertainment shall cease one half hour prior to the closing of the establishment.
 - (ii) The licensee and employees of the premises may remain on the premises after closing for the purpose of cleaning, maintenance, security, food preparation, and closing the business but no amplified sound shall be permitted during any such operations.
- C. Maintenance, Design and Security.
 - (i) All licensees shall maintain efficient and affirmative supervision over the conduct of their patrons within the licensed premises and/or on sidewalks contiguous to the licensed premises. This obligation shall include maintaining free and clear passage on public rights-of-way, on real property owned or leased by the licensee within which the licensed premises are located and in parking areas owned or

leased by the licensee for use by patrons of the licensed premises.

- (ii) All licensees shall be responsible to keep all outdoor space on the property within which the establishment is located, including parking areas, decks, seating areas and all other lands owned or leased by the licensee, and all public sidewalks abutting the property within which the establishment is located clear of litter and cleaned daily within eight hours after each closing.
- (iii) Entertainment inside the building shall only be provided in location(s) designated in the Application and shall be located so as to minimize noise or other nuisances affecting adjacent property.
- (iv) All fights, disturbances, violence or any other violation of law shall be reported to the police immediately by the licensee or employees of the establishment.
- (v) All establishments which serve alcoholic beverages shall comply with and be operated in accordance with all applicable federal, state and Town statutes, regulations, and ordinances.
- (vi) The establishment shall implement other conditions and/or management practices necessary to ensure that management and/or patrons of the establishment maintain the quiet, safety, and cleanliness of the premises and the vicinity of the use.
- (vii) The licensee shall take all reasonable measures to ensure that public sidewalks and private ways adjacent to the premises are not blocked by patrons or employees.
- (viii) The licensee shall provide security whenever patrons gather outdoors. This shall not be applicable where outdoor dining is occurring pursuant to an approved special use permit.
- (ix) Employees of the establishment shall be posted at all entrances and exits to the establishment during the period from 10:00 p.m. until all patrons have left the premises following closing. These employees shall take reasonable steps to prevent patrons waiting to enter the establishment and those exiting the establishment from disrupting the quiet and cleanliness of the neighborhood as they leave the establishment.

D. Abatement Plan. Any establishment operating under an abatement plan shall comply with the conditions of said plan at all times.

ARTICLE II. Public Safety Police Details.

Section 75-5. Incident Report Review.

Upon reviewing incident reports relating to any place of business located within the Town of

West Hartford which is required to have an entertainment license, together with any other reliable information available to him/her concerning the premises, the Chief of Police shall determine whether the public safety of the patrons, invitees, employees or the general public requires the deployment of a police detail to the premises. The Chief of Police shall determine the appropriate number of officers to be included in said detail.

Section 75-6. Determining Factors.

For purposes of determining whether to deploy a police detail, the Chief of Police shall consider, but not be limited to the following factors in making a determination:

- (1) The nature, scope, and seriousness of the incident(s);
- (2) The occurrence of violence and whether physical injuries resulted;
- (3) Historical information regarding the premises and the owner(s) or permittee(s) with respect to similar incidents;
- (4) The level of cooperation or lack of cooperation from the owner(s) or permittee(s) of the premises in addressing or correcting incident(s); and
- (5) The benefit to the public's safety of deploying a police detail to the premises.

Section 75-7. Public Safety Police Details.

In the event it is determined that a police detail is necessary for public safety purposes, the permittee(s) or owner(s) in charge of the premises will, upon notice, be required to pay the cost to the Town of said police detail, in an amount to be determined by the Chief of Police which includes any necessary expenses incurred by the police department for providing such services. Said police detail shall initially be required for no more than four (4) weeks. After said period, the Chief of Police shall review the situation and any new information available to him/her. The Chief of Police may revise the number of detail police officers required or may terminate the requirement for police detail. The Chief of Police shall continue this four-week review cycle until such time as he/she determines that a police detail is not necessary.

Section 75-8. Notice requirements.

Prior to any determination by the Chief of Police of the necessity for a police detail, he or she shall notify the permittee(s) or owner(s) in charge of the premises, in writing, via in hand delivery or via certified mail delivered to the premises, and shall offer the permittee(s) or owner(s) an opportunity to present any evidence within five (5) business days which he or she believes is relevant to the decision of whether to order a police detail.

ARTICLE III. Administration and Enforcement.

Section 75-9. Enforcement.

Unless otherwise provided herein, the provisions of this chapter may be enforced the West Hartford Police Department, by any official charged with the enforcement of the Town's zoning ordinances, or by any member of the West Hartford-Bloomfield Health District. At all times

while the premises are occupied, police and other enforcement officials, while on duty, must be admitted and granted access to the entire licensed premises, including the parking lot and other areas surrounding the building within which the establishment is located. No licensee or any employee thereof shall interfere with the official duties or activities of any such police or enforcement official in any way. No licensee or employee thereof shall harass, either verbally or physically, any police or other enforcement official while such police or other enforcement official is performing his or her official duties on or within the establishment or other areas surrounding the establishment.

Section 75-10. Penalties.

- A. Each person who operates an establishment that provides entertainment without first having obtained a license as required by this chapter shall be fined \$250 per day for each such violation. Each person or entity which would be required to be an applicant for a license shall be subject to the penalties described herein.

- B. Each Licensee of any establishment found in violation of any of the restrictions specified in Article I of this Chapter by any official authorized to enforce this Ordinance shall be subject to the following penalties in addition to the requirement that a police detail be implemented where applicable:
 - (i) First Offense: Letter of warning.

 - (ii) Second offense within six calendar months of first offense: Licensee shall be required to meet with the Chief of Police or his/her designee within five (5) days of receipt of the notice of violation to establish an abatement plan, and fine of \$100.

 - (iii) Third Offense within six calendar months of second offense: License suspension of 15 days and fine of \$150.

 - (iv) Fourth Offense within six calendar months of third offense: License suspension of 30 days and fine of \$150.

 - (v) Fifth Offense within six calendar months of fourth offense: Revocation of license and fine of \$150. Licensee may reapply for a license no sooner than six months after the date of the violation.

Each letter of warning, notice of license suspension and associated citation shall be hand delivered or sent by registered mail within ten (10) days of the violation. The penalties specified above shall only pertain to the provision of entertainment on the premises and shall be in addition to any assessments or penalties imposed pursuant to any other applicable provision of law. Any suspension or revocation under subsections (iii), (iv) or (v) above shall be imposed commencing upon the sixteenth (16th) day following delivery of written notice of the proposed suspension or revocation to such licensee. The notice shall set forth the proposed grounds for the suspension or revocation and provide the

licensee with an opportunity to request a hearing before the Chief of Police to show why the license should not be suspended or revoked. Any such request by the licensee shall be in writing and addressed to the Chief of Police and to the Town's Office of the Corporation Counsel and shall be delivered by hand or sent by mail no later than ten (10) days after the date of receipt of the notice. Any person who does not deliver or mail written demand for a hearing within such ten (10) day period shall be deemed to have admitted liability. A request for a hearing shall stay commencement of the suspension until the hearing process is completed and a decision is rendered, provided however, that such stay shall not extend beyond the 30th day following delivery of the notice of the proposed suspension unless the Chief of Police determines that extraordinary circumstances warrant such an extended stay. If the Chief of Police determines, following said hearing, that the license shall be suspended or revoked, he or she shall enter an order which shall set forth the date on which the suspension or revocation shall take effect, which date shall be no later than fifteen (15) days from the date of entry of the order.

- C. Upon determination that a police detail is ordered pursuant to Article II of this Chapter, failure of any permittee(s) or owner(s) to abide by the decision of the Chief of Police shall be punishable by way of a fine of \$250 per day until a police detail is implemented or the Chief of Police determines that a police detail is not necessary, whichever occurs first.
- D. Additional Penalties for Court Enforcement. If any person violates any provision of this Chapter such person shall be liable to the Town for its costs and reasonable attorney's fees in any action in the courts of this state to enforcement the requirements of this chapter.

Councilor Davidoff: Item number eight is an Ordinance establishing Procedures for Licensing and Public Safety Police Details at Entertainment Establishments. I move we set for Public Hearing on October 25, 2016 at 6:30 p.m. in the Legislative Chamber.

Councilor Kerrigan: Second.

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

Councilors: Aye.

President Cantor: All those opposed? And that's when you can come, Mr. Bailey, and speak. Okay. Number nine, Mr. Davidoff.

ITEM #9 - RESOLUTION CONCERNING ZONING IN THE CENTRAL BUSINESS (BC) ZONE

ADOPTED, 8-0

WHEREAS the Town of West Hartford Town Council twice held a public hearing on potential changes to the zoning ordinances with regard to density in the Central Business (BC) zoning district, with particular interest in and impact on West Hartford Center, and

WHEREAS the Town Council did not approve those changes and directed town staff to reach out to the neighborhood surrounding the BC zone in West Hartford Center to create a public forum on the planning and zoning process and the applicability of planning and zoning principles within the BC zone, and

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of West Hartford that Town staff establish a working group of neighbors and property owners to review the zoning regulations in the BC zone, paying particular attention to regulations affecting building height, setbacks, building coverage, and floor-area ratios, and this working group will hold two public workshops to receive input from the broader community to discuss development density in the BC zone, at least one of which will be with the Town Plan and Zoning Commission.

Councilor Davidoff: I move we adopt a Resolution Concerning Zoning in the Central Business (BC) Zone.

Councilor Kerrigan: Second.

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

Mr. Van Winkle: Yes. I have our Director of Community Services, Mark McGovern. He is going to speak on this item and the following item.

President Cantor: Thank you. Welcome, Mark.

Mr. McGovern: Good evening. Mark McGovern, Community Services Director. This Resolution is a follow-up to your last meeting on September 27 in regard to the Zoning Ordinance that was considered that evening. Staff has been directed in this Resolution to fix this. It directs the Staff to start neighborhood outreach and work with a neighborhood working group to look at the issues related to the BC Zone and impacts on surrounding neighborhood, the issues that were discussed in the Public Hearing on the 27th and also discussed in an earlier Hearing in, in the springtime. And so we're prepared to set up a process in working with the neighbors, which would involve several meetings, and we anticipate two public forums as part of that. We expect it to take a few months. We've already had good discussions with Scott Falk, who is here this evening who we met with twice about the right way to go about doing that, so we feel confident that we'll be able to have our first meeting in early November and be back to you in a few months with our findings.

President Cantor: Thank you, Mr. McGovern. Anybody have any, Mr. Van Winkle, did you have something? No. Anybody have any questions? Yes, Mrs. Hall.

Councilor Hall: I'm just wondering if we could be a little bit more specific on who is going to be in that group, when we're going to have that? I know you said sometime in early November but a how, how are people going to find out about it? How do they get more information in case someone is interested and, you know...I'm just worried that it's still a little bit vague and I think we need to button everything down.

Mr. McGovern: Yeah, it is. We're, we haven't finalized the, the membership so to speak of the working group, but we are focusing on sort of the very specific zoning matters. We want to make sure that the discussion is focused, and we think we need to have a relatively small

working group of probably no more than 10 people made up of Staff, neighbors, and some commercial property owners as well. So we're working to identify the right candidates to do that. Certainly, we're going to start the discussion by going through sort of the basics of planning and, and sort of a, have a bit of a Planning 101 session so to speak to, to ground the group in the principles that we're dealing with that are part of our Zoning Ordinances. From there, it's going to be a little fluid but we anticipate that by having two public workshops, we'll likely seek the assistance of a planning consultant to help facilitate that. And we will most certainly publicize that and do what we can to get a much broader participation and a bigger, a bigger audience so to speak that can provide input in this process along the way.

Councilor Hall: And just by way of background, how long have you and your staff been working on this project to update our Zoning FAR ratios?

Mr. McGovern: At least a year I would say.

Councilor Hall: And was, was the application or the change that was brought forward something that the Town had expected would meet our needs and was in keeping with the Plan of Conservation and Development?

Mr. McGovern: Yes, it was, the original FAR Ordinance so to speak that was introduced last spring. It was put through committee and done within sort of the goals and objectives of the Plan of Conservation and Development.

Councilor Hall: Okay. Thank you.

President Cantor: Thank you, Mr. McGovern. Any other questions? And thank you, Mrs. Hall. Any other questions? Okay. So I will, all those in favor?

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Number 10, Mr. Davidoff.

ITEM #10 - RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A SPECIAL USE LICENSE WITH THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

ADOPTED, 8-0

WHEREAS, the Town of West Hartford is requesting access to a parcel of land owned by the Department of Energy and Environmental Protection; and

WHEREAS, the Department of Energy and Environmental Protection is willing to grant the Town access upon its execution of a Special Use License;

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD, 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 Special Use License 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 Special Use License and to execute any amendments, rescissions, and revisions thereto.

Councilor Davidoff: I move we adopt the Resolution authorizing the Town Manager to execute a Special Use License with the Department of Energy and Environmental Protection.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded and, Mr. McGovern, I think you're addressing this too? Thank you.

Mr. McGovern: Still Mark McGovern, still Community Services Director. So the Resolution before you would authorize the Town Manager to execute a Special Use License with DEEP. And this is sort of the first step in our Park Road 84 Interchange project. In time, you will receive an easement from DEEP, which you would need to approve. That's taking a little while, and so this is sort of the initial step that'll allow us to do some important work in advance the start of the project. And that work really is, is the relocation of utility lines, and so there are some trees that need to come down so that the utility lines can be moved prior to the start of the project. In some cases, it's in the Town Right of Way; in other cases, it's on DOT property but there's one section of land that's DEEP property and this use license would permit us the right to go onto that area of land right next to the entrance ramp to 84 to be able to take four trees down.

President Cantor: Thank you, Mr. McGovern. Do you want to just give a really brief description of the 84 project and just to give people a little context?

Mr. McGovern: Sure. Our, we've been working for several years now collaboratively with the Department of Transportation to make a major transportation improvement at Park Road and 84. In general, the main aspect of the improvement is to move the exit ramp from its current location next to the current entrance ramp. In addition, there will be two left-hand turn lanes to go along with the two existing right-hand turn lanes, and the spacing between the traffic lights in that area will be, will be lengthened, and that's really going to help congestion. And we see this as a way of really improving safety on this, on this, at this intersection both on the off-ramp, which is sort of the dangerous crest curve and it's makes it difficult for people to see as they come off the highway and weave into a turn lane, but it's also going to create better opportunities at the intersection of Trout Brook Drive and Park Road and Park Road and Raymond Road. So with these improvements, we think we'll, we'll decrease congestion, we'll reduce air pollution, and we're going to make it much safer for pedestrians. The project will also include an 8-foot wide sidewalk that will run from Trout Brook Drive all the way to Raymond Road, so all those things together, it's, it's quite a significant project and quite extraordinary that DOT would permit our town engineers to design part of their highway system. And that's, that's really what's happening, which is quite exciting.

President Cantor: And again, these are federal funds and some state funds that're, that're billable for?

Mr. McGovern: Yeah, it's, it's I think, believe 50/40/10 project where 50 percent is Federal, 40 percent is State, and 10 percent Town participation. All the funding flows, the Federal funding flows through the State DOT.

President Cantor: Yes. Thank you, I, Mayor Slifka and I had met with Senator Murphy and he was instrumental in making this, highlighting the, the importance and safety of this project. So any questions for Mr. McGovern on this? No?

Mr. McGovern: Oh, I can preempt one, when might it start? Aside from some of this initial work, we're getting our final approvals from the DOT this fall. We'll be out to bid the project in the wintertime with, with the goal of starting in the spring 2017.

President Cantor: And I'm sure there will be a lot more to follow on traffic and all that when it happens. So all right. Thank you very much. So all those in favor?

Councilors: Aye.

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

ITEM #11 - RESOLUTION TO APPROPRIATE \$41,000 IN THE FISCAL YEAR 2016-2017 BUDGET OF THE CAPITAL AND NON-RECURRING EXPENDITURE FUND FOR THE PURCHASE OF SNOWPLOW EQUIPMENT

ADOPTED, 8-0

WHEREAS, a departmental review of vehicles and capital equipment of the Town of West Hartford indicates the need for replacement of certain snow plow systems due to age and condition, and

WHEREAS, the Public Works Department would like to pilot an innovative snow blade system designed to follow the road surface, and

WHEREAS, this snow blade system is currently in use on State highways and is expected to clear snow and slush from the road surface more effectively and reduce salt consumption per plow route cycle, and

WHEREAS, the Capital Non-Recurring Expenditure Fund has revenue from sale of assets available for appropriation for the purchase of snowplow equipment,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD that the fiscal year 2016-2017 Capital and Non-Recurring Expenditure Fund budget is hereby amended as follows:

Increase Estimated Revenues

33-910800-30506-9387 Sale of Assets \$41,000

Increase Appropriations

33-910800-30506-3217 Snow Removal Equipment \$41,000

Councilor Davidoff: I move we adopt a Resolution to appropriate \$41,000 in the Fiscal Year 2016-2017 Budget of the Capital and Non-Recurring Expenditure Fund for The Purchase of Snowplow Equipment.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. Mr. Phillips is coming up, our Director of Public Works, to tell us about this. Thank you.

Mr. Phillips: John Phillips, Director of Public Works, good evening. The Resolution you have before you is to purchase just updates, some advanced equipment for our snowplows and update a couple of our older plows. The number 41,000 came from equipment that we sold at surplus auction, old outdated cars, stuff that just was beyond its service life and so that's where we came up with the number of 41,000. And then we went out looking at some of the equipment. One of the drivers to this Resolution was a new type of snowplow blade. It's a carbide blade that's coated in a rubber compound and it's sectional. Conventionally what we use now and what the majority of the industry is using now but again we're all trying to switch and find that next best thing to do snowplowing. We just use a steel blade just the on asphalt and we run. You hear us every night and, and it's loud and it's damaging, damaging both to the truck and this is just steel and welds. It's damaging to the roads but there's just inherent ills to that process. These blades that're starting engineering that we're going to take a look at, we're going to buy six of them in total and test them in, in six different spots throughout the town. That rubber-coated carbide system will be quieter on the road, you won't need as much lubrication with the water for, to reduce the friction. But they're flexible. Each one comes with about a one-foot section so not only do they flex this way but they also flex up and down. When you hit a structure that's in the middle of the road, the rest of your blade will stay adhered to the road and that will flex just over the manhole structure that may be in the road. So you're still maintaining contact. Right now, if we were to do that under the old technology with straight steel, the whole plow would bounce up, leave a section of road unplowed, and the truck continues on but there'll be a section of road that's full of snow. In some cases, you leave the whole pile and whatever's carrying your blade and being rolled over will get just dumped off and then the truck's got to make a round robin to come back and pick that up. That happens actually quite often. It's just, again, an ill to that type of technology. This will get us further along. There is a safety component to this because it's softer and absorbs that energy, it doesn't come through the blade through the truck and through the driver's hands. And I'm sure you've all felt it in just your own cars, you hit a bump, you feel that jar. Well picture yourself doing 20 miles an hour in a big truck and you hit something that can almost stop the truck. So we're hopeful this blade works. In talking to other communities that're using it, mainly up north, Minnesota. Canada's using this extensively. They're seeing a 3-year shelf life for this blade, which is a good thing. Straight steel, we can go, sometimes you're going through two or three blades a night on one truck, but a blade never really goes more than one or two storms if you don't break it before then. So we're hopeful we'll get the shelf-life out of it. Again, our roads are different than Minnesota and Canada so we've got to see how that

works out, but we're certainly hopeful we'll get more than a season or two out of this new technology. And then also in that money we're just going to, we have many plows that're '93 air vintage bought. They're really old. They have more than enough welds on that we just can't weld them any more to keep them serviceable and so we're just looking to replace the complete apparatus of the whole plow.

President Cantor: Thank you, Mr. Phillips. Any questions for Mr. Phillips? He's always for creative, new ways to do things more efficiently.

Mr. Phillips: We're trying our best.

President Cantor: But we're not going to get snow this winter, though, right?

Mr. Phillips: No. I hope not.

President Cantor: All right. Yes, Mr. Van Winkle.

Mr. Van Winkle: While we have him up here, I'm going to ask him for the weather forecast because we do get long-term weather forecasts that takes a look at what we might expect in our winters. Last winter, the forecast was fairly accurate as to a warmer, less snowy winter. This year's going to be a little different.

Mr. Phillips: Yeah, we, we subscribe to a service called WeatherWorks. It's a national weather service company. It's like having your own weather, meteorologist working for the Town of West Hartford. We, I can call them right now on my cell phone and he'll let me know if that shower's going to take tonight or not. So it's been a great service; they're very accurate. We've been using them for the past four or five seasons. They give us snow risk analogies. They let us know weeks in advance what our risks might be over the next couple weeks, so we have a high level of confidence with our weather service. And yeah, last year they predicted it. Actually, the last couple years they're really close to what they were. And the reports they give us are really in-depth and it gets beyond a commercialization of weather reports. It gets to why you'll see weather certain ways through reverse oscillation and positive oscillations and El Niño's and La Ninas, all those things like that. This year they're outlooking for a cold winter. I think everybody's in unison that it's going to be cold. The big question mark, will there be precipitation? That will be the big question mark, whether, will we be in that jet stream that generates moisture that will come up in the cold air that should be in place. And so if that's the case then we'll see our average amount of snow if not a little bit more, but if there's no moisture, there's no snow. But let's also, we are in a drought. The whole state, the whole New England region's really in a drought. Snow doesn't cure droughts because most snow evaporates before it turns to water and gets in the system. It's certainly helpful. We don't want to go the year without any snow. It certainly could benefit us but, you know, we are in a drought and sometimes those patterns can hang on for a long time before you see a real positive change in that weather pattern. But my prediction is a cold winter and probably just an average amount of snow.

President Cantor: Thank you very much. I should've checked.

Mr. Phillips: And I guess it's public record now, right, so I'm going to be held to it.

President Cantor: Check with you before my son's wedding date. All right. Thank you. That's really, really helpful.

Mr. Phillips: You're welcome. Thank you.

President Cantor: Thank you. Any questions for Mr. Phillips while he's here? Again, thank you very much.

Mr. Phillips: My pleasure.

President Cantor: Number, oh, Reports from the Town Manager, number 12, Mr. Van Winkle. Oh, I'm sorry. Did we not vote on that? Okay. All those, I'm sorry, all those in favor?

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Okay, thank you. Sorry. Now, Mr. Van Winkle.

ITEM #12 - REPORTS OF TOWN MANAGER

Mr. Van Winkle: So most people think we start the plows up and go off into the night and plow. Even snowplowing is a science if you will, a science of the weather, a science of the machinery. You know, we've changed our snowplows and rather than just casting lots of salt out, they actually have regulators depending on the temperature of the, of the road. John's truck, as he drives around, he could tell you what the temperature of the road is, and that helps us determine how much salt we put out on our, on our streets. So it's a fascinating field that's changed dramatically in the last decade. But before the snow comes, we have autumn and our 10-week leaf bag collection will begin October 24. So if you are out raking your yard, you can put your leaf bag at the edge of the road and you can put it out on Monday and during your trash collection day, we will come every week for 10 weeks and pick up your leaf bags. Only 30-gallon, biodegradable leaf bags are collected. No plastic bags. Don't put garbage in them. We're collecting leaves that're then recycled. They shouldn't weight more than 60 pounds. If you can get 60 pounds of leaves in a bag, God bless you, huh? So if you just get that bag out by 6 a.m. on your trash day or sooner, the day before, or the, the truck will go by your house every week and pick up the, the leaves that're out there. The Police Department is running a recruitment fair and open house on October 29 from 12-4 p.m. We are down seven officers in our police force, and so we are recruiting new police officers for our, the West Hartford Police Department. If you've always wondered what it might be like to work for a Police Department, here's your chance to get an inside look. You come to our West Hartford Police Station. We're hiring. We would like to attract applicants and have them come and take a look at what a career in law enforcement might be. And so our recruitment job fair and open house is on Saturday, October 29, from 12-4 at our West Hartford Police Station. Members of the Training Division and Community Relations will explain the hiring process and help and many other residents will be on-hand to explain the role of a police officer in a community. It's, this is really a great community to be an officer in. We have an incredibly well-trained police force in our community that keeps us safe. And so if someone is looking for a, a different career or a first career that can be very rewarding then this is a good, a great example of where you might try. And it never hurts to stop by on Saturday the 29th and hear what that job might be. Gentex smoke alarms are available. The Fire Department has instituted a program for providing smoke alarms to persons who have hearing impairments, and these smoke alarms are free. The special Gentex smoke alarms contain a powerful strobe light that has proven to be effective in waking persons who are deaf or hard of hearing. The alarms were purchased through a grant from Factory Mutual Insurance, that's the insurance company that the Town uses for most of its buildings. If, to obtain one, you need to just call the Fire Department, (860) 561-8320. Look us up in the, on, I was going to say look us up in the phone book but look us up online and you can

get the number for the Fire Department program. Again, these are free and available to those who have hearing impairments. That's really all I have tonight. It's a very short Agenda. If you have some questions, I'd be glad to answer them.

President Cantor: Thank you, Mr. Van Winkle. Anybody have questions for the Town Manager? No? Okay. We're moving on to number 13.

ITEM #13 - ANNOUNCEMENTS

President Cantor: I have a few Announcements and we will, if anyone else has them after me. We are, the Town is seeking new members for the Substance Abuse Prevention Commission. The West Hartford Substance Abuse Prevention Commission has, needs new members that will be appointed by the Town Council. So if you have an interest, please let us know. The Commission's mandate is to advise the Council on ways that it may help address the problems of substance abuse in the entire West Hartford population. If you are interested, please contact the Joanna Curry-Sartori, the Joanna Curry-Sartori at the Bridge Family Center at (860) 313-1119 extension 109 or Joanna@bridgefamilycenter.org. The deadline is October 19, 2016. Flu immunization clinics, Wednesday, October 13, 19, and 20. The West Hartford/Bloomfield Health District is offering two upcoming flu immunization clinics to the community, Wednesday 19, 12-2; Thursday, October 20, 10-12, sorry, on that one and that's all I have on that. I don't know about the 13th. The hours aren't listed. The 13th Annual Celebrating Gifts of Music Benefit Concert, Saturday, October 15 at 7:30. John Mastroianni and Friends and the fabulous vocalist, Alita Moses, a talented graduate of West Hartford public schools will perform as special guest at the 13th Annual Celebrating Gifts of Music Benefit Concert at the Intensive Education Academy. Tickets are \$25. Visit www.giftsofmusic.us. They're very talented. Alita's really great. Family Outdoor Flea Market, Saturday, October 15, at the Elmwood Community Center from 9-3. If you're a bargain hunter, don't miss the fabulous deals. Rain event is Sunday, October 16. Blood drive at Town Hall, Monday, October 17, 12-5:30. October is Liver Awareness Month and Breast Cancer Awareness Month. The American Red Cross encourages eligible donors to give blood in support of liver and other transplant patients, as well as those fighting cancer. A blood drive will be held on Monday, October 17, 12-5:30, at the Town Hall or call 1-800-RED-CROSS to make an appointment for that for somewhere else. *Little Shop of Horrors*, now through October 16 at Playhouse on Park box office. Tickets are \$35-50, www.playhouseonpark.org for your tickets or visit the box office. Candidates Forum, Tuesday, October 18, 8 a.m. will be, you can hear from Chris Barnes running for State Rep. Chamber of Commerce is sponsoring a Candidates Forum in preparation for upcoming election in November. Economic development will be the focus of discussion on Tuesday, October 18 at 8 a.m. at Atria Hamilton Heights. This event is free for Chamber members, \$10 for nonmembers. To register, go to the Chamber website. West Hartford Haunting is October 21, 22, 28, and 29. Noah Webster House spooky theatrical cemetery tour returns for its 12th year. The lantern-lit tours take place at the North Cemetery on Fridays and Saturdays. Tour leaves every 15 minutes from 6-8:45 and runs for 45 minutes. Guests are escorted through the stones by a dearly-departed guide. Tickets are \$15 for adults and \$10 for children. Call Noah Webster House at (860) 521-5362. Brews for a Cause, Friday, October 21, 6-9, at the Playhouse on Park. Bubbling fun and merriment on let's see, what're the hours, yeah, 6-9, \$40 tickets and Maximum Beverage, you can get them at either Playhouse on Park or Maximum Beverage or online. National Take-Back

Day, Saturday, October 22, 10-2. The West Hartford Police Department and the West Hartford/Bloomfield Health District are coordinating a collection of unwanted and unused pharmaceutical-controlled substances and other medicine during National Take-Back Day. Collection activities will take place in the Town Hall parking lot from 10-2. The program is anonymous and free of charge. It's important that those not go in the water stream. United Methodist Church Annual Harvest Fair, Saturday, October 22, 9-2. Stop by at the United Methodist Church to browse lovely craft items, home accessories, seasonal items, fall and winter, and indulge at the bakery booth for homemade pies, breads, cakes, and cookies. Then go to the silent auction, White Elephant, collectible booths, and visit the pumpkin patch. Admission is free. The church is located at 1358 New Britain Avenue. The Symphony Orchestra 2016 Autumn Concert on Sunday, October 23 at 3 p.m. It opens its 15th, the West Hartford Symphony Orchestra opens its 15th anniversary season with Ravel's Piano Concerto on Sunday, October 23 at 3 in the Roberts Auditorium of Kingswood Oxford School. The, WHSO will feature symphony favorites from over its 15-year repertoire. For tickets, please call (860) 521-4362. Also, tickets will be sold at the door. The Mandell JCC Jewish Book Festival opens October 23 at 1 p.m. Best-selling author, Jennifer Weiner who debuted her moving memoir, *Hungry Heart: Adventures in Life, Love, and Writing*, on Sunday, October 23 at 1. Tickets are \$40 per person and includes a meet, includes the book and meet the author reception. You can get those office at Mandell JCC, on their website, tickets@mandelljcc.org, or (860) 231-6316. West Hartford Public Mentors Program Workshop will be held on Tuesday, October 25. Think of mentors in your young life; a team, a coach, a teacher, a concerned neighbor or another caring adult. It can change a young person's life. The program workshop is October 25, 6:30-7:45 at Conard High School, Room 169. To sign up, go to carolwilkis@whps.org. And the last thing I have is the Halloween Stroll, Saturday, October 29, 10:30-12:30. Costumed children of all ages are invited for a fun morning in the West Hartford Center at Blue Back Square for moms and more of West Hartford's Annual Halloween Stroll on Saturday, October 29, 10:30-12:30, and there will be kid-friendly music, prizes, food giveaways, and a firetruck. And if anybody else has others, I'm glad to hear from you but I know there is also a trick or treating event at Conard that is free and I have some information on it. I have to find it. Yes. Oh, I did not. I left something for you.

Councilor Hall: I just wanted to point out that if you're watching us on TV, it's through West Hartford Community TV. We've got an award-winning local TV station run by Jen Evans, and they're having a fundraiser on October 28, Friday evening at 7 p.m. at Wampanoag Country Club on Wampanoag Drive in West Hartford. You can go to the website to order your tickets online, which is whctv.org or I'm sure if you email Jennifer at westhartfordct.gov, she would also get you hooked up with tickets. So hope you can make it and support our wonderful TV station.

President Cantor: Thank you, Mrs. Hall. Anybody else? Yes, Mrs. Kerrigan.

Councilor Kerrigan: Thank you, Madam Mayor. October 29, the Orange Bowl. It's a Halloween Birthday Bash celebrating United, Unified Theater, celebrating 15 years. It's at the Town Hall. It's from 7-11 on Saturday, October 29.

President Cantor: Wonderful. Thank you, Mrs. Kerrigan. Anybody else? I cannot...

Councilor Barnes: That's the most announcements we've ever had.

President Cantor: I know. I know. There's a lot going on. October is not a sleepy month.

Councilor Barnes: That was longer than our meeting.

President Cantor: Yeah. It's true. All right. Well, I'm going to come up with that Conard date. It's a great thing that Conard offers for little kids who trick or treat and I can't find it. Anyway. I think that's all we have on that. Now we go to Reports from Corp. Counsel. Yes.

ITEM #14 - REPORTS OF CORPORATION COUNSEL

Ms. Boneham: First of all, Pat sends his regrets. He'll be back with you for the next Town Council meeting. There is no need for an Executive Session, but if you have any questions, I'm happy to answer them.

President Cantor: Any questions for Ms. Boneham? No. Thank you very much. Number, we have no Appointments. Number 16, Mr. Davidoff.

ITEM #18 - CONSENT CALENDAR

ADOPTED

ITEM #16 – MINUTES FROM COMMUNITY PLANNING AND PHYSICAL SERVICES COMMITTEE 9-20-2016

ITEM #17 – MINUTES FROM FINANCE AND BUDGET COMMITTEE 9-26-2016

Councilor Davidoff: Number 18 would be the, I move the adoption of the Consent Calendar.

Councilor Kerrigan: Second.

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

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Number 19, Mr. Davidoff.

COMMUNICATIONS:

ITEM #19 - FROM BETH LANDER MORRIS (9-22-2016) RESIGNING FROM CONSERVATION AND ENVIRONMENT COMMISSION

Councilor Davidoff: I move we receive the resignation of Beth Lander Morris from the Conservation and Environment Commission.

Councilor Kerrigan: Second.

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

Councilors: Aye.

President Cantor: Those opposed? Motion carries. Number 20.

ITEM #20 - FROM CONCETTA MELO (9-20-2016) RESIGNING FROM SENIOR CITIZENS ADVISORY COMMISSION

Councilor Davidoff: I move we receive the resignation of Concetta Melo, also known as Connie Melo, resigning from the Senior Citizens Advisory Commission.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. All those in favor and I think Mrs. Hall has something to say? Oh, all those in favor?

Councilors: Aye.

President Cantor: All those opposed?

Councilor Hall: I, I just wanted to point out that Connie Melo has really done a great job on the Senior Citizens Advisory Commission, and we accept her resignation with regrets and thank her for her service as I'm sure we also do for Beth Morris on, on CEC. So thank you. We, as we heard tonight, there's definitely a need for people to volunteer on different Boards and Commissions. And if you have any interest in volunteering in town, I know we will need to replace Connie on the, on the Senior Citizens Advisory Commission. There's more information about all the Boards and Commissions on the Town's website, so hope you can support those Commissions as well.

President Cantor: Thank you, Mrs. Hall. Okay, number, no Petitions, no Executive Session. Number 23, Mr. Davidoff.

ITEM #23 - ADJOURNMENT

Councilor Davidoff: I move we adjourn.

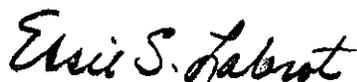
Councilor Kerrigan: Second.

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

Councilors: Aye.

President Cantor: All those opposed?

Meeting adjourned at 8:05 P.M.



Essie S. Labrot
Town/Council Clerk

APPROVED AT OCTOBER 25, 2016, TOWN COUNCIL MEETING