

**WEST HARTFORD TOWN COUNCIL MEETING  
OCTOBER 25, 2016  
LEGISLATIVE CHAMBER**

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

President Cantor: Calling the 7:30 Council meeting to order. We're going to start with the Pledge of Allegiance.

**ITEM #2 - PLEDGE OF ALLEGIANCE**

President Cantor: Okay. Thank you. Roll call, Ms. Labrot.

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

President Cantor: Before I start with something, we're going to suspend the rules to present a Proclamation, I just wanted to say a couple of words about a couple of recent events. Our hearts are heavy with the shocking news of the loss of one of our own children, 19-year-old Jeffny Pally. Her radiance, warmth, and warmth will be thoroughly missed. Our thoughts and prayers are with her and her family. She has two, you know, her parents, her two adoring siblings, an incredibly large extended family, and abundant friends. We also want to extend our heartfelt condolences to the Asylum Hill Congregational Church community for the sudden passing of Reverend, for the sudden passing of Reverend Gary Miller. He was a beloved spiritual leader and will be remembered by the many people he deeply touched. Again, our thoughts and prayers are with his family, friends, and parish. And now we want to suspend the rules for, to present a Proclamation. All those in favor?

Councilors: Aye.

President Cantor: All those opposed? Oh you, it wasn't seconded.

Councilor Davidoff: That's fine. Second.

President Cantor: All those in favor? All those opposed? Okay. Mr. Elkin, where are you? Well, are you Mr. yet or you're always Judge Elkin?

Judge Elkin: I'm always.

President Cantor: It is an honor to be here. I'm going to read the Proclamation and then if you want to say a couple of words, it's up to you but... WHEREAS Sydney W. Elkin is retiring after over 14 years serving as Probate Judge for the Town of West Hartford; and WHEREAS Sydney W. Elkin earned the respect and admiration of his staff and colleagues while serving as Secretary, Vice President, and President of the Probate Assembly over the term of his service as Judge. He is a former member of the Legislative, Education and Ad Hoc Court Security and Ad Hoc Bylaw Committees; and WHEREAS Sydney W. Elkin's contributions to the legal community are extensive and include service as an Assistant State's Attorney, Assistant

Corporation Counsel for the Town of West Hartford, Hearing Office for the Department of Motor Vehicle, Magistrate for the Superior Court, hearing small crimes and traffic matters, and a factfinder and arbitrator for civil matters. He is past President of the Connecticut Magistrates Association; and WHEREAS Sydney W. Elkin has served the community as President of the Probus Club of Greater Hartford, President of the Greater Hartford JCs, Chairman of the West Hartford Zoning Board of Appeals, and President of Emanuel Synagogue. The health and vitality of a community is reflected in the participation of its citizens in those activities that further the strength of the community. And WHEREAS the West Hartford Probate Court is recognized as one of the best Probate Courts in the State for its professional and compassionate service under Judge Sydney W. Elkin, NOW THEREFORE be it proclaimed that on behalf of the Town Council and the residents of West Hartford, I, Mayor Shari Cantor, hereby extend best wishes and sincere appreciation to Sydney W. Elkin for his outstanding service, dedication to our community, and the level of excellence as Judge of Probate for the Town of West Hartford and we, the community, wish him good health and prosperity in his future endeavors and travels. I just wanted to say personally, I had a good friend who had adopted a, had, had, was looking to adopt a child. She ended up adopting a 3 year old, I think, it was about a 3-year-old child and then about six months after, the parents were very much at risk and had, one of them had given up custody and the other one was fighting. It was a very difficult time. They get a call, there is another full biological child six months later after they had this child that they did not know about. They take this other child and they actually adopted both children. And I, that was the first time I think I saw you in action, and it was such a moving ceremony and you had such incredibly poignant and powerful words and it was really touching. So I personally watched you do, entering people at a very vulnerable time in their lives, you know, in, in beginning of life, end of life, and then exciting times like these but that can be very, very powerful. So anyway, thank you so much.

Judge Elkin: Thank you.

President Cantor: Do you want to say a couple words?

Judge Elkin: I will. I accept this on behalf of the people who really helped me get to this point and that's the staff of the West Hartford Probate Court. For those of you who have not had an opportunity to work with them, they are excellent. They are compassionate, they're knowledgeable, they're helpful, they don't turn anybody away, they answer questions even for other probate districts. So if you, if you have something in another district, you can always call upon the staff here. I think that they will continue to do that, because without them, I, I don't know how I would've done the job. Also, I want to thank the Town Council for the gracious Proclamation, and again, I accept on behalf of the people who really did a lot of the work. Just something that happened today, I was cleaning out some of the stuff in my office. As you can imagine after almost 15 years, there's a lot of paper that accumulates. I happened to come across the Memo that former Town Manager, Barry Feldman, sent me in December 2002. Prior to that, the Probate Court was in a windowless room around the corner next to the TV station. And I had mentioned to him a couple of times that people get really on edge if you sit in there too long with no windows. Can we do something about it? And he sent me a Memo saying, yeah, you know, Room 314 isn't used much during the day, why don't you just move in there? And I said, that's a great idea. And after a couple of years, and again, not many people use it during the day. This

is before the Board of Ed came over from the other building, which is, no longer exists. And so I'd like to believe that the Probate Court allows the Town Council and the Board of Ed to use this room in the evenings when the Court's not in session. And, and they've been very gracious about sharing it, I have of say that. But thank you very much. This is an honor and, and I, you know, it's, it's been a great run. I've enjoyed it. I'm still going to stick around a little bit and help out my successor as, as he goes through what I went through almost 15 years ago, which is fear when you sit down and you're now the Judge and you got to make decisions. But again, thank you very much Council members and the public, we appreciate it.

President Cantor: Okay, number four, Mr...yes, number four, Mr. Davidoff.

#### **ITEM #4 - APPROVAL OF MINUTES**

Councilor Davidoff: Thank you, Madam Mayor. I move the approval of the Town Council Minutes of 10/13/2016.

Councilor Kerrigan: Second.

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

Councilors: Aye.

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

#### **ITEM #5 - PUBLIC FORUM**

President Cantor: The Public Forum section of our Town Council is the opportunity for the public to speak to something that is not the subject of a Public Hearing and something that is on the Agenda. You have three minutes to speak not two. I apologize for that. And, and unless you represent a group then you have five minutes to speak. There is one person signed up and I don't know if that is just in attendance or if it's to speak and it's Shavet? Okay. Very good. So there's nobody signed up to speak. Is there anybody here that would like to speak to something on the Agenda tonight that's not subject of a Public Hearing? Okay. Number six, Mr. Davidoff. We have nothing, right?

Councilor Davidoff: Nothing.

President Cantor: Okay. Number seven, Mr. Davidoff.

#### **UNFINISHED BUSINESS:**

#### **ITEM #7 - ORDINANCE ESTABLISHING PROCEDURES FOR LICENSING AND PUBLIC SAFETY POLICE DETAILS AT ENTERTAINMENT ESTABLISHMENTS**

#### **SUBSTITUTE ORDINANCE ADOPTED, 9-0**

**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 operator of the establishment, 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. In addition, the owner of the structure in which the establishment is located shall be required to sign the application, acknowledging that: (a) it is aware of the operations proposed by the applicant; and (b) those operations are permitted pursuant to the terms of the operator's lease or any other agreement permitting the operator to use the establishment.

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 those portions of any sidewalks immediately adjoining 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 75-4. 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 75-5. 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 75-6. 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 75-7. 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 75-8. Enforcement.**

Unless otherwise provided herein, the provisions of this chapter may be enforced by 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 75-9. 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 (16<sup>th</sup>) 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 letter of warning, notice of violation, 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 30<sup>th</sup> 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: Thank you, Madam Mayor. I move the adoption of an Ordinance Establishing the Procedures for Licensing and Public Safety Police Details at Entertainment Establishments.

Councilor Kerrigan: Second.

President Cantor: Motion's been made and seconded. I would like to take this opportunity to sort of get people up to speed. If they haven't watched the Public Hearing, we can go over what we, sort of summarize what we did in the Public Hearing.

Mr. Van Winkle: Yes. So the Ordinance before you tonight is to establish licensing for restaurants that might have entertainment as well as being a restaurant. And this Ordinance was something we've been looking at for several years. It is adopted by many communities that have a, a vivid nightlife as West Hartford has that draws lots of people here to eat and enjoy the evening. It allows us to work with the restaurants to ensure that their customers and people around the Center are safe, and should there be issues within a restaurant, it allows us to do a, a multi-step process of getting them to be in conformance with the principles of safety around this. This Ordinance was introduced previously, and then we, we pulled back on that and met with the restaurants in the Center where primarily the entertainment is, although there are other places in West Hartford that also have entertainment, and listened to them and changed our Ordinance to respond to the issues that were raised by many of those establishments, all valid and very good issues that dealt mostly with the implementation and operation of the Ordinance. So we had a Hearing earlier tonight. We didn't have anyone from a restaurant come and talk to us about the Ordinance, but we did have a number of residents that're around the Center talk to us about what a beautiful place it is to live in West Hartford Center and sometimes late at night some of the customers of the restaurants cause problems of noise and litter in their neighborhoods. This Ordinance isn't written to address that. It's written to address the actual operation of the restaurant on premises and in the sidewalk in front of that. Our Police Department works closely with the restaurants and tries to ensure that customers who are, had a little too much get home safely and are aware that there's a neighborhood around the Center. That doesn't always work, but I just want to emphasize this Ordinance is to deal with the operation of the restaurant not my miss, mistakes that I might make on my walk home when I'm singing too loud at 2 in the morning. I, I don't even know when the restaurants close so I'm obviously not out very late but so the Ordinance is a step in a multi-step process. You know, we brought you Ordinances restricting the, the, an individual having an open container out on the public streets that was an attempt to deal with what is known in the business as pre-gaming. We have introduced changes to our Zoning Ordinances to provide additional zoning requirements for new restaurants that open to control better some of the things that we found happening in the Center. So we've done a number of things. You know, years ago, we didn't have a problem with public urination. The world changes, and we do have Ordinances that now deal with those kinds of issues. So we've done a number of changes to try to get better control of this activity in the Center. I would say to you that, you know, the vast majority of our restaurants in the Center do a great job and the vast majority of their customers also are respectful. There is a small number of issues that will pop up from time to time and I expect this Ordinance to be a great instrument for us to work with that restaurant to make sure that they're operating in the best interest of their customers and the neighbors and hopefully to help those who are there to begin to recognize that, even though they

may have had a good time, they need to be respectful of the neighborhood. We have seen since our efforts in the Center, we bring a lot of police into the Center on the weekend to make sure everyone is safe, we have seen a decline in drunk driving over the years and so we attribute that to the efforts that we're making to do that. The Chief talked about that earlier. Uber has helped. If you are out, you plan to go out and drink, you shouldn't be driving obviously and so now that we have Uber and yellow cabs lined up in the Center at closing time so people get home in a safe manner. So this is always going to be a challenge when it comes to dealing with the neighborhoods and someone, a miscreant who's going to do something, we, we would not do ourselves, but this Ordinance in particular is written for the operation of the restaurant to make sure that it's in compliance with these rules and the safety of the community.

President Cantor: Thank you, Mr. Van Winkle. I just also want to take the opportunity to thank Attorney Boneham for her hard work on this. It's been a work in progress, and it was finessed and changes were made. It was a real team effort by our Director of Community Services and, and his staff and the, our Police Chief meeting, outreach with our business community, the restaurants, and the Chamber as well, I think, is supportive. So it was a real team effort to get everybody on the same page. Understand that this is really for, this is for the benefit of the community. Their businesses with thrive if the residents are, they're, if they are responsible and their, their people that go to their restaurants are also responsible. So hopefully this will just be another piece. We had talked about, I think, Mr. Van Winkle had gone over, we've done a lot of things to proactively protect our community around restaurants and they're all over town. It's not just West Hartford Center but primarily West Hartford Center. That's where the concentration is. But this is a way for us to be, I would say it's a proactive/reactive kind of way to, to, to handle this because we will help develop a plan with, the Police Chief will help develop a plan on how those restaurants can collect the situation before it becomes a crisis. So the proactive/reactive is sort of the way I'm coining it but anyway. So anybody else? I, I'm very happy with the final product. Again, I want to thank everybody on the team for all they've done, and, and I will be supporting it. Is there any other comment from the Council? Mr. Davidoff.

Councilor Davidoff: Thank you, Madam Mayor. As Chair of the Public Safety Committee and former Chair of Community Planning, a lot of these issues dovetail and have been discussed around this table many years. And it's really good to see the cooperative spirit of our Police Chief, our Director of Community Planning, our Corporation Counsel, as well as our Town Manager, who's been out there and, and talking to our residents and, as well as our restaurants. And the, the key point, I think, that we're trying to do is strike that balance to have some type of synergy so that the quality of life for the restaurateur as well as for the residents are in balance. And I, I think we're getting there. Steps like this get us in, in the right direction. A lot of residents have discussed quality of life issues and we are aware as, as the governing body that there are issues that will exist after the adoption of this Ordinance, and we're willing to take those steps necessary to make sure that this is a win/win for, for all parties involved. So I, too, will be supporting this Ordinance this evening and would like to thank those who worked very diligently on the effort this evening.

President Cantor: Thank you, Mr. Davidoff. Anybody, any, Mr. Barnes?

Councilor Barnes: Thank you. While the Ordinance is, is directed at the entertainment establishments, I think as Mr. Davidoff pointed out, it's really quality of life issues for, for folks around the Center and, and finding that balance. And tonight we had, you know, quite a few residents that live in and around the Center raise concerns about really kind of quality of life, nuisance-type issues that, you know, we're working to address, and it strikes me that this is one additional way to, to help with that. And as the Chief pointed out, you know, if there are businesses in town that are engaging in a pattern and practice of bad behavior and this Ordinance gives us, you know, another tool or way to address that, then that's a good thing. You know, it is striking a balance and my guess is if down the road we find if it's not working for us or for the business, we can revisit it, but at this time it's a step in the right direction and so thanks to everyone for your work in bringing this before us.

President Cantor: Thank you, Mr. Barnes. Yes, Mrs. Hall.

Councilor Hall: Thank you, Chief. I just, I wanted to point out for the residents too that one of the standard reports that we review at monthly Public Safety meetings is a recap of the arrests in the Center, the nature of the infractions, and typically if, if the information is available, what establishment the person had been drinking at. So we do have the tools. This is going to make it even better, and it is an example of the iterative process we go through sometimes with these ordinances and I just, it also has my support and thank you everyone for your work on it.

President Cantor: Thank you, Mrs. Hall. Mrs. Kerrigan?

Councilor Kerrigan: Sure.

President Cantor: Okay.

Councilor Kerrigan: Thank you, Madam Mayor. As our town continues to evolve, so do our ordinances to protect the quality of life as Chris Barnes mentions. That being said, I, I must say I was so moved by the individuals that came here and just gave so much credit to Chief Gove. It's so nice to have that relationship, that working relationship, where they really respect and know that you're working so hard for them so thank everybody. And I'll be supporting it, obviously.

President Cantor: Thank you, Mrs. Kerrigan. So we had, need a roll call, right? Yes.

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

Ms. Labrot: It's unanimous.

President Cantor: Thank you very much, Ms. Labrot. And we, I'd like to make a motion to suspend the rules for a...for a Resolution authorizing the Town Manager to execute a Public Highway Easement.

Councilor Davidoff: Second.

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

Councilors: Aye

.President Cantor: All those opposed? Motion carries. We didn't do the Ordinance yet. This was just the suspension. Okay. All right. Okay? All right, so do you want to read the, thank you, Mr. Davidoff.

**SUSPENSE ITEM: RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A PUBLIC HIGHWAY EASEMENT**

**REFERRED TO TPZ**

**WHEREAS** the West Hartford Housing Authority presented a site plan application to the Town concerning for a mixed-use development project located at 612-620 New Park Avenue; and

**WHEREAS** an easement allowing an expanded sidewalk permitting pedestrian passage along the property between the street line and the building facade was required as a condition of approval of the site plan;

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT** the Town Manager is hereby authorized to accept and execute an easement in favor of the Town of West Hartford from Trout Book Realty Advisors, Inc. in substantially the form attached hereto.

**PUBLIC HIGHWAY EASEMENT**

**Know all men by these presents that TROUT BOOK REALTY ADVISORS, INC.,** a nonstock nonprofit charitable corporation organized and existing pursuant to Chapter 602 of the Connecticut General Statutes, having an address at 80 Shield Street, West Hartford, CT 06110 (hereinafter "Grantor"), who is the owner of property known as 616 New Park Avenue in West Hartford, Connecticut, for good and valuable consideration received to his full satisfaction of the **TOWN OF WEST HARTFORD** (hereinafter referenced as "Grantee"), does hereby grant unto the said Grantee, its successors and assigns forever an easement, for such purposes as a public highway may be ordinarily used, in, over, under, upon and across the property of the Grantor. Said easement area and its particular permitted uses being more particularly described as follows:

Beginning at a point in the Easterly line of New Park Avenue, said point being the Northwesterly corner of land now or formerly of Bernard Bodine and the Southwesterly corner of the within described easement, as shown on a map entitled "Property Survey Depicting Lot Line Revisions, Prepared for West Hartford Housing Authority, #612-620 New Park Avenue, West Hartford, Connecticut, Date: 10/8/2015, Scale: 1"=30"', by the office of Harry E. Cole & Son. Thence running N25-28'-40"E, along New Park Avenue, 457.16 feet, thence S64-31'-20"E, along land now or formerly of OS Realty Group, LLC, 10.0 feet; thence S25-28'-40"W, along remaining land of West Hartford Housing Authority, 461.56 feet to the closing line; thence N40-46'-44"W, along the closing line and land now or formerly Bernard Bodine, 10.92 feet to the point or place of beginning.

To have and to hold above granted rights, privilege and authority unto the said Grantee, its successors and assigns forever, to its own proper use and behoof.





Councilors: Aye.

President Cantor: All those opposed? Motion carries. Now we're up to number eight, Mr. Davidoff.

**NEW BUSINESS:**

**ITEM #8 - APPLICATION (SDD #147) ON BEHALF OF TONGJAN PROPERTIES, LLC, TO REZONE 1043 FARMINGTON AVENUE FROM RMO, RESIDENTIAL/MULTIFAMILY-OFFICE DISTRICT, TO RO, RESIDENCE-OFFICE DISTRICT, AND THEN TO DESIGNATE THE REZONED PARCEL AS A SPECIAL DEVELOPMENT DISTRICT. THE APPLICANT REQUESTS THE USE OF THE SECOND FLOOR FOR PROFESSIONAL OFFICE SPACE. THE THIRD FLOOR WILL BE USED AS STORAGE SPACE. THE RESIDENTIAL APPEARANCE OF THE BUILDING WILL NOT BE CHANGED AS A RESULT OF THIS ZONE CHANGE REQUEST**

**SET FOR PUBLIC HEARING ON DECEMBER 13, 2016, AT 7:15 P.M. AND REFERRED TO TPZ AND DRAC**

(See Attachment A)

Councilor Davidoff: Item number eight is an Application on behalf of Tongjan Properties, LLC, to rezone 1043 Farmington Avenue, from RMO, Residential/Multifamily-Office District, to RO, Residence-Office District, and then to re-designate the rezoned parcel as a special development district. The applicant requests the use of the second floor for professional office space. The third floor will be used as storage space. The residential appearance of the building will not be changed as a result of this zone change request. I move that we schedule a Public Hearing for December 13<sup>th</sup> at 7:15 p.m. and refer to TPZ and DRAC.

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 nine, Mr. Davidoff.

**ITEM #9 - RESOLUTION SETTING TOWN COUNCIL MEETING DATE FOR DECEMBER 13, 2016**

**ADOPTED, 9-0**

**WHEREAS**, the Town Council Rules call for a single Town Council meeting in December;

**NOW, THEREFORE, BE IT RESOLVED** that the December meeting is set for December 13, 2016 at 7:30 p.m. in the Legislative Chamber, Room 314.

Councilor Davidoff: Thank you, Madam Mayor. Item number nine is a Resolution I move that we adopt setting the Town Council Meeting Date for December 13, 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. Number 10, Reports from the Town Manager. I'm going to let you, you say whatever you want to say, but there's a couple things that I know we have. But there's a couple things that we would like to hear from you and one of them I know that our, the Town Council has received some information on the Metropolitan District Commission budget and it was rather distressing and concerning and we, and so I would like you to elaborate on that a little bit too in addition to some other questions. Thank you.

## **ITEM #10 - REPORTS OF TOWN MANAGER**

Mr. Van Winkle: Well, first let me say that we're, we have begun our leaf bag collection. The leaves are coming down rapidly so starting this past Monday, yesterday, we will be collecting those 40-gallon paper leaf bags in your neighborhood every week on your, on your refuse collection day. So this is a 10-week process so you don't have to do it this weekend but you can pick, do it next weekend or the weekend after or whatever. So this program began on Monday and will run through the next 10 weeks. You'll also begin some work at the I-84/Park Road Interchange. As you know, we've been working on a process for many years to make improvements to that interchange to ease some of the congestion we get at the 5:00 hour and that project, which will begin in force next year, this fall will see some work for the relocation of utilities, you know, that're underneath the road so that the improvements will, can be made. So as we enter this winter season coming, the gas company will be out there moving some utilities. There'll be selective tree removal to allow for the movement of those and then next year we'll see a project begin, much larger. The other thing I just wanted to make mention of, I'm going to ask our Town Clerk to make mention. There's something happening on November 8<sup>th</sup> and I don't remember what it is, yeah.

Ms. Labrot: Yes. It's the big one, the election. And I just want to put some reminders out. November 1<sup>st</sup> is the last day to register to vote in person or online. You can register to vote online through the Connecticut Secretary of State's office, on their website. You can register in person here in the Registrar's office. The Registrar's office will be open on November 1<sup>st</sup> from 9 a.m. to 8 p.m. to accommodate residents that still need to register. If you miss that deadline, there will be Election Day registration on November 8<sup>th</sup>. That will take place in Room 313 at Town Hall. So that will be available to voters, but we're just encouraging people to register now rather than wait until Election Day. We expect it to be very busy, and it's a process to do the Election Day registration. And you must be processed and registered before 8 p.m. in order to cast a ballot. The absentee ballots are going, 3,700, today so far and we are still mailing them out and people can get them in the Town Clerk's office. The U.S. Mail has been very slow, so seeing as we only have 14 more days, if you are relying on the mail, please get that application in as soon as possible so you will be able to get the ballot and return it by Election Day. Applications can be downloaded from the Town Clerk's website, and they all must be returned by Tuesday, November 8<sup>th</sup> in order to be counted. On Election Day, the Town Clerk's office will be closed for Town Clerk business but open for Election Day registration. So those of you that want vital records or land records, you will not be able to obtain them on that day. So we're looking forward to this. The Registrar's office and my office have been working behind the

scenes, making sure that there will be ample poll workers, moderators, checkers, ballot clerks, tabulator tenders, greeters, traffic personnel, and everything else, so just get your application in if you need an absentee ballot and we hope you all get out to vote on November 8<sup>th</sup>.

Mr. Van Winkle: Excellent, thank you. I want to ask Mark McGovern to come up to the mic. Recently, the Council has asked the Town Staff to begin a process with the neighborhoods around West Hartford Center to talk to them about zoning in the Center and changes. And in particular, we had in the past talked about changing the density measures, the amount of development you can put on a piece of land. We had several discussions on that and we paused all of those so that we could reach back out to the, the Center property owners and the neighborhood to have a more in-depth discussion with them so they could better understand where we were going. And so I'm going to ask Mark to talk about where we are.

Mr. McGovern: Sure. Thank you. Mark McGovern, Community Services Director. Yeah, since our last meeting, we've worked with Scott Falk who's leader in the neighborhood on Arapahoe Drive. We've established a working group of, let's see, nine individuals; eight residents and one commercial property owner. We are scheduled to have our first two meetings on November 10<sup>th</sup> and then November 21<sup>st</sup> and then we are aiming to have a public forum in early to mid-December. At your next Council meeting, we'll be coming forward with a resolution to appropriate a small amount of funds to hire a professional planner to help with the meeting facilitation for these bigger public forums. We anticipate having two of them and so I think we're on track. Last meeting, I mentioned it would take a few months and I think it will in order to have meaningful dialogue with the neighbors. So we're on track to have probably three total meetings before the end of the calendar year, maybe three or four in January and February and be back to you with our findings.

Mr. Van Winkle: Okay.

President Cantor: Thank you.

Mr. Van Winkle: Thank you. Excellent. The Metropolitan District Commission, that's your water company. We had a discussion toward the end of summer about the price of water and some of the large water bills that people were seeing. The cost of water has been rising rapidly because it is partially the way they're funding the Clean Water improvements, the court-ordered improvements, to our sewage system to clean up the Connecticut River. But on Monday, well, the MDC has been holding a series of meetings on their budget. The Mayor was at the last meeting a couple weeks ago. On Monday, she was unable to come but our CFO, Pete Privitera, and myself both went to the meeting, and they told us some things about their plans to tax the Town of West Hartford that knocked us over, I guess. We are a member of the Metropolitan District Commission. They are, in fact, under law a municipality themselves. They have the ability to levy a tax and they levy a tax on us and that tax along with your, your water bills pays for the operation of the Metropolitan District that provides both clean water and sewage treatment. And so over the past few years, the Metropolitan District Commission has increased that portion of the tax that the Council through their budget pays to the MDC. It is presently over \$8 million that we pay every year to the MDC for this, this tax they place on us. And it has each year been going up. For the last one, two, three, four, seven years, it's usually gone up. Last year, it went up about \$500,000 over the previous year. And so those numbers have been climbing over time. And it's been one of the drivers in our budget. Even though our budget is

large, this is a portion of our budget that's growing more rapidly than other parts of our budget. So when we met with them on Monday, they gave us two scenarios that they're looking at. One was things were going to operate as usual. Everybody was going to be in good shape and but they were going to increase the tax, increase the tax they levy on the Town of West Hartford by \$1.5 million. That's three times what we've seen the highest in the last seven years. So that took us back, but what really took us back was a discussion about increasing the tax on the Town of West Hartford by \$7.3 million. That's about what we spend additionally on all things that we do, \$7 million. And so having this one entity come and talk to us about increasing their portion by that amount was certainly an, an amazing surprise to us. It's driven by their concern that the City of Hartford is in such poor financial shape that they might go bankrupt. Twenty-five percent of the revenue through this tax comes from the City of Hartford. Should they declare bankruptcy and stop paying, they will have a problem supplying the services, doing the repairs to the sewer systems, the cleaning and whatnot. And so their conclusion was that they needed to set up a reserve fund. They don't have a source of funds outside of reaching for us and so that \$7.3 million that they talked to us about was that would be what the portion that West Hartford would save, would pay along with seven other communities in, in the Greater Hartford area, each of them paying their own share. Each of us would pay a much larger number because of this in order to create a reserve in the event that it might be possible that the City of Hartford would enter into bankruptcy. Certainly, there is no decision made by the City to do that. As you know, the Mayor of the City of Hartford has said that's his last resort. He has a, a cash flow problem. He is seeking other solutions. But the MDC has stepped up and said, well, we need to do this. Their lawyers have told them that this is necessary to create this reserve fund to keep their, their position in a bankruptcy to be, have a primary role in getting repaid in a bankruptcy. Now, we just heard about this in a three-hour meeting on Monday. We've come back and gone through their numbers. I've sent you a copy of what they gave us on Monday. We need to know a lot more. They have a finance budget, a Finance Committee that's going to meet in early November. We're going to be, we're going to join that meeting. Generally, there's no one there at that meeting. We're going to be there to hear how they're going to handle this. We have expressed concern about this. The Town Managers in the region, we're all getting together to take a look at our budgets and talk together about what we might do. We need to find a solution that doesn't say, West Hartford, you need to pay another \$7 million. That's a very large number for us to pay toward this one entity in the event that it might be possible that the City of Hartford declare bankruptcy. So there's a lot more coming on this. We have a Finance and Budget Committee meeting on November 2<sup>nd</sup> at 8 a.m. At that meeting, your CFO and myself will both be there to delve into this more directly with you and get your input. I don't imagine anyone's going to be, oh, that's no problem but and so we're going to have of figure out how we're going to respond to this. The answer is not, no, we don't want to do that. The answer is we understand the problem; we have to come up with a better solution than what you're doing. I'd be glad to take questions if you have them.

President Cantor: Thank you. Again, this was, I was at the meeting what, yeah, it was two weeks prior and our own, our CFO, we had talked together prior to him, he asked the question about, well, how're you planning for West Hartford, I mean for Hartford's, the bankruptcy scenario if, if that were to happen and our, and, and the various scenarios. But they're, we have a, we have an additional problem because the legislature passed a 2.5 percent spending cap on municipalities. And we asked how that would fit in and it sounded like that was news to, to the

MDC. So I, I don't know. There's, there's a lot of education and discussion that has to happen on all levels and elected officials, Mayors, are also going to meet and we're, we have a lot of work to do.

Mr. Van Winkle: Thank you. If I could just to talk about the cap for a moment. The legislature in their wisdom passed a cap on municipalities. Whether the State can control their spending is another issue but they told the municipalities you're going to have of spend no more than 2.5 percent each additional year, and if you, for each dollar more than that 2.5 percent that you spend, we're going to take \$0.50 away from grants that you get. This is primarily revenue-sharing grants, which is about \$2 million. So the MDC is more than 2.5 percent off the bat, so we're done. We will break that. Now, we don't know how this operates. The legislation that they passed is very thin. It has no real explanation. If you, if you think about our community. Suppose you passed a budget that said we're going to 2.8 percent and it went to referendum and a vast majority of the town said, yes, we want to do that because we want to buy these things that we're looking at. We would still get dinged by the State of Connecticut even though our local democracy would say, yes, that's a good thing. We want to do that. The State would say, well, we don't want you to do that. So there's a whole bunch in this legislation that doesn't make any sense. We are told that OPM will be issuing some form of explanation in November. We'll see what they come out with. We are also hopeful that the legislature will, when they meet again, will pause to kind of think about, you know, what they have done here and whether it makes sense the way it is structured. We certainly will be pushing on our local legislators to ask is there a better way to cap. We have no problem with the concept of controlling spending. We just need to make sure that we do it in a thoughtful way and not just a last minute budget way.

President Cantor: I'm sorry, Mr. Dodge.

Councilor Dodge: One point that I just wanted to clarify and maybe Ms. Boneham can speak to this because I think it's very scary when you hear the word bankruptcy in our Capitol city and the idea that they might go into bankruptcy. That's not a decision, if I'm correct, that they can just make unilaterally to seek a bankruptcy filing. They would have of get permission of the Governor in order to do so. Is that correct?

Ms. Boneham: Yes, that's correct.

Councilor Dodge: Okay. And one other question for you, Ron, is or sorry, Mr. Van Winkle, I'm still getting used to the formality of the Council, is were, were other towns to the extent that it sounds like the MDC is essentially taking Hartford's share and perhaps divvying it up. Were other towns seeing a proportionate increase in their share that they would paying to MDC or was West Hartford somehow being singled out?

Mr. Van Winkle: Yes, Mr. Dodge. The other, the other towns were seeing a same proportion. They, they allocate their cost based on your Grand List size. Now, West Hartford obviously has a large Grand List so we are paying a quarter of that cost, Hartford's paying a quarter, the rest are distributed against the other six towns. And each of them saw a proportional increase. You know, so for us, 7 million was a big number. For another town, a \$2 million increase, which is what I saw in Windsor, was a sizeable increase over what they presently pay. So and as I

mentioned earlier, the Managers and the Mayors are getting together this week to sit down and figure out, all right, how're we going to respond to this? It's, this is really an unusual situation. We've never seen anything like this before. It's, it's going to take some time to figure out a solution.

Councilor Dodge: And if, just as a follow-up to that, if you could explain sort of how the representation works on the MDC how each individual town is represented and how many votes each town gets and sort of how the, how that body is controlled.

Mr. Van Winkle: Thank you for asking a question I'm not sure I can answer cleanly, but this Council appoints some members of that. There are four members. Somebody might hear that our West Hartford representatives, some of them get appointed by the Governor and others but they get appointed by this Town Council. They're not elected; they're appointed. They're, it's a very large body representing all of the towns, eight towns in the, in the metropolitan district area and so we have representation on that. They, they have a problem they need to figure out how to deal with and they...two weeks ago, when it was raised by the Mayor, what're you going to do if that happens, they haven't had a whole lot of time to figure that out. And I, I think there are other ways to do this, but we need to make sure we vet that and figure out and we make sure we let them know. They adopt their budget in December, so there's not a whole lot of time here. Once they adopt their budget, they levy a tax. We are then required to pay that tax and so if they levy that tax, another interesting question is, well, if something better happens, can you pull that back? And that's not clear either at this moment. So there's a lot to be discussed but what's clearly a problem is \$7.3 million is something that is hardly affordable to us.

President Cantor: Even the 1.5 is not affordable. There are 31 members of the Commission. The...there's three appointments by the Town Council; two Democrats, it's partisan, two Democrats and one Republican. There's also an appointee, there's a legislative House Minority Representative, and there's also a gubernatorial appointee that happens to live in West Hartford but they are not, they don't respond to or they're not, they don't report to, to us or, or we don't really have any authority over them. So out of 31 and then each, and other, and Hartford has the largest number and I don't know, it's, it's over half, though, I think so... Mr. Barnes

Councilor Barnes: Thank you. I just want to talk about the numbers for a second. So we've been seeing over the last couple of years, you know, significant increases by MDC. I thought it was about 1.5 over the last two years and so if we talk about this 1.5 for, for next year, what is the reason? Why, why is it going up 1.5 million for 2017?

Mr. Van Winkle: We will be better prepared to answer that on the 2<sup>nd</sup> after we walk through all this data, but what they talked to us about was the normal increases, the wage increases and whatnot. They're reducing a workforce by 35 individuals so you would think that there would be moderation in that. They're issuing \$173 million in new bonds and a portion of this is debt service that they're looking at. So it, debt service is after their wages. It's their second largest expense and so we'll be better able to answer that question for you. It's the question I've gotten from many members of the Town Council about, so what's driving the 1.5? So we need to work on that to get you a better answer.

Councilor Barnes: Okay. And, and I take it that that answer is going to also shed some light on why it's becoming a larger part of our budget year after year after year? Because I think we, we, I mean, we need an explanation around that as well as we're adding millions and millions of dollars to our budget.

Mr. Van Winkle: Yes, sir.

Councilor Barnes: Okay. And so let's just talk for a second about the 7.3 million, okay? What is, what does that represent? I understand we're going to set it aside or at least one option would be to set up this escrow account and set the money aside. Is that for two quarters? Is that for one year? What does that represent and, and how will that money be used?

Mr. Van Winkle: Yeah. Again, we only have a little bit of data at this point but the \$7.3 million would be the increase in our payment to the Metropolitan District Commission over the four quarters beginning July 1, 2017 through June 30, 2018. So our fiscal year, over that fiscal year there would be four payments to the Metropolitan District Commission that would total \$7.3 million.

President Cantor: An increase you said.

Mr. Van Winkle: An increase. Oh, I'm sorry, yes. It's already 8+ so it's an 81 percent increase in the, in the tax that we pay to them. It is an effort to put aside, create a reserve to pay their costs if a member I'll just say enters bankruptcy. If that bankruptcy is over in a reasonable amount of time and they get back to paying normal costs, then it would not go up. If they didn't go into bankruptcy, we need to have that discussion about, oh, well what happens to that money? And the, the first question is is it necessary? Is this the best way to do that? Tax anticipation notes other means, are there other ways to take that cost, have the revenue to pay for the operations but have the payment in the following year when you actually know something has happened. So there's, there's a lot of things yet to be discussed, but it's, it's early and we're overwhelmed at this moment with what's going on.

Councilor Barnes: Sure. Sure. You mentioned that the, the MDC said that they needed this type of reserve account to protect their position in a potential bankruptcy. Is that right?

Mr. Van Winkle: Yes. They were, we are told and I asked for this in writing and they told me they didn't have it in writing yet but they were getting it in writing. They were told by a bankruptcy lawyer that in order to secure their position if bankruptcy should be filed, they would need to create this reserve. I have no idea whether that's correct or incorrect. We'll see what their written explanation is, and if necessary, we'll get our own expertise to answer that question.

Councilor Barnes: Okay. Because I would assume that we would have a claim in bankruptcy as well because we're paying the money and we're not receiving anything in return for this additional money. So I understand that it protects their position because they're going to have a bucket or a race of funds to tap to pay themselves but what's our position vis-à-vis a bankruptcy claim when we're out the 7.3 million and assuming that's one year. I don't know how long the Detroit bankruptcy took. I believe it was a couple of years to go through the process so we could be looking at this, you know, on a year after year basis for at least a couple years until these issues get resolved.

Mr. Van Winkle: Yeah. I would...

President Cantor: Well, I, I also want to make sure that we, this is, again, these are very, this is a scenario that the Mayor of Hartford does not want this. They want to bring people to the table to figure out how to solve this problem. So and he has been doing a lot of outreach with neighborhood communities and the State on how to, you know, these are problems that existed long before he stepped in...

Councilor Barnes: It's not...

President Cantor: ...that were...

Councilor Barnes: ...I'm sorry. It's not personal to the Mayor and I totally understand...

President Cantor: Right, right. No, no, no. I'm not trying, I'm just trying to say...that this is, this is very new and this is the worst case scenario. We should plan for worst case but...

Councilor Barnes: Sure. Well, I mean, I understand that in December they're not, the city is not going to be in a position to make payroll so, you know, this is at the doorstep. These issues are real. You know, this is certainly one, it could be the only option that the City has going forward and so we, you know, we have to think about what impact, what ripple impact that's going to have on our community. And one question I would have is for the Town Manager are there other areas of concern that the town is aware of other than this MDC issue where, you know, this, this could play out for us in other areas that we also need to prepare for?

Mr. Van Winkle: Yes. Well, first of all...having the Capitol City declare bankruptcy is not good for anyone. There's no question about that. We're a AAA rated town. Having our neighbor, our Capitol City declare bankruptcy is a reflection of a strength of the local economy and so that's not good for us. We receive approximately \$400,000 from the City of Hartford in payment to our school system for the Hartford children that come here through Project Concern.

President Cantor: Open Choice.

Mr. Van Winkle: And it's Open Choice, I'm sorry.

Councilor Barnes: Open Choice students, okay.

Mr. Van Winkle: I'm sorry, Open Choice and so there is \$400,000 of revenue that we get right there. And so in the event of someone declared bankruptcy, all those payments I would presume would be held up until the court decides what to do.

Councilor Barnes: Okay.

Mr. Van Winkle: And I just want to emphasize what everybody said is nobody's declared bankruptcy. That's what they're trying to avoid and trying to find other means to make it through. And you had mentioned December. That's somewhat of a speculation right now. I, you know, in talking to financial people and we met with the City multiple times to try to understand their true financial position. I, I don't think December is a perfectly correct answer but it, it isn't far away from December to June, somewhere in there, they have a real cash problem.

Councilor Barnes: I just mention this because as I was campaigning, going to door to door, a Hartford school teacher said that they were told that they may not get paid in December and so I, I share that with you. The, the one other question I have going back to this 2.5 percent cap and,

and kind of the, the issues that this would present. I think there's a, a larger issue because basically our labor costs in town, wages, benefits, pension, etc., generally exceed 2.5 percent in and of themselves. And so we, I mean, even without the MDC issue, we're going to have concerns about losing the 50 percent share of dollars over 2.5 percent in terms of State grant money coming back to us.

Mr. Van Winkle: Correct. Yes.

Councilor Barnes: Okay.

Mr. Van Winkle: You know, we've been negotiating contracts recently that have a 2 percent to 2.5 percent wage increase. We've been rebuilding our pension plan, which has required us to put additional dollars into our, our budget to pay for those things. So when we look at all dollars together, that 2.5 percent seems like it has a likely impact on us regardless of the MDC issue and certainly still at the 1.5 percent level, it would still have a significant impact. We would be struggling with that 2.5 percent.

Councilor Barnes: Okay. All right, thank you.

President Cantor: Thank you, Mr. Barnes. Mrs. Kerrigan?

Councilor Kerrigan: Boy, this is a sore subject. Talk about salt in the wound. A couple suggestions. One is perhaps Mr. Jellison should reconsider his hefty salary of over \$300,000 plus two-year credit for every year that he works pension. Criminal that he thinks that he is going to do that on the backs of working members, so we should reconsider that. Secondly, Niagara, let them pay. They're the ones sucking the water out of our reservoir at a discounted rate for both coming in and going out.

President Cantor: Yeah, that's not under our jurisdiction. I appreciate your sentiment and your, and your concern, but we have no control over that. But anyway. Let's see. Mr. Williams.

Councilor Williams: Sorry, Madam Mayor, were you done?

President Cantor: Yes.

Councilor Williams: I didn't mean to interrupt you. Okay. I just wanted to touch on something and turn it into a question for you, Mr. Manager. You know, I share Beth's outrage at this. It feels as though, although it's a different issue, it's here we go again. The MDC, an entity which has poor relationship with the public I would say at a minimum and their trust issues, comes out with a projected budget absent the Hartford issue, three-fold town contribution to the MDC. How are we supposed to manage year to year when the MDC can't manage itself? They have a serious management problem. It's punitive to this town. It's punitive to town, the taxpayers, and it shouldn't happen. Not only that, ladies and gentlemen, your personal water bill at home, in the year 2000 I believe according to The Hartford Courant, what you paid for 100 gallons of water cubic was about \$1.70/\$1.75. Now here we are eight years later, you're paying \$2.55. Both what the town is paying and what you're paying are going up exponentially...at projections that're entirely unsustainable. We as a town are well-managed. We work hard to keep this town as affordable as possible. We cannot do that with this MDC management. It is impossible. We're talking about a three-fold increase of the town's contribution to the MDC, which we thought last year was outrageous, three-fold. I was just at the Exchange Club last week and we were talking about the MDC and the town's contribution. People were aghast that what was it, it

was 8., it was I think it was \$500,000 to \$500,000 year to year, people were aghast by that. Now we're talking about three-fold in this year alone. What I would say and this is turning back to you, Mr. Manager, is when people hear about this, they become frustrated and they need to know exactly who represents them in West Hartford that can do something about it as far as impact the way the MDC is managed. I know we have representatives to the MDC but I'm talking about material changes to its management, its functionality, and maybe its Charter. And so that's the question I have to you.

Mr. Van Winkle: That's a hard one, for sure. They're a, they're an institution created by the State legislature. They have a charter from the State legislature to provide sewer and water services to the area. We joined them in the early 1980s and became a member town at that point, so we are sort of like the resident of the Metropolitan District. And, you know, we have over the years met with them multiple times. You know, when we, several years ago when they were increasing their, their tax on the communities, I know myself, Mayor Slifka, I think Denise Hall at the time showed up at their meeting to talk to their Board about that. They had a Public Hearing on their budget. There was nobody there. Nobody was there except for the Town of West Hartford to speak about the cost of their budget. You know, one of the problems with regional entities is they don't have the same ability to reach to that you do. A resident can stop you on the street. They stop in the office and say I need to talk to the Manager. They can get to us and they can tell you what, what they think directly to you. The Metropolitan District, who is our, if you asked your average resident who represents us on that, I doubt that very few people could name one. And so regional entities need to find a way to be responsive to communities and it can't be just through Town Managers saying don't do this. We need to find a way to get them to reach out better to communities to work with us closer. Whether it's about Niagara or about budgets, they need to spend more time in the communities working with us.

President Cantor: Thank you. I mean, some of these costs had referendum, the costs that we all voted on, and they did come and explain and that was the water bill escalation and that has been somewhat consistent with what, the cost that they have projected. But I couldn't agree more that we work so hard to smooth out any unpredictable items from our budget. We don't take one time revenues. We, we work so hard at, at making things smooth, responsible, and not digging a hole for our future year and to have a kind, a quick meeting, one, two weeks ago, we go, there's no alarms being set or there were concerns, no question, but then, you know, a month and a half before, not, yeah, a month and a half before they have of vote, we see a triple-fold, it's just, it's inexcusable. So there's frustration around the table, no question, and but we...one of the things I will say when we talk about Hartford going bankrupt and I do get a lot of calls saying Hartford, you know, Hartford's, I shouldn't say Hartford, Hartford's fiscal challenges, people will say let them go bankrupt, you know, it doesn't affect West Hartford. West Hartford's okay. That's not the case at all. It will affect us in many ways. So all right. Mr. Barnes.

Councilor Barnes: Thank you. Were you done, Mr. Williams?

Councilor Williams: Yes.

Councilor Barnes: All right. Just following up on the last point, Mr. Van Winkle, you were starting to talk about this concept of, of regional control or regionalization and so we've heard, you know, quite a bit about that over the last six months to a year and Mayor Bronin has talked about, you know, the possibility of trying to regionalize certain services to help out the, the City

of Hartford. And I was wondering if you could just comment on the status of that, whether you've been approached to regionalize, if, and how that could potentially impact the Town of West Hartford.

Mr. Van Winkle: That's a whole evening's discussion almost.

Councilor Barnes: Do you have somewhere to be?

Mr. Van Winkle: Yeah, certainly, certainly it's been something in the forefront now for the last few years, talking about regionalization. You know, when I talk to groups about this, you know the average American city is 80 to 100 square miles. You know, West Hartford's 20. The City of Hartford is 20. You take Hartford, Bloomfield, East Hartford, Wethersfield, put them all together and you've got the area of an average city. And in those, those five communities, you've got five Fire Chiefs, you've got five Police Chiefs, you've got five Managers. If I had to manage 80 square miles, I could do that and I wouldn't, I don't need to work nine days a week. I could do that. And so regionalization when it stays local, when the, you, you still have somebody you can go to in your Town Hall and say, hey, Bloomfield Avenue is a passage through my neighborhood and the Bloomfield section of West Hartford needs help. What we, the mistakes I think we make in regionalization is when we create an entity that nobody knows how they operate and what they do and we separate them off. We have been talking about regionalization, and we have regionalized. We have a health district with the, with the Town of Bloomfield so we have one Health Director, and he works for the Town of Bloomfield and the Town of West Hartford. You know, we work with the City of Hartford. If they have a fire going, we'll go into the city and man a fire department in the event that neighborhood needed a fire department. There's a lot of cross-town kind of cooperation. The police all the time are working with the City on, on police issues, so there's a lot of cooperation between the cities. In truth, it's really hard to identify a regional change outside of some, you know, rewriting of the whole State of Connecticut, a regional change that would save significant dollars. Add another town to our health district, we'd be happy to talk to anyone. We had spent some time with Windsor having that discussion. You know, those sorts of changes we'd be happy to have those conversations. But in essence, it doesn't save a million dollars. They're all minor kinds of things. Regional 911. You pick your phone up, you call 911. Many areas of the State of Connecticut have a regional 911. We have one, Bloomfield has one, Hartford has one. We have an antenna for our radio system up on the top of the Hartford Insurance building. Right next to us is the antenna for the City of Hartford's radio system. So there's things but they're not going to save the millions that we're talking about here that really need to be for the City to get themselves viable. It's always something we look at. We would like to find ways that are effective for us but we, we haven't been willing to give up any of the authority that we have over our own future.

Councilor Barnes: Sure, sure. And, and some of the, what you touched on, some of the, the larger drivers of, you know, their budget, our budget, the things that would actually have some economic impact on the City would be whether it's public safety in the form of, of fire or police or potentially the school system, those I would think would be three of the largest drivers that could potentially make an impact. Has any consideration been given to regionalizing in any of those areas?

Mr. Van Winkle: Well, certainly, let me just with schools we have...

Councilor Barnes: No, I know, we have Open Choice but I'm saying...

Mr. Van Winkle: ...Open Choice.

Councilor Barnes: Yeah.

Mr. Van Winkle: But we haven't had discussions about, you know, combining them. CREC has talked. They build regional schools where, where children go to and there're a number of schools in the City of Hartford where West Hartford students actually go to. Police and fire, we're two different organizations. We're, we operate differently. We're always willing to talk if someone has a creative idea but it, it's not something that we, we really put on the table to say there's, there's an opportunity there. It's something that we, again, we're always open to talk to our neighbors, but whether there's an opportunity for their, for West Hartford to, to combine there, I think, is, it's probably not going to be our first choice.

Councilor Barnes: Yeah. Thank you.

President Cantor: Thank you, Mr. Van Winkle. Thank you, Mr. Barnes. Anything else? I will...oh, Mrs. Hall. Sorry.

Councilor Hall: Thank you. Actually, as we think about this, I remember a few years back where, when we were putting in the street, the LED lights and we had the capacity and the knowledge and the resources and a neighboring town said, oh, you know, we could partner up with you and you could do ours and then I think the union and the workers in that town said, no, we don't want anybody else working here. So I think beyond just the financial side of it, I suspect we would run into some of, some of those issues of who's doing work in our town and is that a job that we should be doing. So there's a lot of different facets to that whole question. But just back to the MDC issue, while you were there did they say anything about the capacity of the reservoir because I, we've been seeing a lot of other reservoirs throughout the state being in drought conditions and I know they said they had plenty of water months ago so but I haven't seen any announcements from them recently.

Mr. Van Winkle: Yup. We did talk about that. They haven't reached a level where they have concern, but they're getting close to that. The reservoir, the, the Metropolitan District reservoir system is 78 percent full. They've set a criteria for themselves of when they hit 75, they're going to begin to speak about conserving water. They use about 1 percent of their water every week, so if we have a week go by, they'll use 1 percent of their water. If there's no rain, then they'll be down to 77 percent. So if no rain for the next three weeks, they would be down to a level where they will make an announcement about a drought condition and we need to pay attention. The other water utilities in the region that we've seen make announcements are in the 50s where they're making those announcements. They, they've lost half their water. There're some serious issues with other water utilities on the, the quantity of water they have. How long the drought lasts? No one knows that, and we did have rain last week. We're going to have rain this weekend. Nothing heavy but all of that helps. So we're looking for a little rainier fall and for a snow, snowier winter. But right now, they're not declaring any risk at this moment in time.

Councilor Hall: Just one follow-up and it sounds like a kind of a silly question but do we have any recourse like if we said, oh, let's go join the Avon Water Company or something? Is there, I don't know what we did before we joined MDC in the 80s. Is there?

Mr. Van Winkle: Yeah, just historically, we were a non-member community. Glastonbury's a non-member community. They buy water from the MDC and so there's a different rate that they pay, a higher rate that they pay for water delivered to Glastonbury. And so we had water pipes on our street. The reservoir in West Hartford was the first Hartford reservoir and so we bought water through that system. We became a member and the, in a very controversial decision in the early 1980s and it changed our relationship and we didn't buy water directly. We became an entity that gets taxed directly by them. That's the numbers we're talking about as well as pay for the cost of water. So it's a, I'm sure somebody around back in the early 80s would be better informed as to the process.

Councilor Hall: So it, do we have the ability to say we don't want to be a member town anymore, we want to buy our water?

Mr. Van Winkle: I would turn to my Corporation Counsel and ask her that question but I'm sure she's going to say she doesn't know that, the answer to that. It's not something we've researched at all as to whether we have the ability to separate ourselves. If we did, we still would need to buy water. We would still, our, our sewage goes into the sewage system in, in the south meadow. So even if we said we don't want to be a member, I'm not sure you'd save any money in that sense. They'd still charge us.

Councilor Hall: All right. I was just thinking about that potential reserve, 7 million would, are the non-member towns being looked to, to pony up for that?

Mr. Van Winkle: No, the, the non-member towns pay a fee for the water use. They do not pay that tax. Only the eight towns pay that tax.

Ms. Boneham: Now but I, I do have of say I wrote a note to myself that says can we decide not to be a member town, so happy to look at the issue. I know that, if I recall correctly from what I've read of the agreement when we initially joined, I believe as part of the joining, they have also taken responsibility for a substantial amount of the, of the pipes that the water goes through so but I do have a note to myself so I'll let you know.

President Cantor: Okay. Much more to, Mr. Barnes.

Councilor Barnes: Go all night. Just one follow-up question to Ms. Kerrigan's point and the, the drought numbers that were just shared with us. And Ms. Kerrigan mentioned the, the Niagara deal. I know the bottling plant is being built. I was wondering if you know when the plant is scheduled to come online and when the 1.8 million gallons of water per day are scheduled to start being bottled and shipped out of our State?

Mr. Van Winkle: Unfortunately, I don't know specifics. I know they're in construction and it, the, the large amount of water is a function of how many bottling lines they put. You know, if

they do one line, they use so much. The maximum was the number that, that I think you were referring to but I'm not that familiar with it so there, I don't know the answer to most of those questions. I can certainly get those answers.

Councilor Barnes: Okay. Because we're talking about going from 78 percent to 75 percent, 1 percent of water per week, you know, if no rain fall, etc. It'd be, you know, I'd like to know what impact the bottling would have, you know, how much more quickly would we be depleting the water source and getting into an area where we would be in a, you know, drought conservation emergency mode as a town.

Mr. Van Winkle: Certainly issues that were raised in the Hearing that we had in Town Hall where they talked about those sorts of things. At that time, nobody was talking about drought.

Councilor Barnes: No. I think it was like, we have water for 100 years or something. It was the rosier picture I've ever heard. How quickly things change.

Mr. Van Winkle: Everybody's hoping Mother Nature finds balance and brings us a snowy winter, right? We want a snowy winter. No, okay.

Councilor Barnes: Thank you.

President Cantor: It costs us in a different way. The, I just do want to say, I mean, the MDC does provide, in addition to water, significant sewer infrastructure and it is quite costly. I do know there was a comparison. A long time ago, I saw what we, if we had took that over, what we would have of pay. It was astronomical. Not to say that any of this is justified but...okay. Anything else for the Town Manager? Okay. Let's see. Number 11 is Announcements. I have a sheet I'll go through quickly.

## **ITEM #11 - ANNOUNCEMENTS**

President Cantor: West Hartford Public School Mentor Program Workshop held Tuesday, October 25. You can change a life by being a team coach, teacher, concerned neighbor or another caring adult. To learn more, call Fall New Mentor Program Workshop or join us for the Fall Mentor Workshop, October 25, 6:30-7:45 at Conard High School, Room 169. WHCTV's Take Five All Access Party, Friday night, October 28, 7-11, at Wampanoag Country Club. Great music, wonderful food. It is the signature event for West Hartford's hometown media center. Admission is \$50 in advance or \$60 at the studio. It's for a great cause. West Hartford Hauntings, October 28 and 29. Noah Webster's spooky theatrical cemetery tour returns for its 12<sup>th</sup> year. Lantern-lit tours take place at North Cemetery on Fridays and Saturdays. Tours leave every 15 minutes, 6-8:45, and run for 45 minutes. Tickets are \$15 for adults and \$10 for children. Call Noah Webster House, (860) 521-5362. Halloween Stroll, Saturday, October 29, 10:30-12:30. Costumed children of all ages are invited for a fun morning in West Hartford Center and Blue Back Square for the Moms and More Club of West Hartford's Annual Halloween Stroll. Kid-friendly music, prizes, giveaways, firetruck to climb aboard, local sport team mascots, crafts, games, and other activities. The route is LaSalle Road, Farmington Avenue, South Main Street, Memorial Road, and Isham Road. You decide where and when to begin your Halloween stroll. Police Department Recruitment Fair and Open House, October 29, 12-4. If you are, always wondered what it would be like for police, to work for the Police Department, here's your chance to get an inside look. West Hartford Police Department is hiring

and hoping to attract applicants who have not previously considered a career in law enforcement at its recruitment job fair. Candidates Luncheon, Wednesday, November 2, 12-3. You are invited to join us at the Town Hall to meet the candidates running for U.S. Rep. and State Senators. These, each candidate will be given 10 minutes to present their platforms. For additional information, call the West Hartford Senior Center at Bishop's Corner, (860) 561-7583. YMCA wine tasting and comedy night, Saturday, November 5, 6:30, YMCA Jewell. YMCA will hold their annual wine tasting event, wine and laughter at the West Hartford Town Hall. Proceeds will provide families regardless of their ability to pay with residential camp opportunities at Camp Jewell and facility programs at West Hartford YMCA, \$50 each, \$60 at the door, or they can be purchased online at [campjewell.org](http://campjewell.org). West Hartford House Tour, Sunday, November 6, 12-4. Let's see. This year's tour will feature five Tudor and Colonial revival houses on Colony Road, Norwood Road, Mohawk Drive, and Ledyard Road. Most of the homes were built in the late 1920s for Hartford businessmen and socialites. Tickets are \$25 for museum members, \$30 for non-members, \$35 at the door. For tickets, visit [www.noahwebsterhouse.org](http://www.noahwebsterhouse.org). My house is on the tour. West Hartford Rotary's Jazz Brunch, Sunday, November 6, 12-4. The best jazz comes to Hartford area to benefit the Gifts of Music and other local charities. It is a great event. Tickets are \$85. Call Jim Killian, (860) 716-5335. And West Hartford Community Theater presents Beauty and the Beast, 11-13, and November 18-20. West Hartford... cast of 40 performers, \$25 for preferred seating and \$20 for general seating. Tickets can be purchased at, by calling (860) 992-9428 or online at [www.westhartfordtheater.org](http://www.westhartfordtheater.org). That's all I have. Anybody else? Okay, Mrs. Hall.

Councilor Hall: This is my twice annual announcement that we are looking for volunteers to help us place flags on the graves of all veterans at Fairview Cemetery, so please join us on Saturday, November 5 at 8:30 a.m., Fairview Cemetery on Pleasant Street in West Hartford. The flags will be provided. All's we need is for you to show up and instructions will be given there at the cemetery. The ground may be hard due to either frost and just the drought conditions, so I would suggest bringing a screwdriver or some type of tool to help you dig a little hole to plant the flags. But it normally takes us about an hour and a half to get the flags up all over, across the cemetery. And then two weeks later if you're looking for something to do, you can help us take them down as well. So looking forward to seeing a big crowd again. Thank you.

President Cantor: Thank you, Mrs. Hall. And our next meeting is November 9 because of Election Day on November 8. It's on that Tuesday that we were scheduled, the latest possible election date, so we are going to be meeting November 9. But there is a Veterans Day ceremony at the Veterans Memorial, 11/11. It's at 11 so hopefully you can join us there.

Councilor Kerrigan: Can I make an announcement?

President Cantor: Yes, Mrs. Kerrigan.

Councilor Kerrigan: I know, sorry. Thank you. War-Chief Council Tailgate Party, November 12, right here on Town Hall, November 12, 6:30 I think until 10:30 or so and one of the auction items will be a Jet/Patriot game, lower level seating, with parking. So oh and it's for Conard and Hall, so it's a great event.

President Cantor: Thank you.

Councilor Barnes: I won the tickets last year. They were great.

President Cantor: Awesome. Anything else? No. Okay. Next is Reports from Corporation Counsel.

## **ITEM #12 - REPORTS OF CORPORATION COUNSEL**

President Cantor: First, I want to congratulate our Corporation Counsel, Pat Alair, on his new fatherhood role.

Councilor Hall: Fatherhood?

President Cantor: While his, I mean grandfather, sorry. Sorry, grandfather. Sorry. Whoa. Whoa.

Councilor Barnes: Happy surprise.

President Cantor: Grandfatherhood. Wallace Christopher Dalton, a big baby, I think 8-13 or something, 21 inches. My kids were never that, that big. So we congratulate him on the joy and all the rewards that come from that journey. And we have Ms. Boneham. Is there anything?

Ms. Boneham: No. There's no need for an Executive Session, but if you have any questions or requests, I'll be happy to take them.

President Cantor: Thank you. Any questions for Attorney Boneham? No. Okay. Appointments.

## **ITEM #13 - APPOINTMENTS**

President Cantor: I am going to, it's a bit of a...a list because we are reestablishing the Substance Abuse Prevention Commission. It is a, a group that has functioned but it, a lot of the terms had expired and it, there's a, a real need for them to, to do a lot of very important work for our school system and our, and our town. So these are bipartisan. I am going to move them and Mrs. Hall is going to second. So first we have David Eppner appointed to Substance Abuse Prevention Council, I'm just going to go SAPC so I don't have of keep reading it, for a term ending 8/31/17; Joanna Curry-Sartori appointed to SAPC for a term ending 8/31/17; Ed D'Adio appointed for a term ending 8/31/17. The terms change so that's why I can't eliminate that. Jamahl Hines also appointed for a term ending 8/31/17; Jaclyn Dulude also appointed for a term 8/31/17; Grace Johnson appointed to SAPC also term ending 8/31/17; Sagar Patel appointed to SAPC for a term ending 8/31/18; Amal Ali appointed to the Substance Abuse Prevention Commission for a term ending 8/31/18; Jean Schensul appointed to SAPC for a term ending 8/31/18; Benjamin Grippo appointed to SAPC for a term ending 8/31/19; and Chastity Rodriguez appointed to SAPC for a term ending 8/31/19.

Councilor Hall: Second.

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

Councilors: Aye.

President Cantor: All those opposed? Motion carries. Number...no Reports from Standing Committees. We have nothing on the Consent Calendar. Number 16, Mr. Davidoff.

## **COMMUNICATIONS:**

## **ITEM #16 - NOTICE OF TOWN PLANNER'S INTENTION TO APPROVE PURSUANT TO SECTION 177-44C(9)(d), A REQUEST FROM MICHAEL PALIN ON BEHALF OF**

**TOTAL WINES & MORE SEEKING APPROVAL FOR A REVISION TO SPECIAL DEVELOPMENT DISTRICT PLAN #6 (CORBINS CORNER) LOCATED AT 1459 NEW BRITAIN AVENUE. THE REQUEST IS FOR MINOR MODIFICATIONS TO THE STOREFRONT FAÇADE, SPECIFICALLY FOR THE INCLUSION OF DECORATIVE MURAL PANELS AND SHOPPING CART CORRAL**

**RECEIVED**

**(See Attachment B)**

Councilor Davidoff: Thank you, Madam Mayor. I move to adopt a Notice of the Town Planner's intention to approve pursuant to Section 177-44C (9)(d) a request from Michael Palin on behalf of Total Wines & More seeking approval for a revision to Special Development District plan #6 (Corbins Corner) located at 1459 New Britain Avenue. The request is for minor modifications to the storefront façade, specifically for the inclusion of decorative mural panels and shopping cart corral.

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 17, no Petitions. No 18, no Executive Session. I move that we adjourn.

**ITEM #19 - ADJOURNMENT**

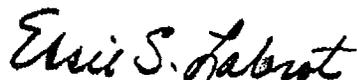
Councilor Davidoff: Second.

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

Councilors: Aye.

President Cantor: All those opposed? Motion carries.

Meeting adjourned at 8:52 P.M.



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Essie S. Labrot  
Town Clerk/Council Clerk

ESL/dd

**APPROVED AT NOVEMBER 9, 2016, TOWN COUNCIL MEETING**

**SCOTT B. FRANKLIN & ASSOCIATES**

68 South Main Street  
West Hartford, CT 06107

ATTORNEYS AT LAW

RECEIVED

Phone (860) 561-4832

Fax (860) 521-5560

franklinlaw.net

ATTACHMENT A

OCT 14 2016

TOWN CLERK/TOWN COUNCIL OFFICE  
West Hartford, CT

October 14, 2016

Mayor Shari Cantor  
The Honorable Town Council  
Town of West Hartford  
50 South Main Street,  
West Hartford, CT 06107

RE: Change of Zone from Residential/Multifamily – Office District (RMO) to Residence-Office District (RO) and then to a Special Development District for the Premises known as 1043 Farmington Avenue, West Hartford, Connecticut, Owned by Tongjan Properties, LLC.

Dear Mayor Cantor and Members of the West Hartford Town Council:

On behalf of the above referenced Applicant, I hereby make application for a zone change for the above referenced Premises from RMO (Residential/Multi-Family – Office District) to RO (Residence-Office District) and then to designate the rezoned parcel as a special development district (“SDD”).

For the past five years, Tongjan Properties, LLC (“TP”) has owned the Premises and has leased the first floor of the Premises to Eye Disease Consultants, LLC (“EDC”) which entity operates an ophthalmology practice on the first floor of the Premises. The second and third floors had previously been rented as a residential apartment. This application only requests use of the second floor for professional office space. The third floor will be used as storage space. Dr. Paul Gaudio is the sole member of both entities. EDC wishes to utilize the Second floor to provide additional administrative offices. The RMO zone does not permit the use of upper floors as professional offices.

The proposed change from RMO to RO is being requested in recognition of the fact that in much of the area of Farmington Avenue west of West Hartford Center, residential structures co-exist with institutional, office and business uses. The residential appearance of the building will not be changed as a result of this zone change request. EDC’s practice has a strong, stable presence in the neighborhood and TP is committed to preserving the residential character of this property. The use of the property has been and will continue to be compatible with the other properties in the neighborhood, such as properties located at 1014, 1017, 1022, 1033, 1034 and 1038 Farmington Avenue, which have successfully applied for zone change to RO with the SDD designation.

West Hartford Town Council  
1043 Farmington Avenue  
Zone Change, SDD Designation  
October 14, 2016

**DESCRIPTION OF PROPERTY:**

The Property is approximately 13,125 square feet in area, or .30 acres. The building is two and one-half (2 ½) stories in height and approximately 3,680 square feet in size. The third story will be used as storage space and contains an additional 590 square feet.

The Property is on the south side of Farmington Avenue at the corner of Four Mile Road. The Property abuts single-family homes to the south and west. Across the street to the north is a condominium development and across the street and just to the east of the condominium development are two RO zoned mixed office-residential structures. The RO district was established for use in areas where residential, institutional and office uses coexist. Its use is intended for areas of transition, from single-family dwellings to higher intensities. The standards of the RO zone are intended to make the uses mutually compatible. An office building for professional offices is permitted in the RO zone.

The Applicant's advisors met numerous times with the Town's planning staff to discuss building design issues. The Applicant will also meet informally with the Design Review Advisory Committee ("DRAC") to review the design and landscaping of the Premises.

**TRAFFIC:**

Since this is an existing professional office building and no exam rooms will be added, the proposed change in use of the interior space will not increase the traffic generation for existing uses on the Property.

**PARKING:**

The Applicant requests relief from the § 177-32 of the Code standards for the number of parking spaces. The proposed parking layout includes 11 spaces including two spaces inside the garage and one accessible space. The site requires 14 spaces, however EDC's business is not vehicle intensive as the nature of the ophthalmology practice conducted at the office is such that many patients do not drive to and from their procedures, but are dropped off and picked up by family members or use transportation services such as buses and taxis. In addition there is ample on-street parking along Farmington Avenue. EDC does not anticipate that the expansion of the practice to the second floor will increase vehicle traffic to the Property as there are not any exam rooms being added to the Premises.

West Hartford Town Council  
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**WATER, SEWER AND STORM WATER:**

The building is connected to public water and sewer. A letter dated October 5, 2016, to the Director of Public Health requesting a statement as to the adequacy of the sewage disposal system, is included as Enclosure (f).

**LANDSCAPING / LIGHTING:**

Since this is an existing commercial use and the property is currently professionally landscaped, the Applicant does not propose any changes to landscaping at the Premises. The Applicant also does not propose any changes to the lighting on the Premises.

**COMMUNITY OUTREACH:**

The Applicant intends to conduct an extensive mailing to abutting and nearby property owners as to the specifics of the plan proposal and meet with or talk with interested persons. A copy of the letter to neighbors is enclosed. An outreach report will be submitted prior to the hearing.

**PURPOSE AND COMPLIANCE WITH PLAN OF CONSERVATION AND DEVELOPMENT:**

The Applicant's proposed use of the Property is consistent with the 2009-2019 West Hartford Plan of Conservation and Development ("POCD"). The POCD recognizes and encourages continued economic growth in West Hartford and states as a goal the strengthening of the community's tax base by promoting growth and retention of existing businesses and new development while preserving and protecting the residential character of the surrounding neighborhoods. The POCD further states that, as most of the land in Town is fully developed, economic growth, is and will continue to be, a balancing act between maintaining the quality of residential life and strengthening the community's tax base with new developments and successful business ventures.

West Hartford has several zones that permit and encourage mixed use development in certain transitional areas such as the Property. The RO district permits such development. There are other examples of residential properties on Farmington Avenue west of West Hartford Center that utilize the RO district for professional office uses in a manner comparable to the proposed development. The Applicant's office

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Zone Change, SDD Designation  
October 14, 2016

building looks like a home. Maintaining residential character properties is mentioned in the POCD as being important. While the POCD specifically cites use of the Residential Character Office (RCO) and Multifamily-Residence Office (RMO) zones as two districts that can be utilized by special use permit approval to maintain the residential nature of the structure, an RO zone designation subject to a special development district (“SDD”) approval by the Town Council can be an equally effective means by which to do so.

The POCD notes that because of the complexity of attracting and controlling new development in tight commercial areas bordered by strong residential neighborhoods, West Hartford has utilized the SDD designation to permit greater control by the Town over building design, use and tenant mix. The intent of the SDD is to allow commercial development that is in harmony with the surrounding neighborhood. The Applicant has an attractive building that is compatible with the surrounding area in appearance. The POCD also states that development should be consistent with the existing quality of design and material standards of the community, particularly through use of the DRAC consultation. The Applicant plans to meet with DRAC prior to the Town Council hearing date.

The rezoning of the Property from RMO to RO with the added limitations and protections of the SDD designation permits economic growth while protecting existing neighborhood boundaries.

**FINDINGS:**

The change of zone and designation of the Property as a special development district to accommodate the construction of a building for professional office use is deemed appropriate for the following reasons:

1. The proposed use and design as set forth in the application are in harmony with the overall objectives of the POCD as they foster commercial development patterns that are complimentary to adjacent residential land uses, incorporate principles of smart growth and promote retention of an existing business; and
2. Because of the extra scrutiny imposed on by the SDD process, the proposed SDD plan with the requested changes to the standards applicable to permitted uses in the RO district intended to preserve the residential character of the Property and be compatible with the surrounding neighborhood, is superior to a zoning approval possible under the regular RO standards of the Zoning Code; and

**SCOTT B. FRANKLIN & ASSOCIATES**

ATTORNEYS AT LAW

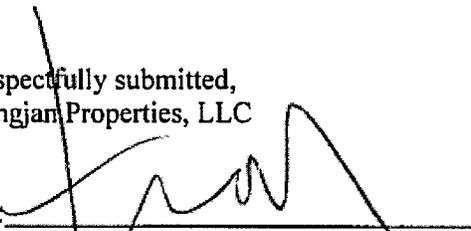
West Hartford Town Council  
1043 Farmington Avenue  
Zone Change, SDD Designation  
October 14, 2016

3. The use and design of the Premises is in harmony with both the actual and permitted development of adjacent properties, adopting the residential appearance of those properties and allowing for a continued office use comparable with other office uses in the general vicinity of the Premises.

Enclosed please find a proposed ordinance amending the zoning map, including a legal description of the property at 1043 Farmington Avenue, West Hartford, Connecticut, an Affidavit of Interest, an A-2 Survey, the required application fee and information required pursuant to Section 177-44 of the Zoning Ordinance, which constitute the application..

Thank you for your consideration of this application.

Respectfully submitted,  
Tongjan Properties, LLC

By: 

Scott B. Franklin, Esq.  
Scott B. Franklin & Associates  
It's Attorney and Authorized Agent

**List of Enclosures:**

- (a) Application letter from owner of Premises;
- (b) Property Description;
- (c) Proposed Ordinance
- (d) Affidavit of Interest;
- (e) Description of Proposed Uses;
- (f) Letter to the Director of the West Hartford Bloomfield Health District, dated October 6, 2016
- (g) Letter to neighboring property owners with attachments;
- (h) Plans entitled: "ZONE CHANGE FROM RM/O ZONE TO SDD/RO ZONE PROPERTY SURVEY PREPARED FOR TONGJAN PROPERTIES 1043 FARMINGTON AVENUE WEST HARTFORD, CONNECTICUT" (2 full-sized and 20 reduced plan sets); and
- (i) Application fee by check made payable to the Town of West Hartford

(a)  
**Owner's Application Letter Per Code §177-44C(1)(a)**

October 14, 2016

Honorable Members, West Hartford Town Council  
Town of West Hartford  
50 South Main Street,  
West Hartford, CT 06107

RE: Change of Zone from Residential/Multifamily – Office District (RMO) to Residence-Office District (RO) and then to a Special Development District for the Premises known as 1043 Farmington Avenue, West Hartford, Connecticut.

Dear Mayor and Members of the West Hartford Town Council:

Tongjan Properties, LLC is the owner in fee of the property located at 1043 Farmington Avenue, West Hartford, Connecticut. The property is the subject of the above referenced application to rezone 1043 Farmington Avenue, from Residential/Multifamily – Office District (RMO) to Residence-Office District (RO) and then to designate the rezoned property as a special development district, all as set forth in the documents and plans filed with this application.

This letter is provided to indicate the owner's consent to, and participation in, the filing and processing of said application.

Respectfully submitted,  
Tongjan Properties, LLC

By:   
Paul Anton Gaudio, M.D., its sole member

(b)

**PROPERTY DESCRIPTION**

**1043 FARMINGTON AVENUE, WEST HARTFORD, CONNECTICUT**

A certain piece or parcel of land known as No. 1043 Farmington Avenue in the Town of West Hartford, County of Hartford, State of Connecticut, being more particularly bounded and described as follows:

**NORTH:** by Farmington Avenue, seventy-five (75) feet;

**EAST:** by Four Mile Road, one hundred seventy-five (175) feet;

**SOUTH:** by land now or formally of Paul J. Dodge, seventy-five (75) feet; and

**WEST:** by land now or formally of Peter C. Grassilli, one hundred seventy-five (175) feet.

(4)

**AN ORDINANCE AMENDING AN ORDINANCE ESTABLISHING ZONING  
REGULATIONS OF THE TOWN OF WEST HARTFORD**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD,  
CONNECTICUT**

That the boundaries and districts shown in the "Zoning Map of West Hartford, Connecticut" be and are hereby amended by changing the following described piece or parcel of land from Zoning District RMO to Zoning District RO, and then to a Special Development District designation pursuant to the provisions of Section 177-44 of the Code of West Hartford in accordance with a set of plans entitled "ZONE CHANGE FROM RM/O ZONE TO RO ZONE PROPERTY SURVEY PREPARED FOR TONGJAN PROPERTIES 1043 FARMINGTON AVENUE WEST HARTFORD, CONNECTICUT".

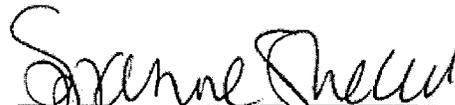
"A certain piece or parcel of land known as No. 1043 Farmington Avenue in the Town of West Hartford, County of Hartford, State of Connecticut, being more particularly bounded and described as follows:

- NORTH: by Farmington Avenue, seventy-five (75) feet;
- EAST: by Four Mile Road, one hundred seventy-five (175) feet;
- SOUTH: by land now or formerly of Paul J. Dodge, seventy-five (75) feet; and
- WEST: by land now or formerly of Peter C. Grassilli, one hundred seventy-five (175) feet."



The above information is true and accurate to the best of my knowledge,  
information and belief.

Subscribed and sworn to before me this 14<sup>th</sup> day of October, 2016.

  
~~Notary Public~~ Suzanne Neville  
Commissioner of Superior Court

EYE DISEASE CONSULTANTS, LLC

By P. Anton Gaudio  
Paul Anton Gaudio, M.D.  
Its Sole Member

The above information is true and accurate to the best of my knowledge,  
information and belief.

Subscribed and sworn to before me this 14<sup>th</sup> day of October, 2016.

  
~~Notary Public~~ Suzanne Neville  
Commissioner of Superior Court

**(e)**  
**Description of Proposed Use**

The Applicant proposes to use the first and second floors of the building at 1043 Farmington Avenue for professional office use. An ophthalmology practice is currently operated on the first floor of the property and the Applicant proposes to use the second floor for administrative offices.

No noise, vibration, radiation, odor or dust, smoke, gas fumes, or other atmospheric pollution is expected to be produced from the operation and maintenance of the office building and related parking area, other than customarily generated from such use.

(f)

SCOTT B. FRANKLIN & ASSOCIATES

ATTORNEYS AT LAW

68 South Main Street  
West Hartford, CT 06107

Phone (860) 561-4832  
Fax (860) 521-5560  
franklinlaw.net

October 6, 2016

*Via facsimile 860.561.7918 and regular mail*

Steven J. Huleatt, MPH, RS  
Director of Health  
West Hartford-Bloomfield Health District  
580 Cottage Grove Road  
Suite 100  
Bloomfield, CT 06002

RE: 1043 Farmington Avenue, West Hartford, CT - Sewage Disposal Adequacy Confirmation

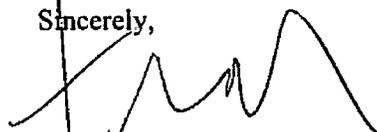
Dear Steve;

On behalf of TONGJAN PROPERTIES, LLC, owner of the property located at 1043 Farmington Avenue, West Hartford, Connecticut, please accept this request for a Sewage Disposal Adequacy Confirmation letter from the West Hartford-Bloomfield Health District regarding the proposed zone change of the property located at 1043 Farmington Avenue, West Hartford, CT. The property is currently zoned Residential/Multifamily – Office District (RMO). The owner is submitting an application to change the zone to Residence-Office District (RO) and then have it designated as a special development district.

An ophthalmology practice currently operates on the first floor of the property. The zone change is being requested so that the ophthalmology practice can have administrative offices on the second floor. The number of patients visiting the property will remain the same and the number of employees will increase by 2 or 3, however, there will no longer be an apartment rented, so water and sewage use should not be increasing.

We look forward to hearing back from you at your earliest convenience. Please do not hesitate to contact me if you need any further information to issue the Sewage Disposal Adequacy Confirmation Letter.

Sincerely,



Scott B. Franklin, Esq.  
Attorney for TONGJAN PROPERTIES, LLC

Cc: Paul Anton Gaudio, M.D., TONGJAN PROPERTIES, LLC

(9)

*Eye Disease Consultants, LLC*

The [Name] Family  
[Address]  
West Hartford, CT 06107

Dear [Name],

As you may know, my office, Eye Disease Consultants, is located on the corner of Farmington Ave and Four Mile Road, quite close to your house. My wife, Dot, and I own this building and we have applied for a zoning change to be able to use the second floor as administrative space. We would like to make our neighbors aware of this project.

The upper two floors of this building, at 1043 Farmington Ave, are currently a single apartment, the lower floor being part of our medical practice. The administrative section of our practice is at Hartford Hospital. We would like to move the administrative section to this West Hartford location. This requires a zoning change, hence our current application.

We live on Grennan Rd, within sight of this building, which we take pride in keeping beautiful and optimally functional. Our medical office has benefitted from several improvements to the building and grounds over the past few years, which we plan on continuing. The proposed relocation will enable this, given the lighter usage and larger budget associated with commercial rental.

A list of common questions and answers is enclosed. We thank you in advance for your support of this rezoning application.

Sincerely,

Paul A. Gaudio, MD

*85 Seymour St, Suite 522, Hartford, CT 06106  
1043 Farmington Ave, West Hartford, CT 06107  
860-549-2020 phone                      860-549-2025 fax*

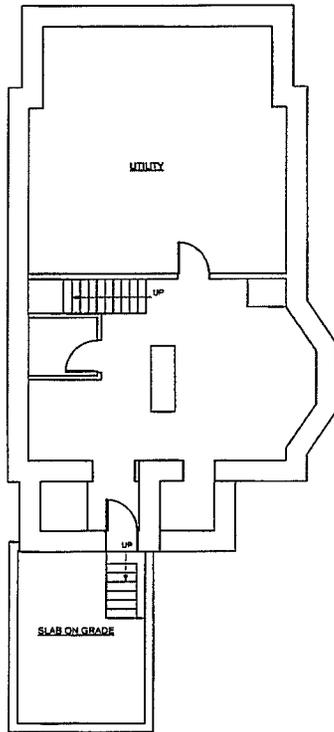
1043 Farmington Ave, West Hartford, CT, 06107

**Zoning change  
to use the 2nd floor as office space**

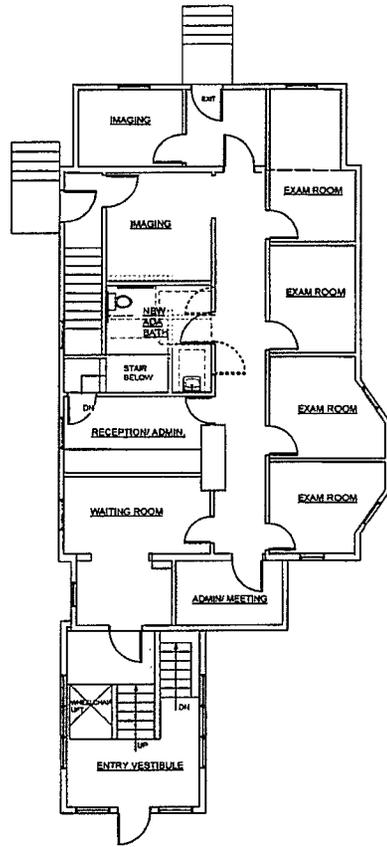
**Common Questions**

- Q:** Will the **appearance** of the building change as a result of the zone change?  
**A:** *No. The zoning application involves changing the use of the building only, not the structure and certainly not the appearance. Actually, our only plans for changing the appearance involving further beautification of the façade and grounds.)*
- Q:** Will this change result in more **traffic**?  
**A:** *Quite unlikely. The number of employees will increase by 2 while the apartment will no longer be rented out, so the net change in cars should be zero.*
- Q:** Will the **parking** situation change as a result of the re-zoning?  
**A:** *Again quite unlikely. Two of the new employees will park in the garage, which will no longer accommodate renters (or groups of renters); the net change should be zero.  
**Please know that parking is our main concern and we very much wish to minimize the inconvenience that it causes our neighbors. PLEASE let us know if cars from our office create a problem around your house.***
- Q:** Will there be patients going up to the 2d floor?  
**A:** *No, the 2d floor will serve "back-office" functions. Seeing patients up there would require HUGE modifications to the structure of the building, and is well beyond the scope of this effort.*

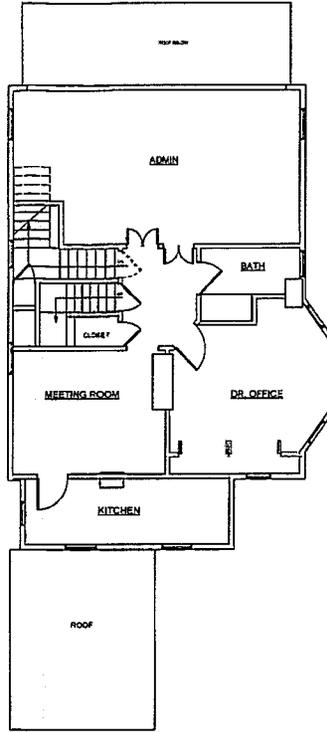




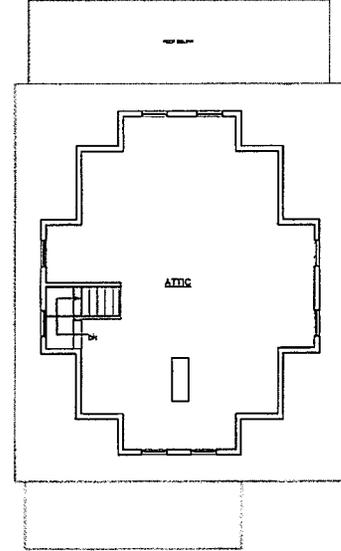
1 BASEMENT FLOOR PLAN  
 Scale: 3/16" = 1'-0"  
 889 SQ. FT.



2 FIRST FLOOR PLAN  
 Scale: 3/16" = 1'-0"  
 1,240 SQ. FT.

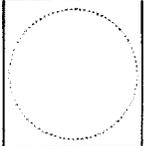


3 SECOND FLOOR PLAN  
 Scale: 3/16" = 1'-0"  
 1,240 SQ. FT.

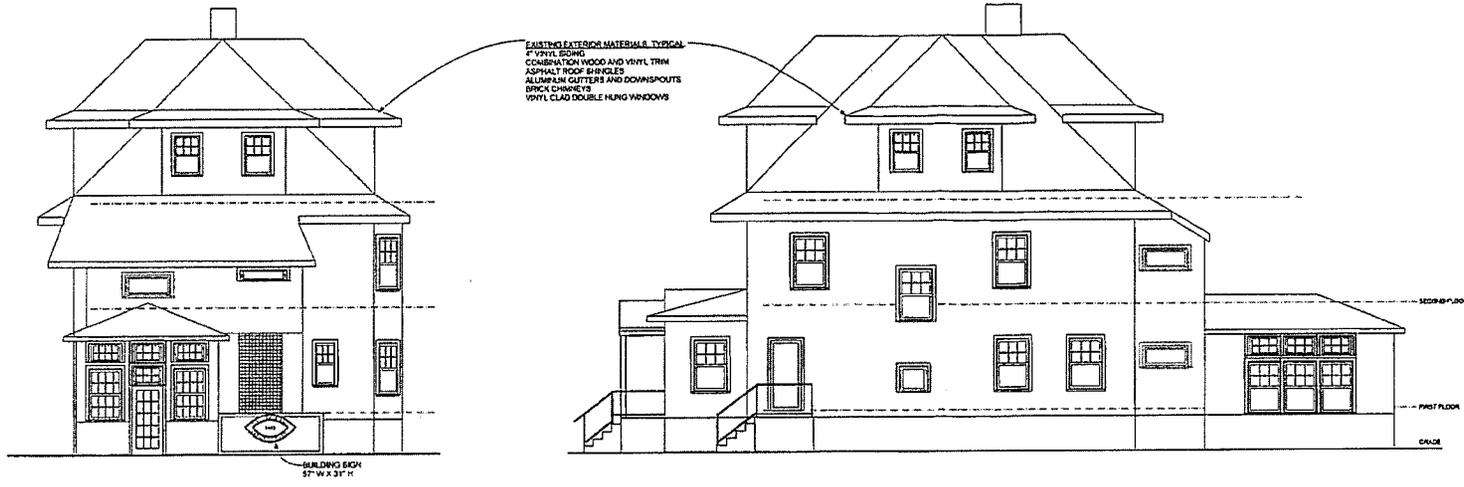
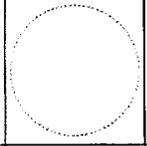


4 THIRD FLOOR PLAN  
 Scale: 3/16" = 1'-0"  
 389 SQ. FT.

ED	1/20/14
BS	
PERMIT	
CONTRACT	
CONST.	
REVISION	

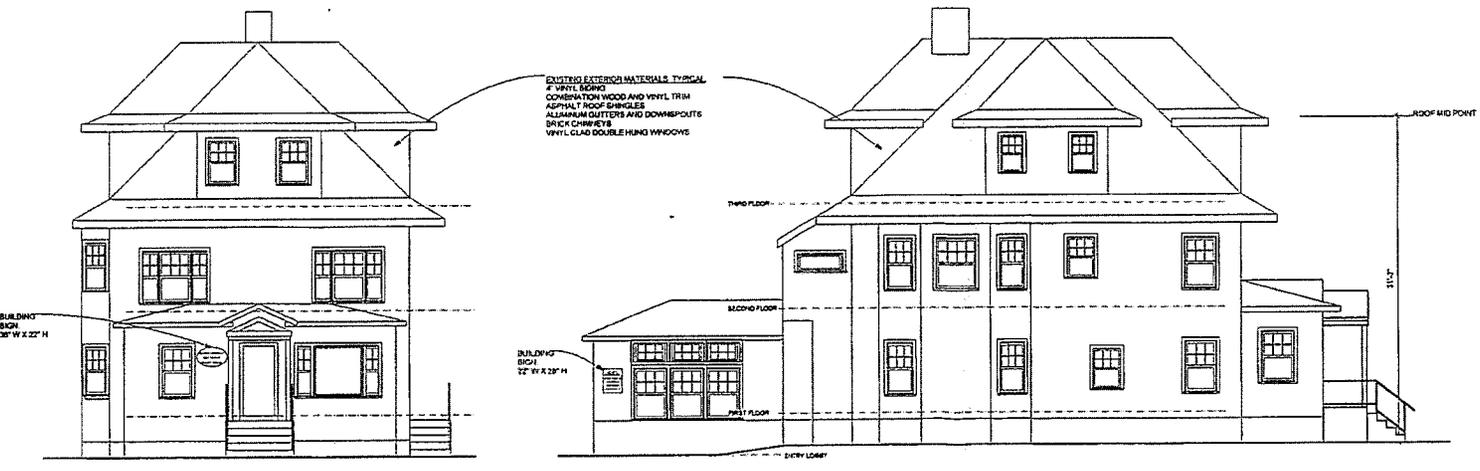


BD	_____
CD	_____
NO	_____
PERMIT	_____
CONTRACT	_____
COUNT	_____
REVISION	_____



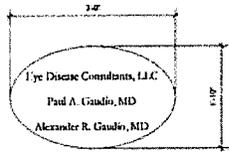
1 NORTH ELEVATION  
Scale: 3/16" = 1'-0"

2 EAST ELEVATION  
Scale: 3/16" = 1'-0"

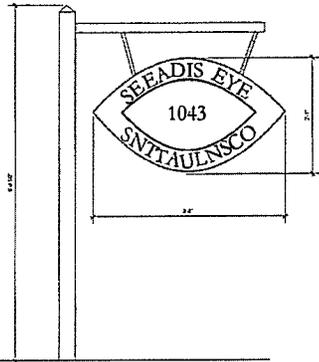


3 SOUTH ELEVATION  
Scale: 3/16" = 1'-0"

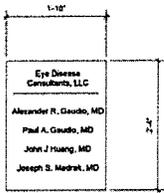
4 WEST ELEVATION  
Scale: 3/16" = 1'-0"



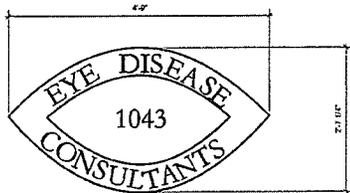
1 FRONT BUILDING MOUNTED SIGN  
Scale: 1" = 1'-0"



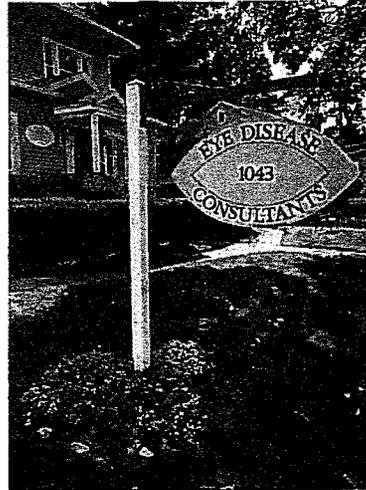
2 FRONT FREE STANDING SIGN  
Scale: 1" = 1'-0"



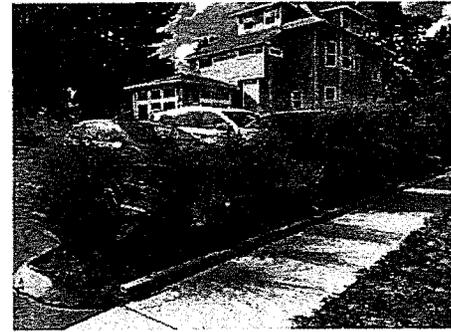
3 REAR ENTRANCE BUILDING SIGN  
Scale: 1" = 1'-0"



4 REAR ENTRANCE FENCE MOUNTED SIGN  
Scale: 1" = 1'-0"



7 FRONT FREE STANDING SIGN  
Scale: 1" = 1'-0"



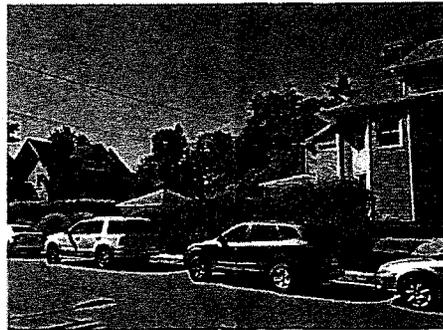
8 FOUR MILE ROAD FRONT YARD GRASS SCREENING  
Scale: 1" = 1'-0"



9 REAR YARD/PARKING LOT SCREENING  
Scale: 1" = 1'-0"



5 PARKING LOT VIEW REAR ENTRANCE  
Scale: 1" = 1'-0"

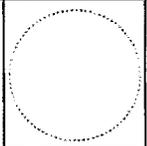


6 FOUR MILE ROAD PARKING  
Scale: 1" = 1'-0"



10 REAR PATIO SCREENING  
Scale: 1" = 1'-0"

NO.	DATE	DESCRIPTION
01	9-20-13	PERMIT
02		CONTRACT
03		CONSTR.
04		REVISED
05		
06		
07		
08		
09		





ATTACHMENT B

October 13, 2016

Mr. Todd Dumais  
c/o Town of West Hartford  
50 South Main Street  
West Hartford, CT 06107-2485

Re: AMENDMENT TO SPECIAL DEVELOPMENT DISTRICT  
Exterior Graphic Mural Panels & Cart Corral Accommodations both at entry.  
Total Wine & More  
1459 New Britain Avenue  
Special Development District #6

Dear Mr. Dumais,

On behalf Total Wine & More, the Lessee of 1459 New Britain Avenue. I am writing to request an amendment to SDD#6 to allow said Lessee to install a series of decorative mural panels on the exterior wall of the storefront entrance. The consideration of this amendment also includes for a cart corral accommodations located under the canopy walkway which is adjacent to storefront entry and exit. These modifications are part of the overall tenant fit-up of an existing (mercantile) leased space in the Corbin's Corner shopping center owned by Regency Centers.

Attached you will find...

- Drawings Pr1.1 & Pr1.2 (Proposed Exterior Mural Modifications). These drawings illustrate the proposed graphic applied murals intended to elevate the aesthetic appeal to the present storefront design.
- Drawing Pr2.0 (Proposed Cart Corral Store Entry). These drawings illustrate the proposed pair of cart corrals that are designed to maintain an organized cart pick-up at store entry.

Additionally, checks for the \$500.00 SDD Administrative Amendment Fee, \$60.00 DEEP fee & \$20.00 Public Hearing Sign fee are included with this letter.

If you need any additional information, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Palin'.

Michael Palin  
Ni Design

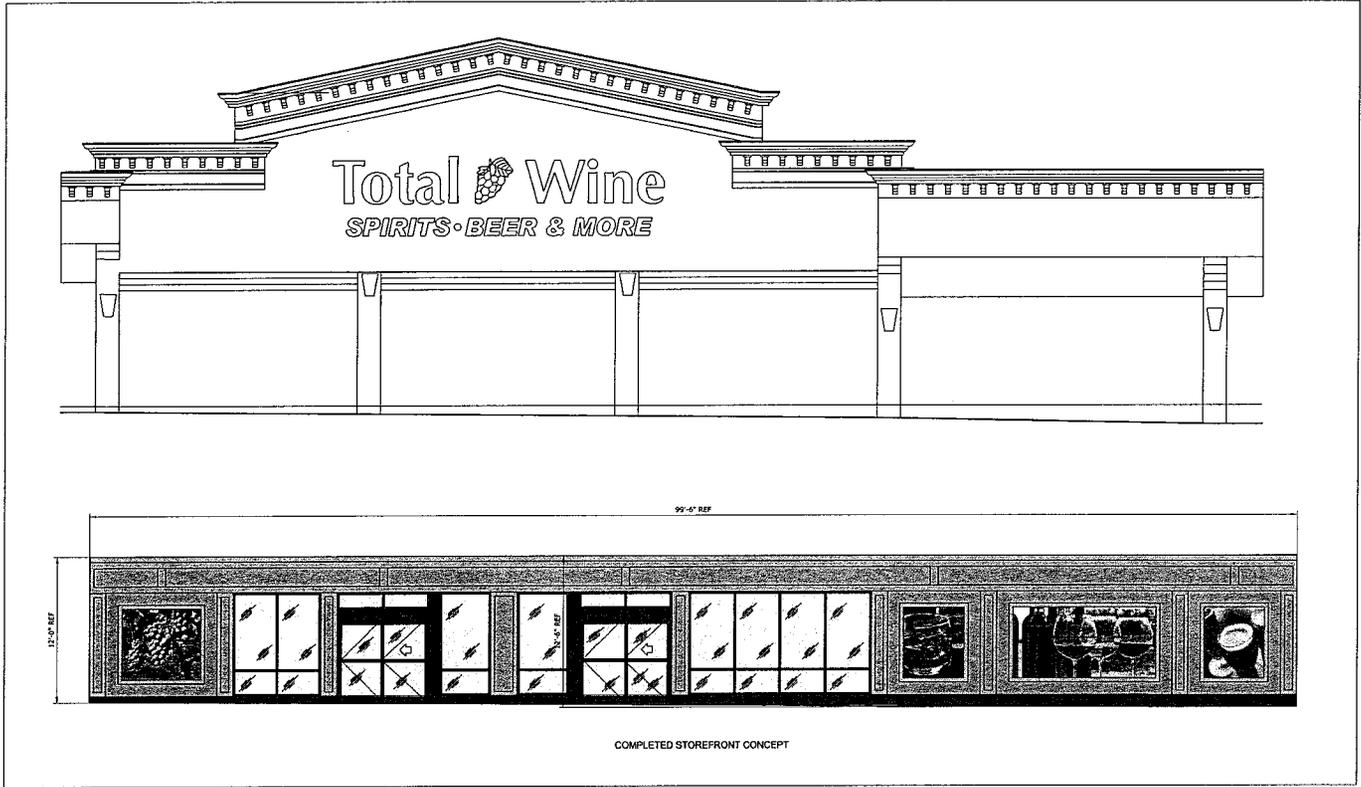
Cc: Ken Chance, Tenant/ Lessee  
John Hricko, Regency Centers



**Ni Design**  
 11 Talcott Notch Road  
 Farmington, CT 06032  
 T. 860-678-1946  
 F. 860-678-7111  
 nidesign@nidesign.net  
 © 2016



**Charles Georgie Associates**  
 365 New Haven Ave., Ste. 4  
 Milford, CT 06460  
 T. (860) 374-2055  
 F. (860) 374-7807  
 ARCHITECTS &  
 ENGINEERS, LLC  
 cgeorgie@cgassoc.com



T:\1415111-RR\10.DWG, 04/02/15 10:30 User: Mike Pahn

Date: Reused For:

02.15.16 500 ADMN HOSE

Sq. Ft.: 22,545 File:

**Total Wine**  
 SPIRITS • BEER & MORE  
 Corbin's Corner  
 Shopping Center  
 1459 New Britain Avenue  
 Suite 19 West Hartford, CT

Proposed  
 Exterior Mural  
 Modifications

Job #: 15199  
 TWM Store:  
 #104 **Pr1.1**



**Ni Design**  
 11 Talcott Notch Road  
 Farmington, CT 06032  
 T. 860-678-1946  
 F. 860-678-7111  
 nidesign@nidesign.net  
 ©2016

**Charles  
 georgic  
 associates**  
 565 New Haven Ave., Ste. 4  
 Milford, CT 06460  
 T. 860-964-2855  
 F. 860-964-7887  
 ARCHITECTS &  
 ENGINEERS, LLC  
 cgeorgic@cgsassoc.net

**STOREFRONT CONCEPT**  
 1504 West Hartford - 05.13.2016



Total Wine & More 6 of 6

**STOREFRONT CONCEPT**  
 1504 West Hartford - 05.13.2016



Total Wine & More 3 of 6

**STOREFRONT CONCEPT**  
 1504 West Hartford - 05.13.2016



Total Wine & More 4 of 6

**STOREFRONT CONCEPT**  
 1504 West Hartford - 05.13.2016



Total Wine & More 5 of 6

Date Issued For

05.13.16 500 ADMIN ISSUE

Eq. Pl.: 22.665 File:

**Total Wine**  
 SPECIALTIES - BEERS & MORE  
 Corbin's Corner  
 Shopping Center  
 1459 New Britain Avenue  
 Suite 19 West Hartford, CT

Proposed  
 Exterior Mural  
 Modifications

Job #: 15199

TWM Store:  
 #1504

Pr1.2

