

**TOWN COUNCIL  
COUNCIL CHAMBERS  
WINDSOR TOWN HALL  
SEPTEMBER 17, 2018  
Regular Town Council Meeting  
APPROVED MINUTES**

**1) CALL TO ORDER**

Mayor Trinks called the meeting to order at 7:34 P.M.

Present: Mayor Donald Trinks, Deputy Mayor Jody Terranova, Councilor James Govoni, Councilor Donald Jepsen, Councilor Richard O'Reilly, Councilor Michael Tustin and Councilor Kenneth Wilkos. Absent: Councilor Joseph McAuliffe

**2) PRAYER**

Deputy Mayor Terranova asked citizens to take a moment of silence to honor victims of Hurricane Florence.

**3) PLEDGE OF ALLEGIANCE**

Deputy Mayor Terranova led the group in the Pledge of Allegiance.

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to place item 12 (a) on tonight's agenda after item 3.

Motion Passed 7-0-0 (Councilor McAuliffe absent)

12 (a) Appointment to fill Town Council vacancy

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to suspend the Town Council's Rules of Order to allow the appointment to fill the Town Council vacancy to be completed this evening.

Motion Passed 7-0-0 (Councilor McAuliffe absent)

MOVED by Deputy Mayor Terranova, seconded by Councilor Govoni to appoint Ms. Nuchette Black-Burke to the Town Council to fill an unexpired term.

Motion Passed 7-0-0 (Councilor McAuliffe absent)

Anna Posniak, Town Clerk, then swore in Ms. Nuchette Black-Burke as a member of the Town Council.

**4) PROCLAMATIONS AND AWARDS – None**

a) Declaring September as National Suicide Prevention Awareness Month

Deputy Mayor Terranova read aloud the proclamation to declare September as National Suicide Prevention Month.

## **5) PUBLIC COMMUNICATIONS AND PETITIONS**

Bo Zhao, 88 Maple Avenue, showed photos of two dogs, one of them her own, killed by a 90-pound pit bull on Maple Avenue within one year. She stated that according to a town ordinance, dogs who are deemed vicious must be securely muzzled and a sign should be placed outside of the residence and it is expected that the owner carry insurance of no less than \$100,000. She feels that the current Animal Control Officer (ACO) does not know about the current ordinance, is not enforcing it, and said that the ACO has threatened her. She asked Town Council members to enforce existing town laws.

Alvin Fryxell, 30 Ridgewood Road, spoke about traffic issues where cars are not stopping to allow pedestrians to cross. He stated that he and numerous others have experienced difficulty and scary situations trying to walk into the town center. He hoped to prevent a tragedy by bringing the issue to the attention of the Council.

James Emerich, 111 Maple Avenue, owns a St. Bernard and has to cross the street while walking her because of the aforementioned pit bull on Maple Avenue. He is new to the neighborhood but feels that if the dog is seen without a muzzle, the owner should be fined. He also stated that there are children who live right across the street from the dog.

Patricia Berky, 39 Preston Street, mother of small children in the area of the aforementioned pit bull, stated that residents want to know that Windsor is a safe place to raise children and asked that the muzzle law be supported and enforced.

Suzanne Urban, 37 Elm Street, came to support Bo Zhao and stated that because of the two small dogs who were killed, she no longer walks to the park and is afraid that her dog will be attacked.

Tricia Jeffery, 228 Preston Street, walks daily and stated that the pit bull is always walked on an extended lead, perhaps 20 feet long, and that it is very scary. He has even walked by the St. Gabriel School playground on the long leash. She stated that the owner has not changed how he walks the dog since either incident.

Mary Kearney, 104 Spring Street, spoke about the dangerous pit bull and stated that many people pass by its residence to get to the town green. Fidelco Guide Dog trainers often train in the town center. Ms. Kearney recently asked one of the trainers if they knew about the dog and they stated that they did not.

Dr. Susan Cardillo, 111 Maple Avenue, stated that she is the other St. Bernard owner and expressed concern about there being a law that is not enforced. She asked the Council why nothing is being done about the situation.

## **6) REPORT OF APPOINTED BOARDS AND COMMISSION**

- a) Public Building Commission (PBC)

Rich Hazelton, Chair, gave the following report:

**Safety Complex Project Roof and Boiler Replacement**

*Replacement Roof project:* Several punch list items remain to be completed by the contractor but the replacement roof is completely installed. We expect these items to be completed by end of the month.

*Boiler Replacement project:* The replacement boilers are completely installed except for the stainless flue piping. This is on order and expected to be installed during the last week of September. The new DDC control system for the boilers and pumps are 80% complete. The controls are expected to be completed during the last week of September. We expect both projects to be completed this month.

**JFK School HVAC Replacement project:** The contractor has completed placement of all 33 replacement unit ventilators in classrooms. The three new and replacement roof top units are in place and two are operable. The one for the multi-purpose room will be operational once new electrical service is complete. There was a delay with the fabrication of the new electrical main switch gear. It was finally shipped on September 7<sup>th</sup> from South Carolina. Its installation is scheduled to begin this week. A switch over to the new electrical system is scheduled for Saturday, September 29<sup>th</sup>. The heating system is still scheduled to be completed and fully operable by October 15<sup>th</sup>. Once the heating system is complete, work will then concentrate on the installation of the new air conditioning system, which will be fully completed and tested in Spring 2019.

**Town Hall Portico Restoration project:** Town staff will be bidding this project during the month of October. The PBC will review the bids in November and select the best qualified contractor. After the Town Council approves construction funding, the PBC will award the project. Work will be taking place in April, weather permitting.

**Fire Security Systems:** The contractor, Siemens, has completed one installation at the Rainbow Cell Tower Server room. Siemens has roughed in the new system in the Luddy house and has the final device and panel installation to complete at this location. The next location will be the Sill House. The locations scheduled to be upgraded are: Rainbow Road Cell tower town equipment building, Luddy House, Milo Peck School, Sill House, Freight House, Train Station, and DPW at 99 Day Hill Road. Proposals for the 330 Community Center and Wilson Branch Library are pending.

**Oliver Ellsworth School HVAC:** The contractor has installed the three new air handling units and the cooling tower. The contractor, SK Mechanical, has notified the PBC that there were unexpected issues with these installations. During the demolition of the three air handling units, the hydronic piping insulation was removed and extensive corrosion to the piping was uncovered. The corroded piping had to be removed back to where they branch off of the main piping. During the rewiring of the new cooling tower it was discovered one of the two under grade electrical conduits was broken and unusable.

The PBC understands there is a supplemental funding request for this project before the Town Council this evening (9/17/18). The PBC has reviewed the change orders to correct these issues and agrees with them. If the Town Council approves the funding this evening, the PBC has scheduled a special meeting for tomorrow evening (9/18/18) to approve these change orders.

## **7) TOWN MANAGER'S REPORT**

### **Citizen's Academy**

The Town of Windsor's Citizen's Academy begins on September 20<sup>th</sup> at 7:00 PM in the town hall council chambers. There is still time to sign up. The seven-week interactive Citizen's Academy will continue to meet on Thursday evenings, meeting at various town facilities including the Police Station, Library and community centers. Participants will go behind the scenes and see what happens in the day-to-day operations of the town.

The program is free and anyone 18 years or older living or working in Windsor is welcome to sign up. Register soon by calling 860-285-1835 or by email at: [jubrey@townofwindsorct.com](mailto:jubrey@townofwindsorct.com).

### **Annual River Clean up Event**

The town will be sponsoring its annual river clean up event on Saturday, September 29, 2018 from 10:00 AM - 1:00 PM. Those that are interested in participating should meet behind the Town Hall at 10:00 AM. This year's goal is to clean up heavily used sites along the Farmington and Connecticut Rivers. Gloves and bags will be provided. Lunch will be provided by the Farmington River Watershed Association in Simsbury at 2:00 PM for those that are interested. Please call Tom Hazel at 860-285-1987 for more information.

### **Hearing Clinic – 55 & Up**

A free hearing clinic will be held on September 25, 2018 at 10:00 AM. Free hearing clinics are conducted by a certified audiologist which are held at the Senior Center on the last Tuesday of every month from 10:00 AM to noon. Rides can be arranged to your appointment by calling 860-285-1839 two days in advance for Dial-A-Ride patrons.

### **Amtrak update**

For the next week or so, there will be changes at the Windsor Station rail platform. Track one at Windsor Station will be temporarily closed to accommodate track construction in the station area. Track one platform is closest to the historic station building.

Passengers will enter and exit all trains at the station's new track two platform until Monday, September 24 at 5:00 AM, when track one is expected to reopen. Directional signage will be posted at the station to alert passengers to this temporary closure.

The temporary closure of the track one platform will allow workers to complete installation and testing of the final section of the double track between Hartford and Windsor.

For questions regarding the Hartford Line, please contact customer service, provided by CT **rides**, at 1-877-CT **rides**(1-877-287-4337) or email [info@ctrides.com](mailto:info@ctrides.com). You may also visit [www.hartfordline.com](http://www.hartfordline.com) or [www.amtrak.com](http://www.amtrak.com)

### **Paving Projects Delayed**

The paving of various roads has been delayed due to recent poor weather which is negatively impacting the contractor's schedule. Weather-permitting, paving is expected to start on Wednesday this week. The first roads to be repaved include: Old Poquonock Road, Lamberton Road and then streets in the Prospect Hill and River Street area.

### **Police Chief Report**

The independent fact finder has completed the review of allegations related to the Police Chief. After interviewing multiple individuals, reviewing department policy and state law, the investigator has concluded no department policies or state laws were violated.

Allegation one related to a reported party, or gathering of teenagers, in a neighboring town and that the Chief intervened in the investigation. It was found that the allegation of the Chief's involvement was untrue and the Chief had no knowledge or involvement in the gathering.

The second allegation was that the Chief deleted a video from the department's Motor Vehicle Recording system. The independent fact finder determined that a video related to a February 2018 motor vehicle accident was not deleted by the Chief nor any other member of the department. The video was retained for a full 90 day period, which is in accord with the department's retention policy.

The tape in question was not saved beyond the stated retention policy due to the Chief's determination that it did not have evidentiary value. While this did not violate any department policy or state statute, the fact finder found it would have been best practice to have done so.

I've instructed police management to review department policies relative to the motor vehicle recording system and citizen complaint process to see if the policies may need to be refined and clarified.

Through this process, it's been identified that some conflicts in communication and interpersonal styles exist. I will also be working directly with our human resources department and the police department to evaluate and take steps to improve communication within the police department.

In closing, I have confidence in our police officers, emergency dispatchers and department management. In today's fast-paced, ever-changing environment, the importance of continuing to evaluate our department's policies and practices on a regular basis cannot be over emphasized.

In the past few years, the department has built upon its strengths by implementing new technologies ranging from a records management systems to in-car cameras, requiring

additional training in areas such as domestic violence and crisis intervention, designing new reporting systems, and updating officer safety equipment.

I thank all members of the department, our sworn officers, dispatchers, records clerks, supervisors, department administrators and Chief Melanson for their efforts and dedication in serving our community.

Councilor Wilkos asked Town Manager Souza to speak about the recent issues with the Day Hill Road repaving project.

Town Manager Souza invited Robert Jarvis, Town Engineer and Director of Public Works, to speak about the issue.

Mr. Jarvis acknowledged traffic difficulty last week. The contractor removed a large section of the pavement on Day Hill Road that needed to be replaced, but the paving was ill-timed with the amount of rain we received—between 3.5 and 4 inches of rain. 14,000 vehicles travel this road per day, including tractor trailers. The contractor not only had the rain to deal with, they found groundwater, underdrains that existed, and an unmarked MDC gatebox that added hours to the project. Basins were elevated so water could not drain during all of the rain. The contractor was requested to sweep the area but did not respond in an efficient manner, so town crews were sent out to resolve the issues. Mr. Jarvis stated that going forward, less road will be opened up at a time and weather will be more closely monitored to avoid any similar issues.

Councilor Wilkos stated that those issues with the road affected many people and businesses and noted the terrible timing. He asked if what was currently there was a temporary cap. Mr. Jarvis responded that yes, the cap will be removed when the sub base is fixed.

Councilor Govoni said many contractors would not have taken that much apart at one time and wondered what kind of oversight is being given to these projects. Mr. Jarvis stated that some oversight can be given, but the contractor is ultimately responsible for his methods and the consequences of those methods.

Councilor Tustin thanked Mr. Jarvis for the response, but is disappointed that our Department of Public Works crews were called to action when our resources could have been used elsewhere. He stated that the town should be reimbursed for resources and man hours used resolving the contractor's methods.

Councilor Govoni asked if we have to take the lowest bidder on projects. Mr. Jarvis responded that they have to use the lowest bidder unless they can disqualify them and that this particular contractor was pre-qualified by the state.

## **8) COMMUNICATIONS FROM COUNCIL MEMBERS**

Councilor O'Reilly welcomed Councilor Black-Burke.

Councilor Wilkos welcomed Councilor Black-Burke and looks forward to working with her. He also thanked folks who came out to speak during public communications about issues with the dog. He assured citizens that the council is aware of the situation and that Town Manager Souza is looking into it.

Councilor Govoni welcomed Councilor Black-Burke. In reference to another issue brought up during the public communication section, he spoke about pedestrian crosswalks where traffic is barreling toward the town center and wondered about implementing signs warning cars to yield to pedestrians.

Councilor McAuliffe – Absent

Councilor Tustin – None

Deputy Mayor Terranova welcomed Councilor Black-Burke.

Councilor Jepsen welcomed Councilor Black-Burke.

Mayor Trinks welcomed Councilor Black-Burke.

Councilor Black-Burke thanked the Council for the appointment and looks forward to working on the Council and the work that will be done together.

## **9) REPORTS OF STANDING COMMITTEES**

Personnel Committee – Councilor O'Reilly reported that the committee met on Monday to interview individuals for appointment and reappointment and that he would speak more about it during agenda item 13.

Health & Safety Committee – None

Finance Committee – None

Special Projects Committee – None

Town Improvements Committee – None

Teacher Negotiations – Councilor Jepsen reported that there are ongoing meetings about teacher negotiations.

## **10) ORDINANCES**

## **11) UNFINISHED BUSINESS**

## **12) NEW BUSINESS**

- a) Appointment to fill Town Council vacancy

See item 3.

- a) Approve an appropriation of \$58,000 from the Capital Projects Fund for design of Island Road pavement rehabilitation project

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to approve an appropriation of \$58,000 from the Capital Projects Fund Assigned Fund Balance for the design of the Island Road Rehabilitation project.

Robert Jarvis, Town Engineer and Director of Public Works, gave an overview of the Island Road Rehabilitation project.

Councilor Govoni thought it was a good project and asked if sidewalks could be added later. Mr. Jarvis explained that it wouldn't involve anything past the curbs so it certainly wouldn't be designed so that sidewalks couldn't be added later.

Councilor Jepsen asked if it was the entire length of the road and remembered it being a flood zone. Mr. Jarvis responded that it would be the entire length and that yes, flooding occurs there, hence the request for extra design money to resolve some of those issues.

Councilor Wilkos asked if Loomis Chaffee could contribute to the project financially as many of the properties there are owned by the school. Mr. Jarvis stated that these conversations will occur and that he hoped that they would contribute.

Town Manager Souza noted that sidewalks cannot be added to the full length of the road due to the flood zone, but from approximately Route 159 to the hockey rink could be done.

Motion Passed 8-0-0 (Councilor McAuliffe absent)

- b) Approve an appropriation of \$75,000 from the Capital Projects Fund for the design of Poquonock Elementary School HVAC project

MOVED by Deputy Mayor Terranova, seconded by Councilor Jepsen to approve an appropriation of \$75,000 from the Capital Projects Fund Assigned Fund Balance for the Poquonock School HVAC Improvements project.

Robert Jarvis, Town Engineer and Director of Public Works, and Whit Prezch, Facilities Manager, gave an overview of the project.

Poquonock Elementary School was originally constructed in 1947. Two additions were added in 1958 and 1988. The first two phases of this project completed the replacement of the existing heating equipment systems. Presently some sections of the building have air conditioning. This funding request is for the design of air conditioning systems for the remaining areas of the building not currently air conditioned.

The new design will determine the most efficient cooling systems that will be utilized to air condition remaining spaces and integrate with the DDC controls system. If approved, the project would be designed and bid by mid-winter to allow a funding request to be

considered in February or March. Construction would be scheduled for the summer of 2019.

The Town Council is also requested to refer the project to the Public Building Commission for oversight.

Motion Passed 8-0-0 (Councilor McAuliffe absent)

MOVED by Deputy Mayor Terranova, seconded by Councilor Jepsen, to refer the Poquonock School HVAC Improvements project to the Public Building Commission for oversight.

Motion Passed 8-0-0 (Councilor McAuliffe absent)

- c) Approve an appropriation of \$30,000 from the Capital projects Fund for Oliver Ellsworth Elementary HVAC project

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova, to approve an appropriation of \$30,000 from the Capital Projects Fund Assigned Fund Balance for the Oliver Ellsworth School HVAC project.

Robert Jarvis, Town Engineer and Director of Public Works, and Whit Prezch, Facilities Manager, presented the item for the Oliver Ellsworth Elementary School HVAC Supplement appropriation.

As the project work progressed this August, two unknown conditions were uncovered. The existing piping for the air handling units serving the gym and cafeteria areas were found to have more corrosion than was expected and the under-ground electrical conduit serving the chiller tower was found to be broken and not useable. Two change orders are required to address these two items - \$15,000 for the air handling unit piping and \$11,000 for the replacement electrical conduits. The piping will be cut back to a location where piping is sound and the replacement electrical conduits will be installed above ground. A supplemental request of \$30,000 is requested to fund these unanticipated costs.

Motion Passed 8-0-0 (Councilor McAuliffe absent)

- d) Approve an appropriation of \$60,000 from the Capital Projects Fund for the salt storage facility project

MOVED by Councilor Wilkos, seconded by Deputy Mayor Terranova, to approve an appropriation of \$60,000 from the Capital Projects Fund Assigned Fund Balance for the Department of Public Works' salt storage shed and to utilize insurance proceeds to reimburse the Capital Projects fund.

Robert Jarvis, Town Engineer and Director of Public Works, presented the item for the Salt Shed Construction – additional funding authorization.

This spring the Town Council approved the appropriation of \$252,000 to fund the salt shed replacement project. Insurance proceeds will reimburse the Capital Projects Fund Assigned Fund Balance. The requested appropriation was based on the best available information at the time.

This agenda item is to request an appropriation of \$60,000 for additional concrete and foundation work.

Since the original appropriation, it was determined that additional work would be required to supplement the existing concrete block foundation. A structural evaluation, dated June 6, 2018, indicated that a new concrete cap and strapping of the existing foundation blocks should be added to accommodate the new shed framing. The additional cost for this work is approximately \$60,000. We have had ongoing discussions with our insurance carrier since the loss. We expect this additional cost will be covered by insurance proceeds and be used to reimburse the Capital Projects Fund Assigned Fund Balance.

Councilor Tustin asked about the project timeline. Mr. Jarvis replied that the overall timeline will perhaps be a few weeks longer, not because of this additional work but due to other delays.

Councilor Wilkos stated that he was blown away that the whole thing is being taken care of by the insurance company, including the salt replacement, and feels that the project is in good shape.

Motion Passed 8-0-0 (Councilor McAuliffe absent)

### **13) RESIGNATIONS AND APPOINTMENTS**

Councilor O'Reilly stated that there are none, but there are several names submitted for consideration included in tonight's packet that will be voted on during the Oct 1<sup>st</sup> Town Council meeting.

Mayor Trinks appointed Councilor Black-Burke as Chair of the Health and Safety Committee and as a member of the Personnel Committee.

### **14) MINUTES OF PRECEEDING MEETINGS**

- a) Minutes of the September 4, 2018 Public Hearing

MOVED by Councilor Jepsen, seconded by Councilor O'Reilly to approve the unapproved minutes of the September 4, 2018 Public Hearing as presented.

Motion Passed 8-0-0 (Councilor McAuliffe absent)

- b) Minutes of the September 4, 2018 Regular Town Council meeting

MOVED by Councilor Jepsen, seconded by Councilor Black-Burke to approve the unapproved minutes of the September 4, 2018 Regular Town Council minutes as amended.

Councilor Jepsen noted a spelling error in section 13: The reappointed member's name is Ruth "Jefferis" not "Jeffries."

Motion Passed 8-0-0 (Councilor McAuliffe absent)

#### **15) PUBLIC COMMUNICATIONS AND PETITIONS**

Lakisha Hyatt, 104 Benjamin Court, Councilor Black-Burke's sister, was honored to witness the continued leadership of Councilor Black-Burke and was happy to see the diversity of the Council. She expressed her full support and offered her help and perspective as an APRN to Councilor Black-Burke in her new role as Chair of the Health and Safety Committee.

#### **16) EXECUTIVE SESSION**

#### **17) ADJOURNMENT**

MOVED by Councilor Wilkos, seconded by Councilor Black-Burke to adjourn the meeting at 8:53 P.M.

Motion Passed 8-0-0 (Councilor McAuliffe absent)

Respectfully Submitted,

Erin Rand  
Clerk of the Council