



**TOWN COUNCIL
HYBRID MEETING – VIRTUAL AND IN-PERSON
March 7, 2022
Regular Town Council Meeting
Council Chambers**

APPROVED MINUTES

1) CALL TO ORDER

Mayor Trinks called the meeting to order at 7:30 p.m.

Present: Mayor Donald Trinks, Deputy Mayor Lisa Rampulla Bress, Councilor Nuchette Black-Burke, Councilor James Dobler, Councilor Ronald Eleveld, Councilor Kristin Gluck Hoffman, Councilor Kenneth Smith, Councilor Jody Terranova and Councilor Len Walker

2) PRAYER OR REFLECTION

Councilor Walker led the group in reflection.

3) PLEDGE OF ALLEGIANCE

Councilor Walker led the group in the Pledge of Allegiance.

4) PROCLAMATIONS AND AWARDS

- a) Proclamation designating March 2022 as Women's History Month

Councilor Black-Burke read the proclamation designating March 2022 as Women's History Month.

5) PUBLIC COMMUNICATIONS AND PETITIONS

Teresa Bouthet, 14 Parkwood Drive, stated that laws regarding vicious and dangerous dogs need to be implemented to protect residents and other animals from harm. She stated that in her personal experience, she has found the town has been extremely lenient on negligent dog owners and, in doing so, takes unnecessary risks which allows vicious dogs to remain in neighborhoods. This jeopardizes safety, peace of mind, and restricts freedom of movement within the neighborhood. Ms. Bouthet stated it is counterproductive if the Town is attempting to curtail appeals to the State for disposal orders by being lenient. She reported that three dogs attacked her dog and were given restraining orders only. These dog owners are appealing the restraining orders, and costs the Town a great expense for an appeal. These dogs attacked her dog unprovoked and Windsor ordinances have remedies to prevent it from happening again.

Eric Weiner, 76 Palisado Avenue, discussed the sunk cost fallacy which is defined as the tendency to follow through on an endeavor if we have already invested time, effort, or money into it whether or not the current costs outweigh the benefit. Mr. Weiner reported that \$5.79 to \$6.19/gallon is the price of gasoline in California and these prices are likely to come here. Mr. Weiner spoke against item 12E, which calls for spending \$330,000 on a new HVAC system for 330 Windsor Avenue and requested that the item be tabled until a full cost benefit and return on investment analysis can be done that looks at alternative fuel sources. He does not believe proper calculations have been done on what the cost of the natural gas would be over the system's typical life span of 30-40 years. He feels it would be a mistake to saddle taxpayers with a generational expense and reported that there is tremendous support in the community for alternatives. Mr. Weiner also recommended convening a meeting of the Town Council, Town Planning & Zoning (TPZ) Commission, the Clean Energy Task Force, Public Works and Engineering to work together on energy-related matters. Mr. Weiner also requested agenda item 13 be tabled and any appointments to the TPZ be tabled until Leroy Smith has been given a chance for an interview. He believes that Mr. Smith not receiving an interview was a tremendous oversight and lack of due process. Appointments to the TPZ last for five years. Mr. Weiner stated that to forsake someone newly interested in lieu of someone who has been on there for decades is a disservice to the changing dynamics of Windsor. He asked the Council to support the work of the Personnel Committee as they work to codify their rules and publish them. He also expressed that, as a matter of due process, applicants should be able to appeal to the Town Council if they are rejected by the Personnel Committee.

6) COMMUNICATIONS FROM COUNCIL MEMBERS

Councilor Dobler commented on the events in Europe and Ukraine. He stated that it is a terrible thing that is happening and that because of one person who is a bully with an inferiority complex, so many people have had to suffer.

Councilor Walker stated at the last Town Council meeting that he would try get more information on the interview request from Mr. Leroy Smith. He had also said he hoped there would be a resolution to that issue, but there has not been and tonight the Council will be to voting on reappointments. Councilor Walker reported that in June of 2018 he applied for a spot on the TPZ. He reports having gotten a response from the Town saying there were no openings and that he should try for Town Improvements, but he knew there was an open spot. He replied and stated he wanted to apply for the alternate spot on TPZ and was told someone would get back to him but never did. Councilor Walker discussed Mr. Larry Jaggon, a member of the TPZ who stayed in the alternate spot for a long time. Councilor Walker reports having expressed concern about Mr. Jaggon having been an alternate for so long and asked for the reason but did not get an answer. Councilor Walker feels he had been overlooked. Councilor Walker stated that he looks at himself, Mr. Jaggon, and Mr. Smith and asks what the three of them have in common. He is in agreement that the appointments be tabled and if it comes to a vote tonight, he is prepared to vote no to seating these people for reappointments.

Councilor Terranova thanked everyone for their patience with regards to COVID-19. Masks are now optional and hopefully will not be back for a while. If you feel the need to wear one, wear one and respect those who do choose to continue wearing them.

Councilor Gluck Hoffman – None

Councilor Black-Burke thanked speakers for voicing their concerns to the Council and also thanked those who have emailed. Those emails are being read and will be responded to in a timely manner. Councilor Black-Burke congratulated the newest State Representative of the 5th District, Maryam Kahn, and expressed that Windsor is excited for her and is supporting her. Councilor Black-Burke expressed her excitement about the proclamation honoring Women's History Month. She asked for people to please pray for Ukraine and offer support if possible.

Councilor Eleveld reports having seen an article comparing what is happening in Ukraine with World War II. He wishes our government would stop the use of Russian oil because that is where they receive the vast majority of their cash flow. Part of the reason we are paying so much for oil is the temporary fear that there won't be enough. He stated that we used to be a net exporter and we are now breaking even relative to import/export. He is hoping that will change shortly and benefit our nation greatly. Councilor Eleveld expressed concerns relative to the TPZ. He stated that Ms. Mips has done a phenomenal job over the years. However, if there is someone who did not have an opportunity to interview, we should give them that opportunity. He is not saying that individual is ideal for the slot but waiting a week should not hurt anything. By no means should that be construed as anything negative towards Ms. Mips who has done a fantastic job. Councilor Eleveld has high regards for her ability to run the TPZ.

Deputy Mayor Rampulla Bress reported having attended a meeting of the Resource Protection Subcommittee of the Lower Farmington & Salmon Brook Wild and Scenic committee. There was a Department of Energy and Environmental Protection (DEEP) representative there discussing the Windsor landfill leachate project. Many questions were asked and answered, and an agreement was offered by all parties to continue collaborative discussions on the best way to move forward with this project. She thanked the town and the citizens for continuing to have discussions regarding doing things differently if it works best for the town. Deputy Mayor Rampulla Bress also reported having attended the Windsor Housing Authority (WHA) market at Fitch Court and attended similar events at Shad Run and Millbrook Village. She thanked Commissioner Carol Engelmann for organizing the resident and community volunteer corps who made the program possible. Local residents and businesses including the Windsor Buy Nothing group provided donations for the residents to shop from. Donations were accepted to fund a barbecue at each of the locations this summer. There will be a second market at Shad Run on March 12 and another at Millbrook on March 19. Any resident of the Windsor Housing Authority can attend any of these events. Deputy Mayor Rampulla Bress reported that she and the Mayor along with State Representative Jane Garibay attended a vigil for Ukraine on March 6. It was run beautifully by the Town's Human Relations Commission and held at Grace Church. Community members were showing support for families in Ukraine and Russia. There were students from Loomis with families in both countries. She thanked the Human Relations

Commission for pulling this together so that we could support our community members during this difficult time.

Councilor Smith congratulated the Green Energy Coalition for defeating the Milo Peck bond issue. He stated that no technology exists today to meet the needs of the Milo Peck facility. When the current system fails, it will be ultimately be replaced in kind instead of with a modern energy efficient engineered system. The defeat of the bond issue contradicts the goal of recommended actions to replace end of life equipment with more efficient/lower emission models. Councilor Smith fully endorses clean green energy initiatives as long as they are made in transitional stages.

Mayor Trinks – None

7) REPORT OF APPOINTED BOARDS AND COMMISSIONS

a) Board of Education

Ayana Taylor, Board of Education Secretary, gave the following report:

As of February 28, masks are no longer required in school buildings. Anyone who wishes to wear a mask may still wear one. This can be revised at any time by the Connecticut Department of Health Commissioner in conjunction with the CT Commissioner of Education. The Windsor Board of Education (BOE) could also vote to enact a mask mandate. As of February 25, the Centers for Disease Control no longer requires the wearing of masks on school buses or other types of early childhood transportation. Masks are optional on school buses as they are in the schools.

BOE Vice President Maryam Kahn is the new State Representative who was elected and sworn into the 5th District today. She will be resigning from the BOE and will be missed tremendously.

The Windsor BOE recently passed their 2022-2023 budget unanimously.

The Windsor High School girl's indoor track team won the CIAC Class L State Championship and will be recognized at the March 15, 2022 BOE regular meeting.

Windsor Public Schools are now accepting pre-K applications from March 1-30 only and registration for all grades. Please visit the district's website for more information.

In partnership with the Windsor Health Department, a COVID-19 vaccine clinic will be held for ages five and older to receive their first shot, second shot, or boosters at the LP Wilson Community Center on March 23, 2022 from 4 – 7 p.m.

On February 26, Sage Park Middle School was the site of the FTC FIRST Robotics State Championship hosted by Windsor's team, Blazing Spirits, with students from Windsor High School and Sage Park Middle School. Windsor BOE President David Furie officially opened the competition welcoming the 27 teams from throughout the state. He was followed by Windsor

High School Principal Breon Parker who spoke about the importance of STEM education and the opportunity offered by robotics.

Marcus Blackwell, 2005 Windsor High School graduate and Founder and CEO of Make Music Count, was interviewed on The Game Plan with Shaquille O'Neil on TNT on March 1.

On March 29, 2022 at 6:00 p.m. at Sage Park Middle School, the Office of Family and Community Partnership is sponsoring a Family & Community Forum, "Legacy Over Likes", on how social media affects the character development of today's youth. This forum is in partnership with Dangers of the Mind, an education consulting firm founded to provide culturally responsive social emotional learning tools and resources to alternative schools, juvenile justice systems, high-risk youth, non-profit organizations, educators, parents, and community stakeholders. Kristen Hopkins, 2005 Windsor High School graduate, is the Founder and CEO of the organization. Please visit Windsorct.org to register for the event.

b) Board of Ethics – None

8) TOWN MANAGER'S REPORT

COVID-19 Vaccination Data and Clinics

Per data published by the CT Department of Public Health on March 2nd, 78.80% of our total population has been fully vaccinated, while the state wide rate is 77.80%. Our rate is up from 76.52% on January 26th. Of children between 5 and 11 years of age, 43.15% of that group has received at least one dose and 36.79% has been fully vaccinated. 81.75% of town residents, 5 years old and above, have been fully vaccinated.

The following are upcoming vaccination clinics:

For first, second, and booster shots for children ages 5-11 and anyone 12 and older:

- **Tuesday, March 8, 2022** from 10:00 a.m. – 12:00 p.m. at 330 Windsor Avenue Community Center – 330 Windsor Avenue, Windsor. No appointment is needed but preferred.
- **Tuesday, March 15, 2022** from 10:00 a.m. – 12:00 p.m. at 330 Windsor Avenue Community Center – 330 Windsor Avenue, Windsor. No appointment is needed but preferred.
- **Saturday, March 19, 2022** from 11:00 a.m. – 5:00 p.m. at the Hopewell Baptist Church, Windsor Avenue, Windsor. This is being hosted by the Department of Public Health. No appointment is needed
- **Wednesday, March 23, 2022** from 4:00 p.m. – 7:00 p.m. at L.P. Wilson Community Center - 599 Matianuck Avenue, Windsor. No appointment is needed but preferred.

Residents are encouraged to get vaccinated and/or to get a booster shot as well as to continue to take appropriate health precautions. For more information, call the Health Department at 860-285-1823.

Windsor's Annual Bridge Builders Awards

The Windsor Human Relations Commission will be holding their 26th Annual Bridge Builder awards on Thursday, March 10th at 6:30 p.m. in person at town hall in the Council Chambers.

Windsor Bridge Builder awards are presented to individuals and entities that foster greater trust, understanding, and solidarity in the community. Nominees can include students, church members, neighbors, or local businesses that have worked toward greater understanding of differences in Windsor. Anyone of any age may fill out a nomination form.

This year's honorees include Alfred Narcisse (in memoriam), Lisa Bress, Lilian Hutchinson, Donald Jepsen, Reverend David Massey, Windsor Social Services, Richard Armstrong, Hilary Carpenter, Shontay Gibson, Helen Jones, Patricia Jones Mack, Mel Madigan, Monique Sanders, Marva Speed-Copeland, Lisa Tatko, Windsor Historical Society and Nathan Wolliston.

Youth Services Bureau Summer Teen Employment Program (STEP)

Beginning on Friday, March 18 through April 22, 2022, applications for the Youth Services Bureau Summer Teen Employment Program will be available on the Human Resources website. This program is a seven week paid internship that will help participants build their work experiences and gain the skills necessary for academic and professional success. This internship is for high school students entering grades 9, 10, or 11 in the fall of 2022. Visit townofwindsorct.com or call [860-285-1946](tel:860-285-1946) for more information.

Windsor Teen Summit

The Windsor Teen Summits will be held on Saturday, March 26th from 9:30 a.m. – 12:30 p.m. and on April 23rd from 9:30 a.m. – 12:30 p.m. The annual conferences are for high school teenagers and this year's sessions are on mental health, personal finances, and a panel of college students discussing preparing for and transitioning to college.

This event is presented by the Windsor Youth Commission in partnership with the Youth Services Bureau and the Windsor Library. Visit townofwindsorct.com or call [860-285-1946](tel:860-285-1946) for more information.

Presentation on 'Fentanyl: Fueling the Crisis'

Scheduled to take place on Tuesday, March 29th at 6:30 p.m., *Fentanyl: Fueling the Crisis* is an engaging look into how this synthetic drug is impacting the overdose epidemic in our state, country, and across the globe. Participants will sort myths from facts, learn about what the current trends are, and will learn how to arm themselves with the latest information. This virtual presentation is brought to you by the Windsor Youth Services Bureau and the Windsor Locks Youth Services Bureau. Visit townofwindsorct.com or call [860-285-1946](tel:860-285-1946) for more information.

Summer Fun Camp Registration

Summer Fun Camp registration opened on February 28th for the summer 2022 camp season! Spots are still available. Summer Fun Camp is for children and youth ages 5-14 and will run from June 27 – August 12. Cost is \$155 per week. The program offers early drop-off and late pickup.

For more information, please visit www.townofwindsor.com/recreation or call the recreation office at 860-285-1990.

Landfill Leachate Project

Last week town staff and I participated in a conference call with members of the Lower Farmington and Salmon Brook Wild and Scenic Resource Protection Committee, Farmington River Watershed Association and National Park Service to discuss the proposed landfill leachate project. Also attending were representatives from the CT Department of Energy and Environmental Protection as well as several Windsor residents. Attendees asked a variety of questions to help gain a better understanding of the project's origins and overall goals and objectives. Department of Energy and Environmental Protection (DEEP) stated the goal of the project is to address an aesthetic issue.

I appreciate the participation of the various parties including the CT DEEP and town residents. In the coming weeks, town staff will be meeting with DEEP to discuss issues raised in the meeting and to review alternative options to the current plan.

Town Center Development

First Town Downtown (FTDT) is hosting a public information session to discuss the future of Windsor Center on Wednesday, March 9th at 6:30 p.m. at Town Hall. During the session, FTDT will moderate a discussion on several important initiatives to improve pedestrian safety, provide additional public parking, enhance the streetscape and increase the volume of area businesses and residents through transit-oriented development. Those who are unable to join in person may participate virtually using the following link: <https://us02web.zoom.us/j/86338761884>.

Presentations will be made by town staff on the Town Center TOD plan and the long planned complete streets improvements to Broad Street, as well as by local developer GRAVA properties on their mixed-use redevelopment proposed for the Windsor Center Plaza.

To learn more, go to firsttowndowntown.org or call 860-247-8982.

Councilor Black-Burke thanked Town Manager Souza for sharing what took place at the Lower Farmington meeting. There was robust discussion at the last Health and Safety Committee meeting regarding the landfill, so she appreciated the update and thanked the many individuals who were at the meeting for their advocacy.

9) REPORTS OF STANDING COMMITTEES

Town Improvements Committee – Councilor Dobler - None

Finance Committee – Councilor Terranova - None

Health & Safety Committee – Councilor Black-Burke - None

Personnel Committee – Deputy Mayor Rampulla Bress - None

10) ORDINANCES – None

11) UNFINISHED BUSINESS - None

12) NEW BUSINESS

- a) Introduce an ordinance entitled, “AN ORDINANCE ESTABLISHING VOTING DISTRICTS FOR THE TOWN OF WINDSOR”

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Eleveld, that the reading into the minutes of the text of the ordinance entitled, ‘AN ORDINANCE ESTABLISHING VOTING DISTRICTS FOR THE TOWN OF WINDSOR’ is hereby waived, the full text of the ordinance having been distributed to each member of the Council and copies being made available to those persons attending this meeting and that the full text of the ordinance be recorded with the minutes of this meeting.

Motion Passed 9-0-0

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Eleveld, to introduce an ordinance entitled, ‘AN ORDINANCE ESTABLISHING VOTING DISTRICTS FOR THE TOWN OF WINDSOR.’

Town Manager Souza stated that this item is done every ten years.

Anita Mips, Registrar of Voters, stated that, on February 22, 2022, the Town Council approved one polling district (District 6) outside of its respective lines. This was due to the fact that the public building within the district is insufficiently sized, would negatively impact safety services, and has limited parking. Because Windsor went from four House Districts to two, the current voting districts have grown in number. Ms. Mips provided an overview of the districts and some of the changes that have been made. She reports that the Registrars worked to keep all the districts so that residents would not need to drive any further than absolutely necessary. Once this is put into the state system, it is forwarded to UCONN to be checked. Once the Registrar receives the go ahead, post cards will be sent out to every voter notifying them of their polling place. The first use of the new districts is planned to occur on May 10th for the Annual Budget Referendum.

Karen Andrews, Registrar of Voters, said that the State put a small portion of South Windsor into House District 5.

Councilor Eleveld asked approximately how many people are in each district. Ms. Mips stated that was unknown at this point because they have not yet gotten into the redistricting. Once it goes into the Connecticut Voter Registration System (CVRS), they produce the numbers and will send the numbers back. There are about 10,000 voters in Districts 1, 2, and 3 combined. Hopefully, there will approximately in 3,000 in each District.

Ms. Andrews and Ms. Mips stated that all voters would receive a post card to inform them of their polling location.

Councilor Dobler thanked Ms. Mips and Ms. Andrews for their work.

Councilor Black-Burke stressed that ample notice should be given to the community about these changes.

Councilor Eleveld asked if this ordinance was replacing a prior ordinance. Town Manager Souza confirmed that it is.

Motion Passed 9-0-0

- b) Set a Public Hearing for March 21, 2022 at 7:20 p.m. for an ordinance entitled, "AN ORDINANCE ESTABLISHING VOTING DISTRICTS FOR THE TOWN OF WINDSOR"

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Smith, that a Public Hearing be held at the Windsor Town Hall in the Council Chambers on March 21, 2022 at 7:20 p.m. (prevailing time) on the following ordinance entitled, 'AN ORDINANCE ESTABLISHING VOTING DISTRICTS FOR THE TOWN OF WINDSOR' and further resolved that the Town clerk is authorized and directed to post and publish notice of said Public Hearing.

Motion Passed 9-0-0

- c) Receive Memorandum from Board of Education relative to Public Act 13-60

Town Manager Souza reported that in 2013 the General Assembly adopted PA 13-60, which requires the local Board of Education (BOE) to annually submit an itemized estimate of maintenance expenses to the town's appropriating authority at least 60 days prior to the authority's annual budget meeting. This act defines "itemized estimate" to mean an estimate in which broad budgetary categories are divided into one or more line items, including salaries, fringe benefits, utilities, supplies and grounds maintenance.

Town Manager Souza said that the act also requires a town's appropriating authority (Town Council) to make spending recommendations and suggestions to the school board regarding consolidation of non-educational services no later than 10 days after the school board submits its annual itemized estimate. The school board may accept or reject the suggestions.

The town's general government departments and school departments have a long history of collaborating both formally and informally. For example, the town's public works department for many years has been responsible for grounds maintenance and snow removal at school facilities. We have a combined risk management function staffed by one person. Through this formal arrangement, we combine administrative functions related to property and causality liability insurance, worker's compensation and safety training.

Working in partnership with the Public Building Commission, our respective facilities management staff (2 town and 1 BOE) coordinate the planning, designing, and implementation of major building projects at the various school facilities. The town's defined benefit pension plan includes non-certified BOE staff and is managed by a committee comprised of representatives from both entities. We have also worked closely with the school administration in transitioning both entities to self-insured health and prescription drug programs. It is suggested that the Town Council review and consider providing a response to the Board of Education by March 21, 2022.

d) Approve an easement with Windsor Independent Living Association for 70 Mack Street

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Smith, to accept the proposed easement from Windsor Independent Living Association over the area shown as 'PROPOSED PERMANENT EASEMENT TO BE GRANTED TO THE TOWN OF WINDSOR' on the attached map titled 'PROPERTY & LIMITED LOCATION SURVEY SHOWING EASEMENT TO BE GRANTED TO THE TOWN OF WINDSOR, #70 & #72 Mack Street Windsor, Connecticut. Survey Date January 15, 2022', prepared by Yellow Dog Surveys, LLC.

Director of Public Works Robert Jarvis reported that the Town's comprehensive stormwater management program enables it to improve the condition of the town's storm drainage systems. The storm drainage system, on the town's property at 72 Mack Street, is in need of repair and/or replacement. The system collects storm runoff from areas to the west, including the Windsor Medical Center and routes runoff northeasterly to the Mill Brook. The aging reinforced concrete pipe system has open joints resulting in sinkholes, a failing concrete end wall, and is generally deteriorated. The pipe, end wall, and outlet protection area are in need of replacement.

Mr. Jarvis stated that the discharge of the existing drainage pipe at 72 Mack Street is in close proximity of the adjacent property at 70 Mack Street. This relationship to the adjacent property does not enable improvements to the drainage system without impacting that property. Therefore, it is necessary to obtain an easement across the northwest corner of property at 70 Mack Street to allow the work to be performed. This will enable town staff to reconstruct and extend the storm drainage system, to provide a stable and suitable outlet, provide the means for future maintenance, and allow for improved access configuration to the Mill Brook open space area. Access improvements may include reconfiguration of the existing driveway and providing a suitable shelf for pedestrian traffic to access the open space property.

Mr. Jarvis also stated that there is not a cost for obtaining the easement with the Windsor Independent Living Association (WILA). The drainage improvements will be funded through the Stormwater project fund. The Town Planning and Zoning Commission met on February 24, 2022 and recommended to accept the easement.

Councilor Eleveld asked if Windsor owns 72 Mack Street. Mr. Jarvis replied in the affirmative and stated that it was a portion of the acquisition of the Millbrook open space.

Councilor Eleveld asked if the building is currently being used. Town Manager Souza stated that the building is not currently occupied. An earlier lease arrangement did not come to fruition.

Councilor Eleveld asked if the parking space is usable for those who wish to gain access to the open space in the back. Town Manager Souza stated that there is no prohibition.

Councilor Eleveld asked if there is a small path to get to the back. Town Manager Souza stated that there is no path, but the open space is across the backyard which is maintained. There is no improved surface area.

Councilor Eleveld asked for confirmation that this area is the backyard for WILA and does not impact their use of the property and may improve their ability to use the back of the property once complete. Town Manager Souza confirmed it is the back of their property and the slope down to the stream bed makes it not usable currently. By extending the culvert and possibly someday installing a pedestrian walkway or widening the driveway, it would improve access from WILA's property into the open space.

Councilor Eleveld asked if WILA is in agreement with this. Town Manager Souza confirmed that they are.

Motion Passed 9-0-0

- e) Approve an appropriation of \$330,000 from the General Fund Unassigned Fund Balance for the 330 Windsor Ave Gymnasium HVAC Improvement Project

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Dobler, that \$330,000 be appropriated from the General Fund Unassigned Fund Balance to fund the 330 Windsor Avenue Community Center Gymnasium HVAC Improvement Project; and that the project be referred to the Public Building Commission for oversight.

Public Works Director Robert Jarvis reported that the FY22 Capital Improvements Plan (CIP) includes facility improvements at the 330 Windsor Avenue Community Center for Gymnasium HVAC Improvements. Council previously approved the funding for the mechanical design portion of this project. The gymnasium is currently serviced by a single ten ton roof top unit that is undersized for its current use. It has been determined that the existing unit does not provide enough heating, cooling, and dehumidification during hours of peak usage. The existing roof top unit also has R-22 and this type of refrigerant is no longer produced nor recommended to be repaired when it fails.

Mr. Jarvis stated that the project will include the installation of new energy efficient roof top units with ductwork air distribution systems that will provide better heating, cooling and ventilation for the gymnasium. New direct digital controls will be installed to control energy efficiencies and savings. If approved, the construction work will start in late summer of 2022 and be completed in the fall.

Mr. Jarvis stated that they are familiar with air source electric heat pumps and have used them successfully in several projects in town including the recent renovation projects at the Bloomfield Avenue Fire Station and the Police Department at 110 Addison Road. After evaluating the needs

of the 330 Windsor Avenue gymnasium, the engineer took into consideration the large volume of space to be heated, cooled, and ventilated as well as the space needed for the associated equipment. The engineer felt that the alternative system would not adequately address the ventilation and dehumidification needs of the facility. This would require additional equipment and systems which would require additional space. Procuring that space would take away from current program areas adjacent to the gymnasium.

Councilor Smith asked if it was fair to say that all alternative green energy options have been exhausted and the most energy efficient options that are available with today's technology were chosen. Whit Przech, Buildings and Facilities Manager, stated that the option that was chosen is the most efficient and the best application for this gymnasium given the large volume of space. Air circulation is important. Rooftop units provide better air circulation and ventilation than heat pumps or Variant Refrigerant Flow (VRF) systems. If a heat pump or VRF system was used, a separate direct outside air system to bring in the outside air would need to be added. Rooftop units do that on their own. Mechanical engineers and the Public Building Commission believe this was the best option for this large volume space.

Councilor Smith stated that he wanted to ensure the resident's concern at the beginning of the meeting was addressed.

Councilor Black-Burke asked if a full cost-benefit analysis had been done showing the heat pump/other clean energy versus the HVAC and, if so, could it be shared with the Council. Mr. Przech stated that it could be provided.

Councilor Walker suggested a more collaborative effort with the energy and sustainability group. More effective energy technologies are evolving and members of the group have expertise in this area. Town Manager Souza stated that in the last several weeks, there have been internal conversations about how that dialogue can occur in an efficient and productive manner and that collaboration will continue to be pursued.

Councilor Eleveld discussed his familiarity with air source heat pumps and some of the difficulties they have. He expressed some confusion about the heat pump taking up more space than an air conditioner but understood that heat pumps are not ideal for large spaces. He understands the desire to be green but stated that it can be very costly in the short term and may result in some savings in the long term. He asked if the rest of the building, aside from the gymnasium, could have heat pumps. Mr. Przech confirmed that this is just for the gymnasium.

Councilor Eleveld inquired about the square footage and ceiling height of the gymnasium. Mr. Przech did not have the square footage readily available but reported that the ceilings are 24 feet high.

Councilor Eleveld stated that he would reluctantly vote in favor of this. He likes the idea of green when it makes economic sense, but he understands the limitations and challenges of large spaces.

Mr. Przech stated that when the Public Building Commission hires a mechanical engineer, they always ask them to provide the best, most energy efficient system for the building/space. They have conferred with three mechanical engineers, and they all agree that the heat pumps just don't work in the gymnasium settings. A space of this size would require eight to ten units and a system to bring in fresh air and ventilation would need to be added. The area would need to be dehumidified as well. Heat pumps have been used in multiple locations throughout town. Many of these buildings were built 30-50 years ago and are not energy tight. In new buildings today, heat pumps are very efficient and a good source. When the police station and fire/EMS buildings were renovated, insulation was added to all exterior walls. The goal is always to put in the most energy efficient systems for the specific application.

Councilor Eleveld further discussed his familiarity with the systems and their limitations.

Councilor Black-Burke stated that she has experienced the heat at 330 Windsor Avenue. She explained that her children play basketball there and the heat is oppressive. She would like to see the motion amended to build in the cost-benefit piece. She feels the lifetime cost for this needs to be looked at and looking at the return on investment would be beneficial.

Town Manager Souza stated that the cost-benefit analysis could likely come back to Council on March 21. He asked Mr. Przech about equipment lead times and if this would have any material impact on a late August starting time frame. Mr. Przech stated that equipment lead times are 14-16 weeks from the date ordered.

MOVED by Councilor Black-Burke to table current motion until the cost-benefit analysis is received.

Mayor Trinks asked if the project would need to be redesigned if Council tabled the motion to review the cost-benefit analysis and decided to go with an alternative option, making the motion not applicable in two weeks.

Town Manager Souza stated that, if after reviewing the cost-benefit analysis, the Council decided to go an alternative route, additional design work would need to be authorized and the Public Building Commission would need to go through the process again.

Mayor Trinks asked for confirmation that this would not only push the project out two weeks but potentially could be pushing it out months. Town Manager Souza clarified that tabling the motion tonight would push the decision out two weeks. Then the timing of the project would depend on what the Council chooses to do and on lead time. Late summer timing was planned for this project due to a gap in programming during that timeframe. If the project moves into fall to get accomplished before the winter heating season, the use of the gymnasium space would be impacted.

Councilor Eleveld asked if the cost-benefit analysis is in the raw form needing to be cleaned up. Mr. Przech stated that it would likely need to be cleaned up as the mechanical engineer has it in his computer.

Councilor Eleveld asked if any of those numbers were known at this time. Mr. Przech stated that he did not have the data off the top of his head.

Motion to table failed for lack of a second.

Original motion passed 8-1-0 (Councilor Black-Burke opposed)

- f) Introduce a resolution related to receiving additional grant funding and approving a supplemental appropriation of \$75,000 for the Day Hill Road Reconstruction Project

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Dobler, that a supplemental appropriation of \$225,132.86 in grant funding, for the Day Hill Road Reconstruction Project, between Marshall Phelps Road and Northfield Drive be approved; and that Peter P. Souza, Town Manager, be authorized to sign the FIRST SUPPLEMENTAL PROJECT AUTHORIZATION LETTER for Project No. L164-0004, under Master Agreement No. 02.28-02-13; and that a \$75,000 appropriation from the Capital Projects Fund, Assigned Fund balance be approved to fund the town's contribution toward said project.

Director of Public Works Robert Jarvis reported that in 2016, the town was awarded grant funding through the Connecticut Department of Transportation's (CT DOT) Local Transportation Capital Improvement Program (LOTICIP) for the pavement reconstruction of Day Hill Road between Marshall Phelps Road and Northfield Drive. In February of 2018, the Town Council authorized the execution of the Project Authorization Letter (PAL) for construction based on the final design engineer's estimate. The 2018 PAL authorized the total spending of \$1,736,220. The final grant amount was based on the lowest qualified bid received at \$1,352,032.50 plus 20% to account for Inspection Services and Incidentals to Construction resulting in a total grant award of \$1,622,439. The project was bid in the summer of 2018. Work commenced in the fall and was finalized in the spring of 2019.

Mr. Jarvis stated that during construction of the roadway improvements, the contractor encountered unforeseen conditions. These unforeseen conditions include areas of unsuitable subgrade material and groundwater encountered when excavating for the roadway base installation. Also, the contractor encountered existing pavement sections that were thicker than the proposed pavement section at the two intersections.

During construction of the project, material that was not suitable for subgrade was encountered at multiple locations during the excavation for the proposed pavement section. In order to insure that the structural integrity of the proposed roadway was not compromised by the unforeseen subsurface conditions, the contractor was directed to over-excavate and replace the poor soil with processed aggregate base. A geogrid fabric and underdrain were also added to the problem areas to further stabilize the subsoils.

The DOT granted the town an additional \$225,132.86 to offset the cost of the change orders related to the unforeseen groundwater conditions. This leaves an outstanding amount owed to the Contractor of \$75,000.

Councilor Eleveld stated that this project was done in 2018 and completed in 2019. He asked why we are cleaning it up three years later. Mr. Jarvis explained that, through the last few years with the pandemic, there have been challenges to all entities coming together to collaborate effectively to determine the amount of the grant and the validity of the extra change order specifics. Town Manager Souza added that there were disagreements regarding change order requests. There were significant negotiations, additional engineering information, and field notes that had to be examined by the State Department of Transportation (DOT) since they were being asked to cover over \$200,000 in change orders so that took a significant amount of time.

Councilor Smith asked if it was fair to say that the change orders originally totaled more than \$75,000 and were negotiated down. Adam Kessler, Assistant Town Engineer, explained that the change orders totaled almost \$300,000. Through all the negotiations and information shared with the DOT and the examination of the unforeseen conditions, the DOT determined that \$225,000 was attributed to the unforeseen conditions. The other \$75,000 was not attributed to those unforeseen conditions.

Councilor Eleveld clarified that it was originally \$300,000 worth of change orders, the State of CT is covering \$225,000, the Town is picking up the remaining \$75,000, and all involved parties are satisfied with the negotiated amount.

Mr. Jarvis stated that they have been working closely with the contractor throughout the process and the contractor is eager to finalize it.

Motion Passed 9-0-0

- g) Set a Special Town Meeting for April 4, 2022 at 6:45 p.m. to consider a resolution related to receiving additional grant funding and approving a supplemental appropriation of \$75,000 for the Day Hill Road Reconstruction Project

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Dobler, that a Special Town Meeting be set for April 4, 2022 at 6:45 p.m. to consider the above recommendation (see item 12 f).

Mayor Trinks asked for clarification on this being a town meeting. Town Manager Souza stated that it must be a special town meeting as they were the original authorizing body.

Motion Passed 9-0-0

13) RESIGNATIONS AND APPOINTMENTS

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Terranova, to:

- a) APPOINT Sandra Reault as a Republican member to the Fair Rent Commission (homeowner) for a three year term to expire March 31, 2023 or until a successor is appointed

- b) REAPPOINT Anita Mips as a Democratic member to the Town Planning & Zoning Commission for a five year term to expire November 30, 2026 or until a successor is appointed
- c) REAPPOINT Milo Peck as a Democratic member to the Public Building Commission for a three year term to expire November 30, 2024 or until a successor is appointed
- d) REAPPOINT James Durant as a Republican member to the Zoning Board of Appeals for a two year term to expire November 10, 2023 or until a successor is appointed
- e) REAPPOINT Meg Harvey as a Democratic Alternate member to the Town Planning & Zoning Commission for a two year term to expire November 11, 2023 or until a successor is appointed
- f) APPOINT William Pelkey as a Republican member to the Wilson/Deerfield Advisory Committee for a three year term to expire April 30, 2023 or until a successor is appointed
- g) REAPPOINT George Bolduc as a Democratic member to the Board of Assessment Appeals for a four year term to expire November 30, 2025 or until a successor is appointed
- h) REAPPOINT Ann Beaudin as an Unaffiliated member to the Conservation Commission for a five year term to expire November 30, 2026 or until a successor is appointed
- i) REAPPOINT Jacqueline Reardon as an Unaffiliated member to the Historic District Commission (resident) for a five year term to expire October 14, 2026 or until a successor is appointed.

MOVED by Councilor Walker, seconded by Councilor Eleveld, to table agenda items B and E.

Mayor Trinks stated that he will oppose this because he does not believe tabling this is going to have an impact. The Personnel Committee is not scheduled for another meeting until April. Mayor Trinks also expressed that he feels the Chairperson has taken an unfair beating. He stated that the Chairperson is of extreme integrity. What she did was to enforce the rules. The agenda was set without hearing from one of the applicants. Bending the rules is a slippery slope and could progress to the point where someone could make a case that they can show up on the spot and insist on being interviewed. He has not heard all of the facts, but he feels that it is time that the Chairperson stops taking public beatings about how this was done. It was done properly. It may have not turned out the way people wanted but was done within the rules. He expressed immense respect for Councilor Walker but stated that he will oppose this.

Councilor Eleveld clarified that his seconding of the motion is in no means to be interpreted as a slight to the Chair of the committee. His understanding is that everything was done properly but the gentleman, for whatever reason, did not come up. A motion to table only delays a motion

until the next meeting and does not table it to a future meeting. If it isn't picked up at the next meeting it dies, per Robert's Rules. He asked for confirmation that the next meeting of the Personnel Committee will be in April. Deputy Mayor Rampulla Bress confirmed that is the intent, but the next meeting has not yet been scheduled. The meetings are usually held every other month.

Councilor Eleveld stated that, if the motion is tabled tonight, it will come up at the next meeting and he does not believe it can be tabled a second time. Therefore, he will vote against tabling the original motion, but appreciated Councilor's Walker's attempt. He feels we need to put some trust in our Personnel Committee.

Councilor Black-Burke stated that as a member of the Personnel Committee, there has been commentary about happenings within the committee. Some have been accusatory to the Chair, some not. She has shared with the current Personnel Committee that we must ensure that the process and the procedure is clear for everyone. Councilor Black-Burke would like to go on record as stating that the process for interviews must be crystal clear with no room for anyone to guess. She reports that she, Deputy Mayor Bress, and Councilor Gluck Hoffman have been working to ensure this is done and it is crystal clear for everyone. She is concerned that statements by Councilors were taken as an affront to the Deputy Mayor. We need to have the space to have dialogue.

Councilor Walker thanked Councilor Black-Burke. He thinks we are having dialogue tonight. Mr. Smith came before the Council, and he wrote some emails that were seen by all. Councilor Walker expressed that his major concern is that the resident said he didn't get an opportunity to have an interview. Councilor Walker believes he should have been afforded an interview as an issue of fairness.

Councilor Dobler asked for clarification that if we vote yes, we are tabling until the next meeting, if we vote no, we go back to original appointments Mayor Trinks confirmed that.

Councilor Smith asked to be walked through how applications are handled for Boards and Commissions.

Deputy Mayor Rampulla Bress stated that applications come in through the town website. The town collects those applications. When someone applies and they finish the application, there is a screenshot that shows up that gives them all the instructions moving forward and an opportunity for them to see their application. Directions regarding when they will be contacted and how the process works are also provided within the screenshot. The screenshot is available for them to print out. From there, the applications go to the liaison (Helene Albert) who keeps the applications and holds on to them to be checked against openings and vacancies. As they are checked against openings and vacancies, they are held until the next meeting takes place. Those applications are sent to all the Councilors a few days before the meeting based on what vacancies are available. Prior to or in between that process, a committee meeting is set up. When the committee meeting is set up, the liaison sends emails to all appropriate applicants that are going to be scheduled for the upcoming meeting. Those applicants respond to that email, an

interview is set up, and they are placed on the agenda. The agenda is posted, and the meeting is held. The decisions are made by three councilors.

Councilor Smith clarified that he is not related to the applicant, Mr. Leroy Smith.

Councilor Black-Burke stated that she has been on the Personnel Committee since joining the Town Council in 2018. For her, it is about process and procedure. Tonight, her concern is that, if there is room for error, how do we eliminate that. We have a citizen who states he did not receive anything from the Town in regards to an interview. Councilor Black-Burke stated that, at this juncture, after having just looked at the website, there is nothing that tells a citizen how to go about this. She feels we will come back to this place as a Personnel Committee if clear procedures are not laid out for how citizens go about applying for a board/commission. There cannot be any room for error.

Mayor Trinks stated that he does not disagree that this time can be used to harden up a deadline. He also stated that, while any process can have a flaw, the Personnel Committee has placed many applicants and many people have gone through the process. Conversely, there are probably people who did not get on. He stated that the committee has worked with applicants who did not get their first choice on exploring a second committee.

Deputy Mayor Rampulla Bress stated that the committee always asks for a second choice because they don't want to lose anyone. The committee does not want to lose Mr. Smith or anyone who wants to apply. People have been very interested in serving which means the Personnel Committee is doing its job well and will do more to ensure they don't lose anyone. There are additional openings coming up and they always hold on to people's applications so that they can be re-interviewed if another opening comes up. Also, the IT Department decided that since there was a situation where an email went to an applicant's junk folder, there will be an extra step and an additional email will be sent when a person first applies. This will continue to be worked on as a committee.

Councilor Black-Burke stated that she does not want her point to be minimized. The Personnel Committee has done amazing work. Process, procedure, and protocol will always win.

Motion to Table Fails 2-6-1 (Mayor Trinks, Deputy Mayor Bress, Councilors Terranova, Dobler, Gluck Hoffman and Eleveld against and Councilor Smith abstained)

Main Motion Passed 7-1-1 (Councilor Black-Burke opposed, Councilor Walker abstained)

14) MINUTES OF PRECEDING MEETINGS

- a) Minutes of the February 22, 2022 Public Hearing

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Smith, to approve the unapproved minutes of the February 22, 2022 Public Hearing as presented.

Motion Passed 9-0-0

b) Minutes of the February 22, 2022 Regular Town Council Meeting

MOVED by Deputy Mayor Rampulla Bress, seconded by Councilor Black-Burke, to approve the unapproved minutes of the February 22, 2022 Regular Town Council meeting as presented.

Motion Passed 9-0-0

15) PUBLIC COMMUNICATIONS AND PETITIONS

Adam Gutcheon, 19 Mechanic Street, expressed agreement with Councilor Walker. He stated that, when rules are made up on the fly, there can be a perception that it is to the advantage of someone who is favored. In this case, the rule that was made up is that no one can be interviewed after the agenda for a committee meeting is set. This tends to decrease confidence in the body making the decision. Mr. Gutcheon also expressed that he is troubled by the racial divide in the vote tonight on the appointment to TPZ. He stated that it is not true that a person cannot be interviewed after an agenda is set. A Chair can amend the agenda up to 24 hours before a meeting and, if it is a regular meeting, the body can vote to add an item to the agenda. When Mr. Smith's invitation to attend the meeting was not received because it went to his spam folder, it seems arbitrary that he not be interviewed and given opportunity to make his case. Mr. Gutcheon stated that everyone is very fond of the incumbent, but that fondness should not override our dedication to the rule of law.

Leroy Smith, 531 Edgewood, expressed his appreciation for the support of Councilor Black-Burke, Councilor Walker, and the previous caller. He wouldn't have wasted his time to apply if he was not interested. This is his interest and passion, and he is a huge supporter of small businesses, not huge corporations. When he submitted his application, there was a response from the Town that went to his spam folder. He contacted the Town two days before the meeting was scheduled and sent an email to the Council. He reports that no one got back to him. He was told that there is a rule. He has asked for a copy of the rule and has yet to receive it. He feels this is personal. He believes he could contribute to a vision of helping small businesses and doesn't understand how an interview would be detrimental to anyone.

Caeden Winborne, 4 Hamden Place, requested to schedule a meeting with Town Manager Souza because he has some concerns. He would also like to be appointed to the TPZ or Conservation Commission. He feels the commissions need a younger person such as himself who is just finishing his high school career to add input and prevent big companies like Amazon from taking over the town. Mr. Winborne questioned why Amazon and Chewy are receiving tax abatements. Lastly, as part of his community service requirements for high school, he would like to obtain more information on the tree planting program. He feels more money should be put into the tree program so more trees can be planted in town. The town is losing a lot of trees and not many are being replaced. He also reports that he found the application process for board and commissions to be complicated and he received multiple errors.

Eric Weiner, 76 Palisado Avenue, expressed strong dissatisfaction with the Council for not affording Leroy Smith an interview. He stated that the corrective action was very simple. There could have been a special meeting called of the Personnel Committee to interview him and provide the report to the Council after having tabled the nominations. The appointments to the TPZ are the most important. The commission needs modernization and an updated view of where the Town is going. Having the same people in control for decades is not serving democracy well. A citizen can object to how rules were followed or, in his opinion, how rules were pulled out of thin air.

Will Pelkey, 133 Portman Street, reports that he recently went through this process applying to a board/commission and he feels that something got lost in the technology. He reports that he had applied multiple times because he never received any feedback. He reports that he would get the splash screen thanking him for his interest with a brief explanation. However, he says that, if he had not asked members of Council to look into it, he feels his application would have been lost in the void after being submitted. He had to reapply multiple times. Also, Mr. Pelkey would like to have seen the return on investment regarding the 330 Windsor Avenue HVAC project and feels it would have been beneficial for residents to see. He does not think that holding off would have hindered the deliberative process. He feels it would have been best to have waited two weeks, received the information, and had it publicly discussed. Going forward he would like to see that mode of operation more often so that citizens can see if they are right or wrong and have the information available to them.

Theresa Bouthet, 14 Parkwood Drive, spoke about a possible conflict of interest that the WILA attorneys are the same attorneys that the Town has. Regarding the property at 72 Mack Street, she reports having been through the property and stated that it is a muddy mess. Any improvements to be made are a bonus for everyone including those at WILA. There is a WILA group home on Parkwood Drive. With the possible conflict of interest that the Town's attorney, on the appeal of the restraint orders of these dogs, and the people from WILA, she thinks they don't seem to be as concerned about the residents there. She is questioning why that is. If they had separate attorneys from the town attorneys, they would be fighting but they can't fight themselves. WILA attorneys can't fight the Town's attorneys because they are the same ones. There is no one standing up for the residents of WILA. They live directly across the street from Ms. Bouthet and the dog owner's property. They are a vulnerable population. WILA has a vested interest, and the Town has the same attorney representing them and their very lenient orders and handling of these vicious dogs. She would like to talk to someone about the Ethics Committee.

16) EXECUTIVE SESSION - None



17) ADJOURNMENT

MOVED by Councilor Gluck Hoffman, seconded by Councilor Smith, to adjourn the meeting at 9:47 p.m.

Motion Passed 9-0-0

Respectfully Submitted,

Deanna Schuetz
Clerk of the Town Council