TOWN COUNCIL MEETING  
Monday, July 25, 2005  
Town Hall, 75 Main Street, Southington, CT  

EXECUTIVE SESSION  

The Southington Town Council entered executive session immediately preceding the Town Council meeting with the following in attendance in order to discuss personnel matters:

Michael Riccio  
Arthur Secondo  
John Barry  
Edward Pocock  
Christopher Palmieri  
Anthony D'Angelo  
William DellaVecchia  
Victoria Triano  

Ex-Officio members present were as follows:

Mark Sciota, Town Attorney  
John Weichsel, Town Manager  

Absent: Cheryl Lounsbury, Councilperson  

No motions were made or votes taken during executive session.

Mr. Riccio made a motion to adjourn from executive session. Mr. Pocock seconded. Motion passed unanimously.

(Executive Session was adjourned at 7:28 o'clock, p.m.)

_________________________________  
Mark J. Sciota  
Acting Secretary  

MINUTES OF THE TOWN COUNCIL MEETING  
OF THE TOWN OF SOUTHINGTON  
JULY 25, 2005  

The Town Council of the Town of Southington held a meeting on Monday, July 25, 2005 in the Town Hall Council Chambers. Chairwoman Victoria Triano called the meeting to order at 7:31 o'clock, p.m.

The following Councilpersons were present, viz:

Michael Riccio  
John Barry  
William DellaVecchia  
Arthur Secondo  
Edward Pocock  
Christopher Palmieri  
Anthony D’Angelo  
Victoria Triano  

http://information.southington.org/Meetings/Minutes.nsf/all/9C2C344B93F81B4E852570...
Ex-Officio Members present were as follows, viz:

Mark Sciota, Town Attorney  
Anthony Tranquillo, Town Engineer  
John Weichsel, Town Manager

Absent: Cheryl Lounsbury, Councilwoman

There were approximately 20 other persons in attendance.

The Pledge of Allegiance to the American Flag was recited by everyone in attendance.

A Prayer was recited by Councilperson William Della Vecchia.

**VICTORIA TRIANO, Chairwoman, presiding:**

**II. Minutes**

MR. PALMIERI: Make a motion to approve the Minutes from the previous meeting.

MR. POCOCK: Second.

THE CHAIR: Thank you Chris and Ed.

MR. SECONDO: Abstain.

(Motion passed on a majority voice vote with Mr. Secondo abstaining.)

**III. Councilmanic Communications**

THE CHAIR: Before starting, I am going to entertain a motion to add under New Business, to extend the part time Town Attorney’s position to full time and to add to his position the added duties of Deputy Town Manager.

MR. DELLA VECCHIA: I’d like to add that as Item D under New Business.

MR. PALMIERI: Second.

(Motion passed unanimously on a voice vote.)

**A. Further discussion with BOE Business Manager concerning reimbursement of rentals & tuition fees**

THE CHAIR: Sherri, I see you’re here. Would you come forward, please?

MR. DELLA VECCHIA: Madam Chair, may I?
THE CHAIR: Yes, of course.

MR. DELLA VECCHIA: Back on June 28th, I made a motion that we take the rental fees and distribute them on a quarterly basis to the BOE and that we take funds that were in excess of the budget items in the special education monies and put them there. I think it was pretty clear at that time.

Since that time, we’ve paid out rental money in November of $7600, in February, 9960, in April of 4380. And, we’ve paid special ed money in November of 50,233 and April of 31,837.

We have a request before us for 6,480, which is comprised of the last four items on that chart that we all received. Three items. And, I’m not sure why we are discussing this item.

THE CHAIR: Well, okay. I think the Board of Finance needed or wanted some clarification and we’re glad to do that for the Board of Finance.

MR. DELLA VECCHIA: I think if they look at the Minutes of the June 28th meeting, that should clarify everything that is before us.

THE CHAIR: I don’t know if Mr. Klocko is here, but I did see Mr. Pomposi. Are you here? Yes. Phil, is there anything else that would help you in terms of defining what our intent was?

MR. POMPOSI: (From the audience) Well, we just wanted a clarification as to what the actual intent was and whether that was going to be permanent because it does create a problem so far as our budgeting is concerned.

And, we didn’t know if this was just a temporary sort of thing or if it was going to be extended to the end of this Council and whether it was going to continue in the future.

And, our other question was whether or not it concerned --- we thought it only concerned special ed. And, Bill, I realize you just read what the motion was. And, I can’t speak for the whole Board of Finance but I can say that there are a number of us with concerns that this is just additional appropriations that are being done and it was thought that it was never intended to be that way so far as additional appropriations.

As you know, income is always budgeted every year for the BOE and that income was always reverted to the general fund and this is just another addition to that general fund and it’s an additional appropriation over and above the normal dollars that the BOE gets throughout the year during the budget process.
We just thought if there was any other thing that could be explained to us, we would appreciate it.

THE CHAIR: Well, I appreciate your comments and you are absolutely right that this is additional monies going to the BOE and I feel that at the end of a budget year, as we’re considering the new budget, I believe we need to have a figure on how much we have given over the course of the year that has come through this so we have a handle on the budget completely. I think that that’s a very valid point and it’s something that we should at least have that information for us.

Anyone else, Sherri? Did you want to make a statement?

MS. DINELLO: Yes, I would like to just explain ---

THE CHAIR: Of course.

MS. DINELLO: --- when we are talking about budgeted revenues. It is my understanding that in the past and also for the 2005-06 budget, that the line items that are budgeted for revenues for the BOE are basically two things: one is rental income and the amount of rental income that had been budgeted for this year is the income from the Margaret Griffin Center which the Town continues to keep and also the VOAG tuitions.

The line items I believe in the Town budget are tuition revenues and rental revenues. So, the tuitions are the VOAG tuitions, which the Board did collect well above and beyond what was budgeted in the 2004-05 year and with communication that I’ve had this year in the budget process with the new Finance Director with the enrollment plan for VOAG, I would anticipate that we’d be very close to the revenues budgeted for VOAG.

The discussion that took place with the Council was for special education tuitions for the foster students that are placed in Town on a year-to-year basis. We don’t know who those students are. We’re rendering the services which is obviously an added expense that are not necessarily known at budget time and the Council at that time through Mr. Della Vecchia’s motion had approved to give those special ed tuitions back.

And, in addition, it was the rental revenues that we were collecting not only from Oak Hill but also for individuals that may be renting out for example, the high school auditorium for dance recitals and things like that, because we often have to make repairs to whether it be the auditorium, the staging and things like that and the Council was hoping to all that flow through back to the BOE to address some of those maintenance issues.
So, I was clear. I know I attended four different Council meetings: two last summer and two in the fall, to discuss this. And, I guess being part of that communication, I was well aware of what the intent, I thought, of the Council was.

Maybe the motion itself wasn’t clear enough, so I was hoping that maybe tonight you may be able to take a new motion that clearly delineates what your intent was that all rental revenues above and beyond the Margaret Griffin and special education tuitions would be returned back to the BOE by reappropriation.

MR. D’ANGELO: Well, VOAG would stay with the Town.

MS. DINELLO: Correct.

THE CHAIR: VOAG would stay with the Town, that’s right.

MS. DINELLO: Yes.

THE CHAIR: I’m not sure we need an additional motion. I think the clarification of the motion ---

ATTORNEY SCIOTA: The Minutes should clarify it.

THE CHAIR: Yes, I think that would be fine.

MR. WEICHSEL: Sense of the body.

THE CHAIR: Yes, that would be fine.

Does the Council have any questions on this?

MR. D’ANGELO: So, Sherri, just to review, it’s the foster kid placements, you would be getting that money back ---

MS. DINELLO: Correct.

MR. D’ANGELO: --- and the individuals rentals at the schools, you would get that back. And, also the Oak Hill at Thalberg School, you’d get that back.

MS. DINELLO: Yes. We’d get any ---

MR. D’ANGELO: Those three budgeted items you would get back.

MS. DINELLO: Yes. Any rentals beyond the Margaret Griffin rental is what we’ve been getting back throughout the school year and what we had thought the intent of the Council was to continue.

MR. D’ANGELO: Okay.
MS. DINELLO: Okay, thank you.

THE CHAIR: Very good. Thank you.

B. Discussion with BOE concerning Capital Program

THE CHAIR: Go ahead, David. Mr. Derynoski, please come forward.

MR. WEICHSEL: Perhaps he should come to the mike.

THE CHAIR: That’d be wonderful.

Welcome.

DAVID DERYNOSKI: Glad to be here.

THE CHAIR: I don’t think that’s true. But that’s okay.

(Laughter)

MR. DERYNOSKI: I want it for the record that I did not say that.

(Laughter)

THE CHAIR: But it is nice to have you here, Dave.

Okay, is there something that you would like to say to us, Dave?

MR. DERYNOSKI: Well, I was invited to participate at the Council meeting this evening, I guess, to answer any questions or be available during your discussion pertaining to the capital plan that the Board has going forward for the new schools.

THE CHAIR: Yes, there were some Councilmen who had some questions. I know that, I think Bill, you brought it up about Derynoski. So, maybe we should just start with that.

MR. DELLA VECCHIA: I believe I’ve been getting credit for that, but I believe it was Mr. Riccio if you read the Minutes.

THE CHAIR: Mr. Riccio. Okay.

MR. RICCIO: I was approached after your meeting that we had with you guys at the Pyne Center that night about the possibility, was it ever brought up in your discussions for redistricting to use Derynoski as a middle school as opposed to building a new middle school.

And, I’ve read some stuff in the paper and the only person I’ve spoken with about that was Brian Goralski. And, the sense I got was
it wasn’t looked into heavily, but you know, I didn’t get a real concrete yes, it was, it was looked over tremendously, and it’s not possible.

MR. DERYNOSKI: There was some discussion many years ago when I was first on the Board. In fact, I think the discussion happened even before I was on --- joined the Board and that’s going close to thirteen years ago.

And, at that time it was decided that it would be renovated to support elementary. There was a major renovation done to the lower level of the school to equip it for elementary purposes. The lavatories for the youngsters, K-! classrooms.

The Board, since I’ve been on, has never gone and had any discussion for any consideration for a middle school environment. At this particular juncture I think it would be cost prohibitive.

THE CHAIR: What kind of renovations? I know that you mentioned the bathrooms, but also wasn’t there something done, they took the locker rooms out, too, didn’t they?

MR. DERYNOSKI: Yes. There is no, the locker rooms are now offices for the co-coordinators and I think food services occupies some of that space.

The gym is still intact, still used by the Town and the school. The cafeteria is still workable. It’s in very good shape. But the whole lower level was renovated and equipped for elementary purposes. You know, for the short people.

ATTORNEY SCIOTA: Hey!

(Laughter, laughter)

THE CHAIR: Yes, Tony?

MR. D’ANGELO: I was at the last BOE meeting and the Chairman did, along with Chris Palmieri, and the Chairman did ask what our opinion was or talking about bonding and so forth.

I mentioned that in light of the last referendum on the Brandenburg property that we just move forward with the middle school, only, at this time. Maybe get a question on the middle school as a possibility and not to include the elementary school because I think, I think we’re going too fast here. And, also, we have to think, too, of every single taxpayer in Town.

They did indicate both schools. They do have a plan to do both schools. I was a little disappointed in that they did include both
schools, the elementary and the middle school. I don’t think we’re ready yet to get involved in any referendum at this point because I think a lot of good ideas are coming out.

I think we have, we talked about Derynoski. We talked about Kelly School. I mean, there have been a lot of suggestions being mentioned with the elementary population as far as what could be done. Close Plantsville, close South End. Do two schools or whatever. So, there’s been a lot of ideas being tossed out and I think a project of this magnitude, we all should be involved in. We should all take some bit of responsibility on this. The Town Council, the Board of Finance, the BOE and we should all be part of it because obviously we’re responsible to the taxpayers and this is going to be a big price.

I think we should all be involved. I know tonight we started talking about Derynoski and you know, we’re throwing out ideas. And, good ideas, too. You know, I’m not saying, they’re at least worth discussing. So, I think we need more discussion on this. I think either more workshops with the BOE, the Board of Finance, the Town Council or subcommittee because we should all have a piece of this discussion because it is quite a project. A project of this magnitude, as I said, we should all have some say.

THE CHAIR: Appreciate it. Anyone else?

Yes, Michael?

MR. RICCIO: I’m just a little confused because we brought this up at the last meeting and Tony, I’ll check the Minutes, but I think you said that the BOE has made their decision and I kind of felt like it was, and we should roll over and play dead.

And, then I didn’t read the Minutes and I didn’t attend the meeting, but according to the newspaper and you take that with a grain of salt, I thought you went there to see how quickly we could get this on for the November election.

MR. D’ANGELO: I was there with a --- we had a meeting. A bonding, our bonding subcommittee. And, I knew they were going to have some discussion about the building. So, I just wanted to listen and see what was going on. And, you know, Chris was there and I’m not speaking for Chris, but the Chairman did call us and ask about bonding and asked about the referendum and what they need and so forth.

So, I gave my opinion. I was not there as the Town Council representative or anything like that. I was there as a taxpayer of Southington and just giving my opinion. And, I did give my opinion about the middle school and you know, let’s start there, anyway for November, possibly, because I once heard in June that the referendum
could not take place. And, then at the last Council meeting, it seemed like the door was opened a little like maybe you could do it, but it’s going to be a lot of work and a lot of effort to get it on the referendum for November.

So, you know, I was getting mixed messages there. So, when asked at the BOE, I indicated, well, we had one referendum on the Brandenburg property for the use of the middle school. Now we know what the price of it is, let the taxpayers tell us part two of it. Do they want to continue with Brandenburg or not. So, that’s why I was in agreement with the middle school and at least get it on the referendum for Brandenburg property, period.

I had no idea that the elementary schools were part of this.

MR. RICCIO: But you don’t think we should even do that now.

MR. D’ANGELO: What’s that?

MR. RICCIO: You’re saying don’t even do that.

THE CHAIR: He said that it’s too soon.

MR. D’ANGELO: I think it might be too energetic right now to do it at this time.

THE CHAIR: I had a question on the total amount of bonding.

If we took Phase II as it was presented, the amount of bonding for that project along and Emilia is not here, is she?

EVERYONE: She is.

THE CHAIR: Oh, Emilia? I need to know the total amount of bonding -- if this, for this project as well as all the other projects that the BOE is involved in right now. So, what indebtedness would the community have, total indebtedness, you know, for this BOE project. Do you have that?

MS. PORTELINHA: No, I don’t. I don’t have the information regarding their plan. I didn’t go to the meeting and I hadn’t gotten ---

MR. D’ANGELO: I was told the middle school, 41 million.

MR. WEICHSEL: (Speaking at the same time) You have to state which buildings you are talking about.

THE CHAIR: Forty-one million, but I’m wondering ---

MR. D’ANGELO: But then there would be some state funding.
THE CHAIR: Right, but I am also wondering right now, what the total amount of bonding would be if we added the 41. All right, thank you.

MS. PORTELINHA: I’m sorry. If I had known that, I would have ---

THE CHAIR: Okay. Bill, did I see your hand up, sort of up?

MR. DELLA VECCHIA: Yes.

THE CHAIR: You wanted to say something?

MR. DELLA VECCHIA: Because I agree with Tony to the extent that it is not appropriate for us to go forward with this at this time because it is a very large expenditure and I don’t have anywhere near the information that I need to make an intelligent decision on this and I don’t want to be rushed into a decision, whether it be for $32 million to build a new middle school and I’m not sure what your appropriation be for the --- were you talking about South End School, demolishing and start from new? Build an entire new or renovate?

MR. DERYNOSKI: Build as new.

MR. DELLA VECCHIA: No. So, renovate as new? Or, build new?

MR. DERYNOSKI: Number one, we don’t --- I think the prices that we have in the budget and correct me if I’m wrong, is to tear the building down and build new.

MR. DELLA VECCHIA: Depends which --- you’re looking at two or three.

In Two, you are saying renovate as new and Three you’re saying demolish and build as new. So, I wasn’t sure which plan you were talking about.

MR. WEICHSEL: I was told Scenario One is the one that they’re going to do, the $11 million.

DR. POLANSKY: I think the engineering would determine whichever is cheaper. I think once we decide whichever is cheaper to do and I think that’s what they were looking at. I think the renovate and new option seemed to be the cheaper option. Where you, it’s what we did to Hatton, Strong and Thalberg. Renovate as new.

MR. DELLA VECCHIA: Yes, to renovate as new to 300 students, correct?

DR. POLANSKY: Correct.

MR. DELLA VECCHIA: Whereas if you renovate it to new to 450, it’s cheaper to demolish and build new.
DR. POLANSKY: There were three simulations that we did. That were, that stood alone. In other words, we did one simulation, what if, what if.

Relative to Derynoski, very early on in the process, we asked the architect very informally and I think Mrs. Johnson was on that committee, would it make sense to look at Derynoski and to retrofit Derynoski was cost prohibitive because all maintenance type projects are not reimbursable. So, if it’s a maintenance piece as opposed to a renovation piece, you couldn’t get the state reimbursement and he just felt that that was not the most efficient way to use our dollars.

The most efficient way to use our dollars was, we first looked at renovating both JFK, renovating and expanding both JFK and JAD. As we walked through that process, it turned out, at 54 percent, it turned out to be cheaper to build a third middle school than to expand because there are some program issues in terms of the footprint of both the land mass at JFK and DePaolo.

We still haven’t determined --- the Board’s vote was to renovate as new and/or build new. Whichever would be cheaper.

MR. DELLA VECCHIA: To the tune of 300 students rather than 450.
DR. POLANSKY: Correct.

MR. DELLA VECCHIA: If you did a plan to incorporate Derynoski which right now you’re saying that is not a feasible plan, you would then have to look at South End and Kelly and Flanders to go to the maximum that you could fit at those places to incorporate the students from Derynoski, is that correct?

And, to me, Kelly is the natural site to expand and create a new Derynoski at Kelly because if you look geographically, you don’t have anything in that area.

DR. POLANSKY: I think the Board was real clear about what they perceived and took a formal vote on what they perceived as keeping both South End and Plantsville open as viable facilities and three middle schools.

I think we debated, the Board has debated this and members of the Council and Board of Finance were members of that dialogue three years ago. So, we’ve look at numerous options, Mr. Della Vecchia, I mean, for three or four years. There were significant simulations, what ifs, as we proceeded, as the Board proceeded through their decision-making process.

MR. DELLA VECCHIA: So, under your plan then, Dr. Polansky, you are
stating that you would do nothing to Kelly and nothing to Flanders.

DR. POLANSKY: Not in this phase.

MR. DELLA VECCHIA: Well. So, we’re going to eventually spend the money.

DR. POLANSKY: Eventually, you are going to need to, as buildings become 40 and 50 years old, you’re going to need to spend money on facilities just like you would do at any existing ---

MR. DELLA VECCHIA: So you see it in the foreseeable future in the next 20 years?

MR. D’ANGELO: Plantsville also would be included.

DR. POLANSKY: I think the Board made it clear in their vote that they wanted to address, as they did 8 to 10 years ago, that Plantsville and South End were part of the next phase and ultimately we’re going to have to take a look at renovating all of our facilities as they become 40 to 50 years old. I mean, that’s just the chronological situation that as buildings become --- when was, Kelly was built in --- sixty-six. So, we’re at 40 years now.

As buildings become 40 to 50 years old, their infrastructures start decaying and they’re going to need some additions. Unfortunately, you don’t receive state reimbursement for maintenance type issues. You get state reimbursement for program issues and that’s part of the struggle that you face when we looked at Derynoski. There are many maintenance type issues that needed to be addressed and to convert that to middle school program, it’s pretty cost prohibitive in that structure.

MR. DELLA VECCHIA: I ask you a question: Which simulation are you, as the Board, talking about right now? Is it a mixture, is it a hybrid, part of I, part of II and part of III, or is it ---

DR. POLANSKY: I can look specifically. I believe it was, it was, I don’t have those in front of me, but it was a hybrid of --- the enrollment changed, the plans remained the same, but the enrollment changed, I believe. It was Plantsville, South End, one of those simulation had Plantsville off line. One of those simulations had, I have them in front of me and I don’t ---

MR. DELLA VECCHIA: Do you want to share this?
(Attachment 1)
(Pause, pause)
DR. POLANSKY: Yes, the original simulation had a couple of schools that are not part of the plan. As we went through the final simulation, it came down to a hybrid plan of not doing anything to Derynoski, keeping Plantsville on line at 300, keeping South End on line at 300 which really is simulation one.

Simulation one, as you see it, has Plantsville and South End at 300, but we decided to take Derynoski off line and not do anything to the other sites.

The Board at that point felt it was too big of a capital bite, if you will, capital initiative. So, it came down to simulation one, Plantsville, South End, 300 and 300.

MR. DELLA VECCHIA: You can have that. I have another copy.

DR. POLANSKY: I’m done. Thank you. I have hundreds of them on my chair.

MR. DELLA VECCHIA: So, it’s simulation, okay, and then it’s the middle schools.

DR. POLANSKY: It’s simulation one without doing anything to the other elementary schools. Remember this is from the feasibility study to take a look at all of our elementary schools. The Board decided to concentrate on two elementary schools in this phase.

MR. BARRY: Thank you, Madam Chair. I have a question for Harvey.

Good evening, Harvey, I just want you to convey to me and this Council the BOE’s reasoning to address the middle school issue with a new middle school and the reasons why they feel they have to renovate the two existing schools. Because I think we are losing sight on what is the BOE’s motive. Why do they feel that this project should be moved forward?

DR. POLANSKY: Middle school programming has changed dramatically over the last 40 years. If you look at our middle schools now, for example, science is all in one area.

Middle schools now are comprised of smaller learning communities called teams. So, if you have 120 students on a team, you have an integrated approach where math, science, social studies, science are all in one wing. So, there would be a part of the building where one team would have all their subject areas.

What we know about young adolescents is they deal better in, particularly at that age group, in smaller learning communities, which we refer to as teams. Right now, the teams are all over the
building because science is all in one end and the music, the arts, are all over the place.

The program needs, the facility needs to match the program. And, that’s what this would do. It’s really clear that to retrofit Derynoski or to retrofit other issues, the Board took a look at --- the Board did what ifs for two years. It was clear that the most efficient and cost effective way to operate was to build a third middle school.

It was much more expensive or at least the same cost to renovate and expand JFK and DePaolo and you’d lose program space, grounds. You’d lose field space. You’d lose a bunch of other issues. Those are small footprints in terms of landmass.

The state allows 23 acres for a middle school of 850. JFK is half that. So, those are the issues we struggle with. And, you maximize your reimbursement by building a new one.

The other thing that we wanted to make sure of is that we learned from our previous construction projects that we’re not going to construct while students are in the building. This provides a viable alternative. The middle schools are over 50 years old. And, these new middle schools would match the programming needs of young adolescents.

MR. DELLA VECCHIA: So, then what we would have to do is take --- if you are finished, Mr. Barry?

MR. BARRY: I’m all set, thanks.

MR. DELLA VECCHIA: That we would have to take DePaolo and Kennedy and then just move everything to make these cells. So, we’d have to do major renovations to those two schools?

DR. POLANSKY: That is part of the plan. Build a new middle school and then to renovate both JFK and DePaolo. Students from JFK would --- or DePaolo, whichever comes first, whichever has the infrastructure in the worst shape, would go to the new middle school. We would then renovate. Those schools are now over 50 years old and they need renovations and that renovation would include programmatic capacities. You’d take those buildings, we have sketches and diagrams, which we have forwarded to Mr. Weichsel that would allow for appropriate middle school programming to happen.

MR. DELLA VECCHIA: Taking walls down and reconstructing walls within the building.

DR. POLANSKY: Yes. The footprint would remain essentially the same. They would reconfigure the building. There’d be a small addition.
THE CHAIR: Are you done, Mr. Della Vecchia?

MR. DELLA VECCHIA: Yes, I am.

THE CHAIR: Tony, you had something?

MR. D’ANGELO: No.

THE CHAIR: Oh, I thought I noticed your hand up.

Michael?

MR. RICCIO: Can we get those? I think that would help us understand the need for that. Just the schematic of the new floor plan of one of them?

DR. POLANSKY: I will have that for you this week. But the total package was sent.

MR. WEICHSEL: I’m under the impression that they sent to you this packet. Isn’t that the case?

MR. DELLA VECCHIA: No. This is what I received (indicating). And, I dare you to understand one of these pictures because it’s black and white and so is every sketch in here. And, it has little color codes that are black and white. And, you can’t see new from old and old from new.

I’m trying to get a handle on what is going on.

DR. POLANSKY: We will get you full color as we have forwarded to the Town Manager.

MR. DELLA VECCHIA: And, is this the schematics that you were ---

DR. POLANSKY: There were other schematics that --- there were additional schematics that actually show what a middle, a new middle school might look like and what the existing middle schools would look like.

MR. DELLA VECCHIA: I’d be interested to see it.

DR. POLANSKY: We can get those to you.

THE CHAIR: That’d be very helpful.

MR. DELLA VECCHIA: That’ll educate me a little.

DR. POLANSKY: We’ll get you full color copies of those.
THE CHAIR: Yes, Tony?

MR. D’ANGELO: It appears by many of the good questions and good dialogue this evening that we’re not there yet and that we do need some more workshops or meetings you know, to put all this packet together. Because, I mean, again, it’s a hefty, you know, number that we’re talking about. So, I think we do need some good dialogue like this. I think it’s a good idea and a lot of good ideas have been thrown out, but we need more of this.

THE CHAIR: Perhaps we can schedule a --- I’m sorry, Ed, did you have something?

MR. POCOCK: The only thing I’d like to see when you project this, project the cost to the future because we definitely, when we’re talking a price right now, Dr. Polansky, I’m sure that’s the current price and not projected two or three years from now or when we’d be completing or putting this out to bid. It’d be very helpful to us as far as --- at least myself, anyways, to where we’re going with this.

And, I mean ---

MR. POLANSKY: Mr. Pocock, we have provided these numbers to Newfield Construction who had been working on our middle schools and they confirmed that these are the expected per square footage numbers and they were very comfortable with that, utilizing these numbers now.

My only fear is the loss of the percentage of reimbursement as we proceed. The state is not likely to increase it. Right now, we’ve been at that 64 percent holding pattern now for a couple of years and that would maximize the efficiency and cut back on any inflationary measures.

And, the number that they’re using on square footage, they think those numbers will hold. I think the numbers that we’re looking at, we didn’t want to inflate them and the construction management company was comfortable that we’re using a reasonable number.

MR. POCOCK: That’s why I asked for projected because if they’re comfortable with, I mean, I know everything is going up every time we turn around. That’s the way it is. I was worried about that.

Okay.

THE CHAIR: Very good. Any other questions?

We appreciate you both coming and the rest of the BOE that’s here, we appreciate your time and effort. I do agree with Mr. D’Angelo that we do need to continue the dialogue for this so that this is just not
forgotten and that there is continued dialogue. It’s important. And, it effects not only our generation, but our kids generation and generations to follow our children.

DR. POLANSKY: I’ll have a complete set of color prints ordered.

THE CHAIR: That would be very, very helpful.

MR. D’ANGELO: What would be the next step?

THE CHAIR: Well, I think we should schedule another workshop at some time. Because we have such a huge Agenda, I would like to be able to perhaps during the next couple of weeks have the dialogue a little bit to see what our schedule is and maybe talk with David and get the BOE so we can dialogue a little bit further on it and look at it.

And, also Emilia, I see you back there, Emilia. I would also like the answer to my question to be done and to please give it to all the members of the Council to talk about the entire ---

MS. PORTELINHA: (From the audience) Certainly.

MR. DERYNOSKI: If I may, Madam Chair, if --- and I agree, I think we should probably get together and in light of vacation times and trying to get all the necessary people all in the room at the same time, maybe we could plan something for maybe early September.

THE CHAIR: That sounds terrific.

MR. DERYNOSKI: And, I’ll wait on you to get in touch with me with some dates and then we can work around that.

THE CHAIR: That sounds great. I appreciate that very much.

MR. BELANGER: (From the audience) We missed this November now, right? That’s what it sounds like. If we had a target date like trying to shoot for March?

THE CHAIR: Well, I can’t speak for the rest of the Council, Gerry, but my own feeling is that we don’t put the cart before the horse. There are questions that need to be addressed ---

MR. BELANGER: (From the audience) All right, but if we don’t set ourselves a limit, we’ll never get there. This has been --- you say we have to discuss it, we have numerous workshops and we’ve been discussing this for how many years now?

THE CHAIR: I am not going to tie the hands of this Council, Gerry, by setting an arbitrary date. So, I think the first thing we need to do
is get together in September and then work out the questions and then we’ll go forward.

All right? Is everybody all right with that? As I said, I don’t know if everybody feels that way, I just don’t want to tie us up.

All right.

MR. DERYNOSKI: Thank you.

THE CHAIR: Presentation by the Economic Development Coordinator.

C. Presentation by Economic Development Coordinator

THE CHAIR: Mr. Perillo, nice to see you this evening.

MR. PERILLO: Thank you, Madam Chairperson. Same here.

Council members. Town Manager John Weichsel asked me to provide the Council with some of the activities of the EDC.

THE CHAIR: I’m going to ask you, Lou, just to take a minute. Would you take it outside, please, if there is any discussion?

(Pause, pause, pause)

Okay, Lou, go ahead.

MR. PERILLO: Thank you. Basically, I’d like to start out by saying that the office has had a very successful year so far to date but it has been through the assistance of the Chamber of Commerce and various town departments. Everyone has been overwhelmingly cooperation. I think the biggest sense of accomplishment is there’s a sense of cooperation and there’s a buzz around Town that we’re willing to help businesses out. And, that can’t be understated. To me, that’s one of the most important things.

But Mr. Tranquillo in Engineering, Ms. Hughes, Tax Office, Assessor’s Office, Rich Lopatosky, everyone has really bent over backwards and that sense of cooperation is just truly effective.

We’ve held our version of fast tracking where you can meet with department heads if you want to hold some sort of --- coming in with a plan, we did it with Napoli. We’ve done it with other companies.

We’ve worked very effectively with planning and zoning. We’ve held a special meeting for companies that have technical problems and I can honestly say the staff bent over backwards to help companies that had certain issues to deal with.
As far as some of the things that we have done, we’ve brought in a company from Bristol with about 7200 sf, five employees.

We have a 50,000 sf technology company. I’m a little nervous saying some of these things up front, most of what I do is confidential, but I’m comfortable with that.

We sold the three lots on Captain Lewis. We’re here tonight before you to pick up some additional space. It’ll total about $225,000. But more importantly, it’ll bring in probably about 30,000 sf of space. It’ll bring in about 30 jobs, some personal property. There’s also the conveyance taxes associated with almost all of the projects. When they get up in the million-dollar range, it really can have an effect on our bottom line.

For example, the Duksa zone change. We obviously worked pretty long and hard and working in trying to come up with a deal. It was one of the first times that a retail project subsidized industrial.

As you are very well aware, we’re trying to do an industrial park in excess of 70 acres, or so. The numbers become very difficult to deal with. So, on tonight’s Agenda, I defer to the Town Attorney, if I can mention some of it since it’s on the Agenda, but we are trying to do a mini industrial park for heavy land. It’s on with the Leach property. We’re trying to think outside the box. I think we’re being very effective in coming up with new ways to bring in business.

We worked with the Chamber as far as putting up one sign on Queen Street. We’re getting it lighted. We’re putting up another one on West Street. That’ll be lighted and we still returned money back from my budget this year.

I’m trying to think. We have redevelopment going on on Route 322, on the east side. Tomorrow night’s ZBA meeting, you’ll see the Citgo gas station coming in for redevelopment. You’ll see an approval was just granted on the west side of 322. There’s going to be much more activity there.

I recently did an assemblage, approximately 16 acres. We’ll see a commercial development come down that end.

We had some contaminated property, approximately 30 acres in Town that I facilitated a transaction for. That’s under contract. We will be coming in probably in three months with another industrial subdivision. All of these are obviously subject to the Town Boards. But there are a lot of things that are happening.

I can honestly tell you that for every one that has been a hit, I probably missed another ten or so. WFSB, Baldwin Estates. We tried to
change that from residential to a business area. Been quite a few others. Probably really don’t want to list all of them, but we’ve been working pretty hard with that.

Another prominent one, we’re in discussions with the redevelopment of Ideal Forging. It has taken a lot of Staff time, but I think with the Town’s investment in the downtown area, that can be an anchor. So, we have some future programs coming up. We want to do some abatement programs to help with some of our contaminated buildings and sites and I think that is one of the most prominent ones.

Other than that, we attend a lot of meetings.

MR. WEICHSEL: I think you should mention the industrial park.

MR. PERILLO: I’m sorry, sir?

MR. WEICHSEL: I think you should give a little bit on the industrial park.

MR. PERILLO: We are almost completed with our first stage working with the consultants, DeCarlo and Dall, regarding a site. We have worked with a site. It is going to be --- we’re waiting for the appraisals. We can only offer what the appraisals are.

There’s a major expense associated with the road. One of the problems that we have is the price of our land versus other areas in the state, for example, Suffield, Bridgeport and whatnot. So, it elevates the cost and then we have topography and wetland issues. But we are proceeding with the park.

We had a meeting this afternoon. We’re just again waiting for additional information to come through as far as going public with where the sites are and negotiations. But it could be as much as 600,000 sf along 17 parcels and 70 acres.

THE CHAIR: Any questions? Yes, go ahead, Michael.

MR. RICCIIO: Lou, what’s the total square footage of expected industrial for the Duksa piece and the Leach property?

MR. PERILLO: The Duksa piece could be anywhere from 100 to 300 thousand square feet. The big variable is if Napoli comes, they may start initially with 100,000 and upwards to 200,000. We’re working with them. There are some topography and wetland concerns which delays these projects and time and expense associated with the wetlands is a major concern. There is a crossing that may have to take place.

And, then there would be another --- it depends on how it gets cut up
and what the wetlands are, so it’s a little bit early to discuss that at this time until we see an actual site plan. But it could house up to 300,000 to 350,000 sf of industrial space and 260,000 to 300,000 sf of retail space.

MR. RICCIO: And, the Leach property?

MR. PERILLO: And, the Leach property, we’re trying to do a three-lot subdivision, possibly four, depending on how it cuts. Some new information came in about a plastics company for 50,000 sf. It’s premature because we have to go to zoning and the ZBA, as well. But I am envisioning at least, approximately 60,000 sf and tax revenue generation of about 90,000 a year.

MR. RICCIO: Ninety?

MR. PERILLO: In it’s optimal stage, yes.

THE CHAIR: Any other questions? Anybody?

(No response)

I want to thank you. I’m sure the rest of the Council joins me in saying that we appreciate your effort and you have done a Herculean job coming in the way you have. We do appreciate the fact that you have worked so well with folks like the Chamber and other places. Thank you. We appreciate it.

MR. PERILLO: Thank you.

THE CHAIR: Okay. Councilmanic Communications? Item D? Oh, there isn’t an Item D. I just put down D. There is no D. Anybody have any?

Chris?

MR. PALMIERI: I have a couple things. First of all, I was approached by Cathy Suchenski who lives on Sheldon Road and I believe this came to the Council before my time, at least. Its in regards to Ragged Mountain parking issues.

THE CHAIR: Oh, oh my goodness.

MR. PALMIERI: She shared with me some pictures. I have some information here and I’m wondering if maybe I can have the Town Manager and the Town Engineer maybe look into this. I think there are some legitimate concerns here as far as the parking.

THE CHAIR: Absolutely.

MR. PALMIERI: I know it’s a public ---
THE CHAIR: It’s been very difficult trying to address those issues because of the road.

MR. PALMIERI: Right, but even the pictures that she shared show cars even going up on to her property and animals on her property, garbage on her property, you know, as a result of it. You know, I don’t know what --- anything. I just said to her I would bring it to the Council.

MR. WEICHSEL: Just so you are aware, Mr. Palmieri, she has been here many times and it’s a difficult matter that the Council and the Administration have tried various things. We’ve asked the police department to help. I’ll be glad to follow up ---

MR. PALMIERI: She has already spoken to Chief Daly, too.

MR. RICCIO: She spoke to the Berlin Land Trust, I believe. Was it the Berlin Land Trust?

THE CHAIR: Yes.

MR. PALMIERI: She’s written to the Governor. I have a letter from the Governor here. State Reps. I would think this is more of a Town related issue rather than the Governor, anyway, but I don’t know if there is anything we can even do at this point, but if we could.

THE CHAIR: Let’s read her current letter and any of the photos, let’s pass those in.

MR. PALMIERI: The photos, I need back, this I can submit.

THE CHAIR: Okay. Why don’t we submit it right to the Clerk’s Office and we can put them in the Minutes. The pictures we can take a look. (Attachment 2)

MR. SECONDO: She gave me copies tonight.

THE CHAIR: You know, Tony, if you could just pass the pictures around, we’ll make a circle and then get them back.

MR. PALMIERI: Okay, thank you.

(Pause)

A couple of other things, if I could?

THE CHAIR: Yes. Of course.

MR. PALMIERI: Something that’s kind of interesting. A town in Ohio,
named after our namesake, Southington, Ohio, is celebrating their bicentennial. And, it’s a year round celebration but they’re having a special ceremony in August. And, I thought --- it was suggested to me, actually, and I thought maybe if the Council could, if our Southington Town Council could maybe present something like a Council Citation to help celebrate ---

THE CHAIR: I think it’s a great idea. Terrific. That’s wonderful. Yes.

MR. PALMIERI: I can pass this to you. (Attachment 3)

THE CHAIR: Chris, are you going to go and deliver it?

MR. PALMIERI: You want to send me?

(Laughter)

MR. D’ANGELO: The Town was named after ---

MR. SECONDO: It was named after people from here.

THE CHAIR: Is that right?

MR. SEOCNDO: People, settlers from here in the 1800’s went to Ohio.

MR. D’ANGELO: Yes, there are some names that are out there ---

MR. PALMIERI: Many Connecticut towns. But that is named after Southington, so I thought ----

MR. D’ANGELO: I did visit the Town once at crossroads, many years ago.

THE CHAIR: You did.

MR. RICCIO: Do they have John Weichsel?

MR. D’ANGELO: No, that they don’t.

(Everyone commenting)

MR. WEICHSEL: I was in Michigan, but not in Ohio.

(Laughter)

MR. D’ANGELO: No John Weichsel there.

THE CHAIR: Thank you.
MR. PALMIERI: Someone had sent that to me and it basically, if you look at that cite there, it’s got a link and if you go there, they have their celebration, but in August they’re really doing something to celebrate it, so I thought maybe a Council Citation would be fitting.

THE CHAIR: I think that would be wonderful.

(End of Tape #1, Side A)
(Beginning of Tape #1, Side B)

(Continuing) MR. PALMIERI: So there’s a little bit more so that there’s a proper form for example on certain inspections so that if they’re going out, there’s a uniform piece of paper, form, certificate, whatever, that they use so that it’s pretty clear on what the steps are whether it be residential or commercial that people need to take. I’m wondering, in light of our new fees, if we can maybe look into doing something like that.

MR. SECONDO: What’re they using now, Chris?

MR. PALMIERI: I ---

MR. SECONDO: You have a copy there, don’t you? Of something? Let me see.

MR. PALMIERI: I don’t think there’s a formal ---

MR. SECONDO: You should turn that in.

MR. PALMIERI: Well, I don’t think there’s a formal form necessarily used at this point when inspections are made. So, if we can maybe look into it.

MR. WEICHSEL: We’ll look into it, certainly.

MR. PALMIERI: Thank you.

THE CHAIR: I’d like to have a report back on that, John.

MR. WEICHSEL: That’ll probably take a little time to get that.

THE CHAIR: Yes, absolutely. Thank you, Chris.

Anybody else?

Mike, go ahead.

MR. RICICO: I had a conversation today with our --- her name is Amanda. It’s our new person working for the lobbyist with the
Ferguson Group in Washington.

And, my call was to see if we needed to be making any phone calls to our representatives at this time. They’re leaving on five week break on Friday and when they get back in September, she’s going to call and have some talking points for us if any of us want to call down there and speak to our people.

But, things are moving in a very positive direction is what she said and the stuff that the four of us went to talk about is still high on the priority list.

THE CHAIR: That’s good. Very good. Anybody else? Councilmanic Communications?

Tony?

MR. D’ANGELO: I just had one. You know, we all received this letter from the general assembly addressed to the Town Manager and it seems like and I just had a question for the Town Attorney.

You know, based on this, it seems like the state wants to protect the rights of citizens, you know, in regard to eminent domain. Locally, should we be getting involved or should we be doing anything to protect the residents of Southington in regards to ----

ATTORNEY SCIOTA: At this point, I think we should --- I have been following that very closely after the Supreme Court decision and whether you’re in favor of it or not, all the states, including Connecticut, there’s 39 states that are actually having Bills in front of the legislature. What they’re doing is they’re making it very, very difficult for municipalities, most of the Bills, make it very difficult for municipalities to use eminent domain for private development purposes.

And, in fact, Bridgeport, locally, is the only one that I know of. They’re passing and ordinance and I don’t know if it passed yet, but they’re passing an ordinance, which requires Bridgeport to pay double the appraised value for any property used for private development. So, that’s the only local one.

But from Southington’s standpoint, I would wait to see what the state does first because anything we would do would be superceded by the state, anyway. So, wait for the fall out from the state and if we have to revisit the issue, we can always do so.

MR. WEICHSEL: I’d like to.

MR. D’ANGELO: Somebody should monitor.
MR. WEICHSEL: I’d like to make sure the Council is aware --- I’m not a lawyer, but I did follow it, also, somewhat closely. We have never used condemnation for economic development. We do not do it. It’s tough enough to get you good folks to agree to it for a sliver of land for a road. We would never think of it.

MR. D’ANGELO: Good.

MR. WEICHSEL: You, yourself, are in charge of it. As long as you do not approve it, neither Mark nor I can march into court. So, you don’t have to be terribly concerned.

Now, on the other hand, don’t throw the baby out with the bath water. We do projects -- half the projects that Tony does for us, we come against someone who will not cooperate on a sewer. Sewers have to go in a very precise way and you can’t just meander. And, roads, invariably, right now on DeFashion Street, we hope to have cooperation, but sometimes you find a person who just will not cooperate. And, if the whole road project depends upon it, we would need you to do it. But that’s not the same as what the Supreme Court dealt with. That dealt with the New London business which we would never do that.

MR. D’ANGELO: Okay, thank you.

THE CHAIR: Very good. Anybody else for Councilmanic Communications?

(No response)

Let’s move right on to the Town Manager’s Report.

IV. Town Manager’s Report and Communications

A. Request of Cheshire to connect 1140 Meriden-Waterbury Turnpike into Southington sanitary sewer system

MR. WEICHSEL: Tony will handle the first one.

MR. TRANQUILLO: We have a request from the Town of Cheshire to allow a parcel of land, shown in yellow here, which is the gas station at the corner of Route 322 and Birch Street. A package store on this other corner. There’s a convenience store, gas station, across the street. The ice cream shop is located approximately here (indicating). This is actually, the Town line runs kitty-corner, thusly. (Indicating)

So, the land itself is totally in Cheshire. In orange is shown our sewer main and they are asking that we allow them to extend the main to serve that property.
Now, historically, there have been several properties in Cheshire, which flow into the Southington system. There is actually the plaza where South End Hardware is located. That presently comes into our system.

The gas station across the street comes into our station to this manhole. And, there’s a couple of properties at the end of Putnam Place, the buildings are actually in Cheshire, and they flow into Southington.

So, we do have precedence for this. We do not particularly care for the way Cheshire has done this because they’ve asked on a piecemeal basis to allow these pieces to come in. We would rather they use a global approach and tell us exactly what they want serviced in their Town rather than the piecemeal approach that they’ve used. However, we don’t see any negative or detriment to us accepting this one piece. It would be at no cost to us. The only thing we would do, if the Council sees fit, is to ask Cheshire to include all these other parcels, the other four parcels and this fifty parcel into what we call an Intertown Agreement, which would dictate the terms and conditions of approval for connection. We did not do that with the other four. It was a little bit more informal then.

One of the major factors here is if the individual tied in, decide for whatever reason they don’t want to pay our sewer use charge, it would be very difficult for us to collect that sewer use charge. If we set up an Agreement where Cheshire pays us, and then if they don’t get paid by the property owners, they lien the property, that guarantees us that we are going to be paid.

So, we would recommend allowing this with the condition that the other four properties that are tied in be included in the Agreement.

MR. WEICHSEL: I might add that through the area, sewers I remember way back from school, are not subject to the artificiality of boundaries. And, we’ve been cooperative and our neighbors have been cooperative.

And, the approach he just mentioned, we have that on Luciano Drive, Southington goes into Cheshire. Gwen Road, Jeffrey Lane, goes into Meriden. And, we have used that type of agreement the other way where we’re flowing into our neighbors.

So, it’s the type of thing that on your borderer you want to be reasonably a good neighbor. And, the last suggestion is a good one to get it in the Town-to-Town relationship.

MR. SECONDO: Luciano goes into Plainville.

MR. WEICHSEL: Right. What did I say?
MR. SECONDO: You said: Cheshire.

MR. WEICHSEL: (Chuckle) That would be quite a trick.

MR. SECONDO: So we have it on the Plainville line, also.

MR. WEICHSEL: Excuse me. Luciano goes into Plainville.

THE CHAIR: Any other questions on this item?

MR. BARRY: I have a comment. Are we going to make part of the condition the suggestion that you made, Tony, about in the event the property owner doesn’t pay us for the sewer usage?

MR. TRANQUILLO: That would be in the agreement that we negotiate and sign with them.

MR. BARRY: With the Town of Cheshire?

MR. TRANQUILLO: With the Town of Cheshire.

MR. BARRY: So, our approval is conditioned on that issue? Is that right for me to say or fair for me to say?

ATTORNEY SCIOTA: It would be more enforceable in your motion. If you put that in there, then we can work out the agreement with Cheshire. I agree with Tony’s suggestion.

MR. BARRY: I agree with Tony’s suggestion, too. Because if makes no sense if they could just stop paying and there’s nothing we can do legally.

One other question: Is there --- John, is there any anticipation of further extension of this sewer into Cheshire?

MR. WEICHSEL: No. It’s important for the Council to understand that we’re not going to be able to solve all of Cheshire’s problems. So, if there’s --- I understand there is some development being proposed just south of there of a large nature. We would not come to you and ask that. This is only the one or two that it would be very, very difficult for Cheshire to service. Just as our situation with Luciano and Gwen Road and so on.
But, no, if they come with 50 homes or a couple of factories, no. We would tell them now gentlemen, it’s time for you to extend your sewer system.

MR. TRANQUILLO: Madam Chair?

THE CHAIR: Yes?

MR. TRANQUILLO: One important point to make here is Route 322.
Although the Town line crosses there for a short distance, it really almost functions as a part of Southington. So, if you have an old gas station that’s abandoned and needs to be refurbished, put back into service, although it helps Cheshire on their tax base, it helps us on our image because we eliminate that eyesore on Route 322. So, for that reason, we have cooperated.

THE CHAIR: Any other questions on this matter?

(No response)

Okay, John, continue, please.

**B. Report of Board of Finance (Attachment 4)**

MR. WEICHSEL: Much of the report is routine. There are two matters that were not routine and what I said in a previous letter, I think there was a 3-3 vote on the matter of the sound speakers. I was under the impression from Robert’s Rules of Order that that was a denial. I’ll turn it over to Mark to explain more precisely where we stand with that.

ATTORNEY SCIOTA: Under the Charter, when it is not a bonding issue, 3-3 would be at this point, no referral. But still nothing has been finalized yet from the BOF because they have 35 days to take in another hearing, if they wanted to, whatever. But their meeting, I believe, was the 2nd Wednesday in July. Therefore, the 35-day clock starts at that point. So, if it remains a 3-3, then it is your, actually it would be your first meeting in September since you won’t have a second meeting in August, and that’s when you would take action on this item. But at this point, it is still in the purview of the Board of Finance.

THE CHAIR: So, this evening, should we approve the actions of the --- do we need to separate that, Mark?

ATTORNEY SCIOTA: No. Because at this point there’s no recommendation to you yet by the BOF.

THE CHAIR: I see, okay. Very good. Thank you.

MR. WEICHSEL: You could do the traditional one motion because those two items now are on the table status and you don’t have to do anything about that.

THE CHAIR: Yes. Thank you for clarifying that.

MR. WEICHSEL: Are there any questions on ---

THE CHAIR: Are there any questions on that?
MR. WEICHSEL: --- the report of the Board of Finance?

MR. BARRY: Yes, just a quick question. So, we’re going to have to act upon it, eventually.

ATTORNEY SCIOTA: Yes. It would be at your September meeting. It’s treated as an approval if the BOF doesn’t do anything with it and it stays 3-3. No recommendation by the BOF after 35 days becomes an approval under the Charter unless it’s bonding. If there is no recommendation on a bonding issue, then it’s a denial, specific denial based upon the Charter.

So, therefore, if nothing happens between now and your September meeting, it becomes an approval. And, when you vote the BOF Minutes at that point, it becomes an approval.

MR. BARRY: So, the approval of the Board of Finance Report tonight does not mean we’re endorsing the entire ----

ATTORNEY SCIOTA: Absolutely not.

MR. BARRY: Thank you.

THE CHAIR: Anybody else?

(No response)

Okay, very good. Next item? Item C.

C. Introduction of bond ordinance appropriating $9,690,000 for the Southington Town Hall additions, improvements, alterations and renovations project and authorizing the issue of bonds and notes in the same amount to defray the appropriation and scheduling Public Hearing thereon for August 8, 2005 at 7:00 p.m. (Attachment 50

MR. WEICHSEL: We have the matter of the introduction of the Bond Ordinance for the Town Hall, $9,690,000. A matter discussed and a great deal of preparation has gone into it by this very body. And, so you would introduce it. There’s a text here of a few pages which I will hand to the Clerk and set it for public hearing. I recommend, I believe right in the Agenda, 7:00 at our next meeting August 8th.

Any question on what might be called the procedural side?

(No response)

D. Consideration of certain options concerning Leach property

MR. WEICHSEL: We will call Lou Perillo back up on the matter of the Leach property.
MR. PERILLO: For Lot 7 on Captain Lewis Drive? Is that the one?

ATTORNEY SCIOTA: We’re on Leach.

MR. WEICHSEL: Leach first and then Captain Lewis right after that.

MR. PERILLO: May I approach the Council?

THE CHAIR: Yes, of course. Please come.

(Pause, pause)

MR. PERILLO: I’d like to have permission from the Council to enter into an Option Agreement with Robert Leach and Richard Leach. Richard Leach owns 1.56 acres of I-2 land. It’s a landlocked parcel on the east side of I-84. Robert Leach owns a 6.96-acre parcel, again that parcel is not landlocked. It is on Old Canal Street.

We went to enter into two Option Agreements. There’s five limitations associated or contingencies associated with it. Can I get into it?

ATTORNEY SCIOTA: Yes.

MR. PERILLO: Basically, what would happen is we’d be paying Robert Leach $1500 for an Option on the contract for six months with a couple of caveats. One that it passes satisfactory environmental review, that it can be subdivided into at least three lots through all the Town process. To acquire two other parcels associated with it and has caps on it. And that we are going to develop the entire project under a $1 million cap. And, that’s pretty much it. And, it’s also an assignable deal.

Robert and Richard both have similar contracts. Just the price would be $1500 for Mr. Leach and $500 for Richard Leach.

And, the purchase price for the 6.96 acres is $650,000. And, it’s $150,000 for the one half acre.

MR. WEICHSEL: I think you should indicate our plan in a general way that we don’t intend to actually spend that amount of money.

MR. PERILLO: Basically, what happens is, what I’m trying to do is obtain an arrangement where there is no cost to the Town. Where everything we expend would be reimbursed. We would like to do a three-lot subdivision here, sell off the three parcels to heavy industrial users who would then put their businesses in Town.

So, basically the Town would turn what is now farm property, we’d pick up the conveyance tax on a sale, it would then be deemed I-2
parcels, no longer farm property and that’s where we’d pick up quite a bit of tax revenue. It is not in the Enterprise Zone. Then they’d be putting up buildings and bringing in real property and personal property that could be taxed and there’s also jobs associated with it.

So, we’d be taking basically a piece of land, vacant, with great highway exposure, great access and turning it into a viable project.

MR. WEICHSEL: I suppose one might mention that it’s not the first time. We did the Captain Lewis Drive, which I think we put up, I don’t know, $300,000 or something like that. And, we, in fact, you’ll hear it tonight, we recently sold the last of the lots. I think we made two or three times as much as we paid just in immediate land costs, not to mention the tax revenue down the road.

So, this is kind of an even more ambitious follow on to that concept which the Council has asked us to “think outside the box”. So, this is a somewhat bold attempt to do that.

ATTORNEY SCIOTA: I think the best way to think about it is more of a broker deal. What happens is that Lou, obviously, has already people in mind for these particular lots. So, what we are doing is we are facilitating that brokers deal and that is what Lou is doing. So, it will be hopefully a very quick turn around by the Town.

MR. PERILLO: Part of the problem that we have is the lack of site ready, buildable spaces in Town. There’s a complete lack of I-2 space that’s available. So, this would help do that. I mean, we obviously, have people who want to come in. We just have nowhere to put them.

Captain Lewis being the final phase that is sold out, the new industrial park, clearly not ready, yet. We’re looking for sites to do quite frankly a mini-industrial park like this.

It would not be a profit. We wouldn’t profit on the sale price. It would at cost, but there are development costs associated with it.

THE CHAIR: Any questions to Mr. Perillo?

MR. RICCIO: I just have a comment.

THE CHAIR: Go ahead.

MR. RICCIO: And, my comment is that this is exactly what we have been looking to do. Get aggressive. And, this, in my opinion, is being pretty aggressive. I think Louie’s office is to be commended on looking for this kind of thing. It’s a no moneymaker on a land transaction, but down the road, obviously, that’s our intent is to tax some properties.
So, I think we are heading in a really positive direction.

THE CHAIR: Very good. Anybody else?

(No response)

Thank you, Lou.

Now we’re going to talk about Captain Lewis, right?

**E. Sale of portion of Lot 7 on Captain Lewis Drive**

MR. WEICHSEL: Lot 7, Lou.

MR. PERILLO: Lot 7, as Mr. Tranquillo can certainly emphasize here, we have gone through lot 7. What had happened was Lot is about 2 3/4-acre, 2 1/2 acre parcel of land. The owner decided to take a portion of it at 40,000/acre. Now he decided he wanted the whole piece. We have future projects in scope and Mr. Tranquillo decided that that piece would be allowed to be sold. He did another subdivision revision to it.

What we are going to be doing is selling it at the $40,000/acre, so it’s approximately $27,200, give or take, between the attorneys. It’s a .68 acre piece. It will allow further development of the property. Any costs, closing costs and engineering fees would be deducted from that amount.

So we recommend we approve this sale to allow for further development on that site producing tax revenue.

THE CHAIR: Anybody have any comment about this? Any questions?

MR. WEICHSEL: That’s more gravy on that project.

THE CHAIR: I know, that’s right. That’s great.

Okay, if there’s no questions, we’ll just continue on.

Thank you, Lou, appreciate your time.

**F. Cell tower at Panthorn Park**

MR. WEICHSEL: Jiggy is here and perhaps can help us a little more on the mater of the cell tower.

Do you want to relay what the Park Board’s decision was, Jiggy?
Just a second, Jiggy, maybe we should have them go first. Would you folks like to comment a little bit on the cell tower?

The representatives are here.

MR. EGDIDIO: The representatives from Verizon and the attorney.

ATTORNEY BALDWIN: I’m Ken Baldwin with Robinson & Cole. Here tonight on behalf of Verizon Wireless. This is Scott Heresy. Mr. Heresy is a real estate representative who has been working with Verizon Wireless on the site here in the Town of Southington. I also happen to live up on White Sail Drive, so a little bit of a personal interest here.

Happy to be here tonight and answer any questions you might have. Just very briefly, we have been talking with the Parks and Rec Department, appeared before the PZC a month ago or thereabouts on an 8-24 referral. We received a unanimous positive recommendation from them for the lease for a telecommunications facility in Panthorn Park, back in the corner almost up to the 84 right of way behind the two lacrosse fields in an effort to provide enhanced coverage along 84 and to provide some capacity relief. This site would sit almost geographically in the middle of the two existing sites Verizon Wireless has, one on Spring Street — we’re on the Sprint tower up on Spring Street and then the other closest tower to the west is up on Wolcott Mountain. I believe that’s a Cingular tower at the top of the mountain or a privately owned tower. We’re also down on the tower in the Milldale section down on 322, which I believe is also a Sprint tower. So, we’ve got the area surrounded.

This tower site will provide us with some coverage relief but more substantially capacity relief because of the traffic on 84 and the fact that the existing two sites on either side of this facility cannot currently handle the capacity of all the customers that require our service in this area.

Again, this is, we are at the very beginning stages here. This is one of a couple of sites that we will hopefully ultimately be presenting to the Connecticut Siting Council for their approval. This is a facility under their jurisdiction and we hope to be presenting that application to them once we have finalized the lease with the Town Attorney’s office and the Town some time before the end of the year.

I guess we’re here to answer any other questions that the Council may have.

MR. SECONDO: Vicky?

THE CHAIR: Okay. Did you want Jiggy to address or ---

MR. SECONDO: No, this gentleman. How long is the lease for?
ATTORNEY BALDWIN: The standard lease is essentially 25 years. It’s a series of five-year terms.

MR. SECONDO: So, do you renegotiate after five years?

ATTORNEY BALDWIN: It’s a five-year term with automatic renewals. So, it’s essentially a 25-year lease.

THE CHAIR: Would the revenue be negotiable?

ATTORNEY BALDWIN: The revenue is currently negotiable. It is ---Mr. Heres and Attorney Sciota are currently having those negotiations. There are escalation clauses in the contract. Every five-year term, the rent would then increase a certain percentage based on whatever was negotiated out.

THE CHAIR: Great. Yes, Chris?

MR. PALMIERI: I’m wondering, has anyone contacted the water department? They take advantage of cell towers and the revenue from the cell towers, specifically.

Do we know what the water department gets for revenue from their cell towers? Has anyone talked to them?

ATTORNEY SCIOTA: We know what they get because they have to come here to ask for permission each time. It’s on Town property even though the tower is owned by the water department. It’s on Town property, so they come each time, so I do have copies of those.

There is a master lease and then of course they have individual co-locators on the water towns one.

MR. PALMIERI: Is this fee in line with, how does it compare to the cell tower fee from the water department?

ATTORNEY SCIOTA: They’re very much, they all pay about approximately the same thing. So, it is very much in line. The co-location fee is more than the negotiation aspect of it.

It’s usually $2,000/month and then there is a, depending on the percentage of the co-location fee, the Town is looking for at this point more than Scott has offered. So, we’re at that point right now.

MR. RICCIIO: Mark, when I was on the PZC, we addressed the issue that should the technology change and they are no longer needed, cell towers, is it in the clause that they be removed?

ATTORNEY SCIOTA: Yes, I’ve asked for bonds to remove. In case they go belly up. This is the question that Scott and I are discussing. I
think Jiggy may have been there and Joe LaPorte was there from the Parks. And, there is bonding language in there where they have to post a bond which covers the cost of removal of the tower if they go belly up.

Now, obviously, you are talking about a multi billion dollar company, but still there is insurance and bonding in case something happens.

That’s pretty standard.

MR. RICCIO: Okay. My other question was: When they come to Town, do we search out sites that we own that we could direct them to that might work for them that are not in a residential area?

ATTORNEY SCIOTA: We’ve never done that in the past. No. But they, especially the presentation they made to the PZC, they did a lot of searching down in --- Scott gave the presentation at the PZC, but they did a lot of searching down in this area. One of the questions that the PZC asked and I believe it was St. Aloyious that they asked them to check out. But that wasn’t high enough. There were several different areas they did look at down at that end of Town.

MR. RICICIO: I just, if we, I don’t know if you even want to spend time on it, but if there’s a catalog of properties that we have that are not in residential areas that we could hand to these guys when they come in, it would be to our benefit to do that, I would imagine. Financially.

ATTORNEY BALDWIN: I can tell you from our experience, we do spend a lot of time whenever we are looking for sites. One of the first things we look for obviously, are existing structures. But shortly after that, we do look for municipal properties.

MR. RICCIO: Okay.

ATTORNEY BALDWIN: The Siting Council likes that. We prefer it if we can go in with a Town parcel. It’s nice to have municipal support going into the Siting Council process. So, that’s one way to get it, we think.

MR. RICCIO: Thank you.

MR. SECONDO: Vicky?

THE CHAIR: Yes?

MR. SECONDO: So, sir, let me ask you my previous question. So you’re telling me it’s really non-negotiable the rate that you pay the Town for 27 years even though you open up discussions every 5 years?
ATTORNEY BALDWIN: No, no. The lease amount will be set before the lease is signed, obviously. We’ll negotiate -- Attorney Sciota said $2000/month. The lease currently has in it an escalation of some percentage every five years. So, the lease payment, the rent payment, will escalate 3 percent or 5 percent every five-year period. And, that is all negotiated up front.

MR. SECONDO: Now, in all this technology with what’s in our airwaves, is there any negative point to all these cell towers all over the State? I mean, is there anything that --- does it interfere with any other programming?

ATTORNEY BALDWIN: As far as interference goes, no. These are dedicated frequencies issued by licenses through the FCC. Verizon Wireless will operate within its dedicated cellular frequencies, which is about in the 8000 mh range. And, its dedicated PCS frequency is in the 1900 mh range.

It’s not going to interfere with any other providers and it doesn’t interfere with television signals or police radio signals because these are all dedicated frequencies that work within the spectrum issued by the FCC.

As far as health effects go, we take that very seriously. We’re required to abide by a federal standard that has been adopted since 1996 and I can tell you that facilities like this generally operate well, always operate well below that FCC standard.

For example, working on a facility now in the Town of Barkhamstead. We have two carriers on that facilities and with those two carriers accumulative effect of those signals is at about 3 percent of the FCC standard. FCC standard being 100 percent, if you will, we’re at 3 percent. So, these are very low powered facilities. That’s the reason why they’re becoming --- you know, in the old days they used to be taller and broadcast at a higher power level because they needed to cover a larger area.

The trend now is shorter towers, closer together to deal with the capacity issues.

THE CHAIR: John, I think you had your hand up?

MR. BARRY: Real quick question. My understanding is there has to be some disruption to the park because of the lane of the lines that go to the tower. Is that accurate? I mean, to get to the tower, you have to dig up the ground to get to the area going through the park. And, my question is, I would like Verizon to first of all work with the Town staff to determine the best time to lay the wire. I don’t want disruption to the soccer games or where people are using the park at certain periods of the year.
My question is: How long would it take to lay the wires? I mean, are we talking a day, three days?

ATTORNEY BALDWIN: To answer the first part of your question, that’s not a problem. We can certainly work out the schedule to make sure that we don’t interfere with the park activities.

ATTORNEY SCIOTA: We’ve already discussed that and it’s part of the lease.

ATTORNEY BALDWIN: The normal construction period is about four to six weeks from start, breaking ground until the end of construction. The laying of the lines, the conduit for the electrical and for the telephone lines would be toward the end of that process. They’re going to go in there first and do clearing, foundation work and then actually construct the tower before they would start to bring in utilities.

At the end of the day, we’re looking for the shortest run possible and the least disruptive run possible. We’ll probably try and tie into some of the existing service at the park assuming it’s adequate for our purposes. If not, we’ll have to bring in new service from the closest point.

MR. BARRY: Mark, can you enlighten me what the conditions are? Four to six weeks is a long time. I mean, are you not allowing them to do it in the spring or the fall? What’s going on?

ATTORNEY SCIOTA: Jiggy and Bill are going to be working on a schedule for us. When we sat down with Scott, that was one of the first things, obviously, Joe and Jiggy brought up was the fact that they didn’t want any disturbance in their programming.

Jiggy is working out an actual schedule as to when is the best time to work on this and Scott said that would not be a problem with some of the dates that Jiggy has already given. We’re going to have actually a written schedule.

Obviously, our biggest issues are going to be lacrosse because as you can see, that’s where the biggest effect is. But it also affects the rest of the park, too. And, Jiggy and Bill will give us a schedule we can attach right to the lease.

MR. EGIDIO: Lacrosse doesn’t, like around this time of year, lacrosse is at a standstill. So, this time of year is excellent.

And, one of the major things is they’re bringing utilities up from the lower level of Panthorn up to the top that we can branch off into what we have on top. So, it’s beneficial for us that way, too.

THE CHAIR: Very good. Any other questions?
Jiggy, that’s it? You don’t have anything else to add, that’s it, right?

Okay, thank you, gentlemen. Very good. We appreciate your time.

G. Consideration of lease purchase for Recreation Park complex lighting (Attachment 6)

MR. WEICHSEL: Emilia is here and can give me a hand, though I think the memo we sent is pretty clear. It’s the memo of July 19th. We recommend that the lease purchase be with the same company we just worked out on the acquisition of the street lighting and it would be about 175,000 and change. At a rate of 3.5 percent. We feel that is still quite a nice rate and recommend we accept it as is without attempting to go out and bid and so on and so forth.

THE CHAIR: Any other questions on this matter? To the Town Manager or Emilia?

(No response)

All right. Thank you, Emilia.

MS. PORTELINHA: You’re welcome.

THE CHAIR: That was a lot of work.

(Chuckles)

H. Proposed construction services – Atwater St. Bridge repair (Attachment 7)

MR. WEICHSEL: The last item on my agenda is the matter of the construction services in connection with the Atwater Street Bridge. Liechtenstein is the engineering firm we’ve been using on both the Prospect Street and the Atwater Bridge. It would not be a big contract, 12,600.

Tony’s staff would do the basics and they would do somewhat shall we say the more sophisticated aspects.

Anything you want to add to that, Tony?

MR. TRANQUILLO: Only that the bridge was started today. They’ve started to take the asphalt off the bridge. So you’ll start seeing some real heavy construction there in the next week or two.

THE CHAIR: Very good.
MR. POCOCK: Tony could we, I was down there the other day and they blocked off the street and there’s a lot of signage there but the signage is white and black which is fine, but cars are still going in there. Is there something we can put at the edge of the street that will really let them know?

I know when you make the turn, there’s a sign there, but it doesn’t seem to be --- I know you can’t go eye level with everything, but --- it’s created a little problem there. Not so much from the Canal Street side. That seems to be okay. It’s the South Main Street. Everybody is used to using that for their short cut. And, tremendous amount. For the five minutes I was there, there had to be ten to twelve cars.

MR. TRANQUILLO: We’ll take another look. We might be able to augment the signage. Probably give a little bit more notice.

MR. POCOCK: Business only or something like that. Residents only. Something to try and help the public out a little bit.

MR. TRANQUILLO: We’ll take a look at that.

MR. SECONDO: Yes, Vicky? Tony, I just want to add the I-84 sign should be covered because it’s still --- and not only that, right next to I-84 it says: End of Detour. And, 30 feet after that it says: Begin Detour. So, it is kind of confusing.

MR. TRANQUILLO: Okay.

THE CHAIR: Thank you, Tony, if you’ll take care of that. Good, Art.

MR. WEICHSEL: That concludes my report, Madam Chair.

THE CHAIR: Thank you. Any other questions for the Town Manager this evening?

(No response)

All right. Very good. The Town Attorney’s report, please?

V. Town Attorney’s Report

A. Old Colony contract for Pondview Pump Station

ATTORNEY SCIOTA: Thank you, Madam Chair. The first item is the pondview pump station contract. As you know, the consulting engineers as well as the Town Engineer has brief you on this matter. We believe it’s time to start the procedure.

The procedure as you know, I explained to you in executive session,
was the fact that you need to authorize the Manager to begin the termination process. That doesn’t mean we are terminating the contract.

It’s means we’re following the procedure. We have set up a meeting within 15 days of our letter between the bonding company and the contractor. Then if we are not satisfied after that meeting, then we move on to another letter after that for termination.

I do request that since both the Engineer and I are both having vacations the beginning of August that I won’t send the letter out until the beginning of August because that’ll mean the 15 days will expire after we get back, so we’ll hopefully have the meeting the third week of August.

What I am asking tonight is that you authorize the Manager to start the termination process on that.

THE CHAIR: Very good. Any questions on this matter?

ATTORNEY SCIOTA: The other item is that we have agreed in concept to hire Amodio Associates to handle the --- I’ll call it the Assessment Analysis between Spring Lake Village and the Town of Southington. Mike and I have met with the gentleman. We were both very impressed by him. He understands exactly what everybody is looking for. He’s willing to start the process probably in September because --- late August early September --- because he has some vacation time he wants to use.

The agreement would be that he would work approximately 15 to 20 hours at $150/hour. So, we’re looking at about $3,000 to $4,000 in costs. But Mike and I have worked on this a long time and we both feel this is the contract we wish to enter.

I’m looking to have Mr. Weichsel or myself authority to sign the contract with the gentleman.

THE CHAIR: Who would you prefer?

ATTORNEY SCIOTA: The contract came in under my name, so I’ll sign it.

THE CHAIR: Okay, fine. Very good. Any questions on this?

(No response)

There’s a hand over there, but I am going to recognize in just a bit when we get to public communications? This was really primarily directed to the Council.

Any other questions on this matter? I know that we have been waiting
a long time at Spring Lake and I am glad to see we got somebody onboard. Hopefully, it’ll be fine with everyone.

Michael?

MR. RICCIO: I just thought it was going to be the beginning of August.

ATTORNEY SCIOTA: The letter, I thought the letter said and I could double check, but we want him to start --- obviously, Mike and I want him to start yesterday, but that didn’t seem to ---

MR. RICICO: That’s fine. I was just ---

ATTORNEY SCIOTA: I thought he mentioned late August, but he may have said early August.

THE CHAIR: Tony?

MR. D’ANGELO: And, they are going to perform what we agreed upon with our previous conversations with Spring Lake.

THE CHAIR: Yes. I think so. Spring Lake is fine with that.

MR. RICCIO: A modified version.

MR. D’ANGELO: Right. They’re going to answer some of the questions and review ---

MR. RICCIO: Like an interpreter.

MR. D’ANGELO: Right. Okay. Yup.

ATTORNEY SCIOTA: We will also need an executive session briefly to discuss a Brownfield program.

THE CHAIR: Very good. Thank you. Any questions of the Town Attorney?

(No response)

Thank you.

VI. Report of Special Committees

THE CHAIR: I’d like to know about Open Space. Mike, I have you down here for Open Space?

MR. RICCIO: Well, the open space, I think I mentioned at the last meeting that we are going to have some advertising coming out, supposed to come out on August 15th.
We are going to be targeting property owners with five acres and more and the advertising will be just your Town wide advertising to bring some recognition to the program, to people that may be looking to discuss open space that we couldn’t hit by mailers.

THE CHAIR: Very good. Any other Special Committees?

Tony?

MR. D’ANGELO: We’ve been meeting. You know, the Ambulance Committee. And, Ed and I attended last week. And, times have been very good for the past couple of months. They’re really monitoring the third ambulance and you know, they’re watching the times and all that so the times ---

THE CHAIR: Have been better --- have the times been better?

MR. D’ANGELO: Yes, very good. Very good.

MR. WEICHSEL: Yes, 92 and 93 percent.

THE CHAIR: WOW!

MR. POCOCK: We haven’t got any complaints on it. They’re also still analyzing the third ambulance to see if they have to change the times and that’s been working out well.

THE CHAIR: Great.

MR. D’ANGELO: Communication with the police has been very good.

MR. POCOCK: Good. They’ve got a little glitch going right now with the phone system, but that is being worked on. Very ---

THE CHAIR: You mean coordinating the two phones?

MR. POCOCK: No, just that there’s a problem with the calls going down there, but there’s been a set up made at AMR’s dispatch so they know when the phone’s ringing. It’s ---

MR. D’ANGELO: A technical problem.

MR. POCOCK: A technical problem there and they’ve really stepped up to get that straightened out. And, they’ve been working with their dispatch center to train them a little better to get out there.

They also, we have to mention that, you know, Cheryl is missing, but there is other people present here on the Council, the Apple Harvest Festival. They were very, very impressed. Tony and I heard a very nice compliment on Dr. Ryan and he has already stepped up and met...
with AMR in regards to providing services there. And, they are going to take care of that.

THE CHAIR: Very good. And, Chris, of course, was on that committee and Cheryl, of course, is on the committee.

MR. POCOCK: Tony agrees, I’m sure, that’s it’s been very positive.

MR. D’ANGELO: Thank you. Yes.

THE CHAIR: Excellent. Any other special committees?

Yes, sure.

MR. PALMIERI: As you know, Cheryl and I were working on the Holcomb Memorial on the site. The two of us, along with Carl Sokolowski our Town Historian and Jiggy Egidio, sent out with the help of Pat Berardinelli and I’d like to thank her, have sent out a letter requesting funds to local civic organizations as well as businesses, whatnot, in Town. We’re requesting funds be sent back to the Town Manager’s office by September 16th.

So, if anyone knows of any organizations willing to donate for the Memorial, I guess, contact Cheryl or I.

THE CHAIR: Very good. Thank you.

Anybody else?

MR. DELLA VECCHIA: Our oversight committee met after the last Council meeting. I’ll just report additional computers have been purchased.

There is a problem on the high school parking lot. We received one bid on that and that’s for the repaving and possible extension of that lot and we’re short about $260,000 to complete what we wanted to complete on that. So, it’s been held off until probably next year and we’ll research some other possibilities on that, as well as revisiting the Flanders School repaving. And, that’s something that Tony and I have to meet with the Town Manager on to discuss.

As we’ve stated at the other meetings, it seems to be going along pretty well on that committee.

THE CHAIR: Very good. Anybody else?

(No response)

I have a couple of things that I’ve learned and I’d like to report on at this point.
I received a letter from the American Red Cross and I’m sure Mr. Weichsel, you also received it, concerning two Town employees, Jim Gura and Carol Ladd. Their work on the latest drive of the American Red Cross. We thank them for their service. (Attachment 8)

And, this, you all probably got this letter and I’m assuming you got the letter from me about the committee review, the 21 RFPs received for the Mount Vernon Road design. You got all that? I don’t know if there’s any questions on that. We are recommending to designate Cardinale Engineering of Meriden, CT as the design professional on this project. I think we’re all very impressed. The price came very, very close to what we were hoping and we received bids that were very, very high. (Attachment 9)

This was the lowest bid and it really did include all of the taking of the maps --- the map takings and the highway surveying, monuments and stuff. So, that’s going to be our recommendation.

I don’t know if you all have any questions about it? Kathy Ricard was on that committee and I want to publicly thank her, also.

MR. BARRY: Actually, Ms. Ricard was my appointment to that Board, so I am glad it worked out well.

I just want to comment on your letter, Ms. Triano, that I guess he apparent low bidder was not awarded and I think it bodes well to the review committee process after investigating and determining that possibly they weren’t the low bidder.

So, I think the process is working well and thank you for this letter.

THE CHAIR: Thank you. I also appreciate the work that the Town Manager and the Town Engineer and all of us too because obviously they are the experts in this field. We just lended our investigative view, I guess.

All right. Any way. Public Communication?

VII. Public Communications*

SANDRA FELD: 821 Glacier Way. I wanted to be sure everybody new about Candidates Night. Spring Lake Village is going to be inviting you, has already invited you to our Candidates Night on October 27th at 7:00 and we look forward to seeing you all there.

I just have a couple of questions. I was wondering if you know the effect on the mill rate of the $9,690,000 for Town Hall.

MR. WEICHSEL: We do but I think Emilia has already left. We have a
chart and I don’t have it. I recall we sent it out. Anyone happen to recall the exact number?

ATTORNEY SCIOTA: We can certainly mail it to her if she wants.

THE CHAIR: You know, Ms. Feld, we’re going to mail that to you. We do have that. We have a chart. We’d be very happy to give it to you.

MS. FELD: Terrific. Also, the effect on the mill rate of the BOE’s Phase II. I’d like to know that.

And, I was wondering if anybody has any comments about this article about moratorium that came out of planning and zoning? Anybody know about it or read about it? There was a recommendation by Zaya Oshana.

ATTORNEY SCIOTA: That was a very specific moratorium request. What he’s asking for is that no down zoning in residential properties happen while they’re going through their Plan of Development.

MS. FELD: And, is that possible?

ATTORNEY SCIOTA: Well, it’s very possible in the fact that they just simply denied every down zone, which they do anyway because they have been, denied, I think, the last seven down zones that came to them.

But during the process of Plan of Development, it’s not the wisest thing to down zone, anyway. Or zone up or down until it’s completed. But for residential purposes, they have that within their power right now. But right now we are going through all the departments that they asked us to check with to see what their input is. Once we have all that, the Planner and I will get back to the PZC on that.

MS. FELD: Great. I was more concerned with the moratorium on residential development. That ---

ATTORNEY SCIOTA: He’s asking for a moratorium on residential down zoning, which has been kind of in effect for the last ---

MS. FELD: I thought it was development and down zoning. It’s not? Just down zoning?

ATTORNEY SCIOTA: He has asked specifically on down zoning to us, but . . .

MS. FELD: Oh, I see. Okay. Thank you very much.

THE CHAIR: Thank you.

LOU PUGLIELLI: 72 Candlewood Lane. I was at the last Board of Finance meeting and I brought up a question but the Town Attorney was not
there, so I’d like to address him for this?

THE CHAIR: Sure.

MR. PUGLIELLI: The question I had asked was in regards to the new referendum for the new addition here. My question was when you have a vote and the vote is yes or no whichever it might be, turned down or not, is there anything on the books that say that you have “x” amount of voters in Town and you have to have a certain percentage, say five percent, to make that a binding vote.

ATTORNEY SCIOTA: For a money referendum?

MR. PUGLIELLI: Well, correct. For the million dollar referendum or nine million.

ATTORNEY SCIOTA: Well, we have, there’s no specific number on that. The only time the State requires us to have a specific number vote, I believe Charter changes requires 15 percent of the population who are registered to vote to vote. When it comes to money referendums, boy in this Town, we’ve had referendums where 600 people, I think, voted in a referendum before. So, yes, we’ve had some pretty low numbers in the past.

MR. PUGLIELLI: My point being then is it a binding vote or is it not a binding vote, yes or no.

ATTORNEY SCIOTA: It’s a binding vote for that referendum, sure.

MR. PUGLIELLI: Well, if it was a binding vote, how’re we having another one on the same issue when there was no changes?

ATTORNEY SCIOTA: Well, because the Council has the right to put anything up for referendum again as long as they follow the timeframe. You can do referendums, you can do five, ten, fifteen referendums for the same item, if you want. It’s just a matter that you have to follow the timeframe. That’s all.

MR. PUGLIELLI: Well, yes. What I’m saying is, shouldn’t there be something written in the laws that say if five percent---

(End of Tape #1, Side B)

(Beginning of Tape #2, Side A)

(Continuing) -- can something be put into our books?

THE CHAIR: Our Charter?

MR. PUGLIELLI: Our Charter.
THE CHAIR: That would only come through Charter Revision.

ATTORNEY SCIOTA: You can do Charter Revision. If there is a Charter Revision Committee and the Charter Revision Committee recommends that to the Town Council, the Town Council then chooses to put that particular question forward to the voters and the voters approve of it, then it could become part of the Charter, yes.

Or, it can be done at the state level. It could be done either way.

MR. PUGLIELLI: So, is there a way to get this rolling to do this? Huh.

ATTORNEY SCIOTA: The only way to do what you’re asking would be a Charter change. Or a state law change.

MR. PUGLIELLI: My point is, I can’t change the Charter. How do I go about having someone with authority to change the ---

ATTORNEY SCIOTA: You as a member or a citizen of the Town of Southington can start a petition and a petition could then, assuming you have the correct numbers, you could then move forward and try and get a Charter Revision established.

Now, that means a Charter Revision Commission is established. You have no way of making sure that Charter Revision puts that one question in front of the Council and you have no way of knowing whoever the Council that is sitting at that time puts it forward to the voters.

So, there are several things that happen.

THE CHAIR: The only way to get a Charter Revision, Lou, is that if the Town Council puts together a Charter Revision Commission. But as the Town Attorney explained, once a Charter Revision Commission is in place, or committee is in place, we take our hands of them and they go wherever they need to go.

So, they might look, you might suggest for them to look at this and they may say, no, we don’t want to put that on and we’re not going to put that on for Charter Revision. We’re going to put on, I don’t know, whatever.

So, it’s up to them what they choose to even explore and what they choose to bring back to the Council. If the Council approves what they bring back to us, then we go ahead and bring it to a referendum vote for the voters and then at that point you have to have fifteen percent of the voters approve that revision.

So, it is a long process. It’s not an easy process. And, it’s not
something that we do lightly or quickly. But ---

MR. PUGLIELLI: Well, I can understand that now that you’re explaining here.

ATTORNEY SCIOTA: It’s purposely made difficult to change the Charter because the Charter is like our Declaration of Independence and our Bill of Rights. It’s the laws we’re under. We just can’t change it willy-nilly. There’s a whole process on how to change it.

MR. PUGLIELLI: Okay, let me have one other thing to say here in regards --- I heard you speaking about the music out here so people can’t hear you.

I’m not saying this to be sarcastic, but you know, they want to spend $1400 or whatever the number was? I mean, I can give you a $20 radio and make all the noise you want out here.

(Laughter)

So you know, I hope the people three and three that voted here, that they turned this down. I don’t know all the ins and outs which you explained there, but I hope common sense comes into play here because you know, taxpayers’ money here. You’re not playing with monopoly money.

All right. Thank you for your time.

THE CHAIR: Thank you very much.

BOB O’BRIEN: Madam Chairperson, good evening, and members of the Council. My name is Bob O’Brien and I’m an attorney with a firm in Hartford called Gordon, Muir & Foley. This is somewhat irregular and I want to be very, very brief. Just a moment or two.

I am here as the attorney for Old Colony Construction. And, I want the Town Council to know and I have Vincent Neery of Old Colony and Ken Pasco from Rotondo here tonight and John O’Keefe who is Old Colony’s surety agent also with us here tonight. And, it is not my intention in any way, shape or form to be contentious, to get into disputed issues but merely to reaffirm to the Council the commitment that Old Colony has to this project. We wanted you to know that in person.

Very briefly, I have been with this law firm since 1979. I practice in the field of construction law. I’ve had an exposure to an array of projects over those 26 years and I know both Mark and John personally through some of the projects over the years. The Town is very well served by both Mark and John and I recognize that.
I did want the Council to appreciate with all due respect that sometimes on a public job when everyone is frustrated and I realize there is frustration here, and the idea is let’s go to the contractor’s surety and get this project finished, it’s been my experience and I think both John and Mark might concur with me and perhaps not in this forum, but it has been my experience that that is not the way to get a project done quickly or economically.

The Town of Southington certainly has an interest in getting this job moving forward quickly, getting it done as quickly as possible and paying a price that is at or near what it thought it would pay in the beginning when it entered into the contract with Old Colony.

I am very concerned that if we move down the road of issuing a termination letter, that we may be losing a window of opportunity that we have right now during the summer months to get a lot of work done on this project. Right now OCC has been asked to suspend its physical work by the Town and I’m a little bit concerned that we’re going to have what appears to be about a three-week hiatus. As Mark indicated, they were contemplating sending a letter out August 1st, which is Monday of next week, which would thereby trigger the fifteen day period within which to have a meeting between the contractor, the bonding company and the Town.

That takes us to approximately the third week of August and this, I think you should be concerned, this is peak construction period right now. We’d like to be out there working. We would be delighted and in fact have asked to have a meeting with representatives of the Town, the bonding company and the contractor. There have been meetings in the past. I have not been part of those, nor has the bonding company. I think it’s time for that to happen.

We would like that to happen before the letter goes out that was referenced earlier. That is the only reason I wanted to address you tonight and I thank you very much for your time.

THE CHAIR: Attorney O’Brien, I want to thank you and also the folks from Old Colony for being here. But I think that the Council really needs to understand a little bit more on this.

Mark, what was the --- do you remember the beginning date of this project?

ATTORNEY SCIOTA: Tony has all the specifics.

THE CHAIR: Do you know off the top of your head, Tony?

MR. TRANQUILLO: I don’t know the exact date of the contract signing but it was April, 2004.
THE CHAIR: Okay, so it was April, 2004.
And, Attorney O’Brien, what percentage of the project is completed?

ATTORNEY O’BRIEN: There is very little if any work physically completed at the site.

THE CHAIR: I see.

ATTORNEY O’BRIEN: The bulk of the time has unfortunately been taken up in what we call the submittal and submittal approval process. For reasons that I can’t frankly understand nor explain to you tonight, I’ve never a project that has taken a year with submittals going back and forth to the consulting engineer, back to the contractor, back to the engineer, back to the contractor. And, the important thing to note here is that because it’s a pump station, you have the pump station manufacturer, which is Rotondo for all intents and purposes. Rotondo has to wait until the submittals are fully and finally approved before they’ll release the pump station components for fabrication. That, I think, we’re over that hurdle now. But that fact has been the single cause of delay on this project.

THE CHAIR: The only thing I would say in all of this and I certainly understand that it is difficult or whatever to get the approvals, but I believe that this pump station that there has been adequate time to get approvals and I think that we are faced, this community is faced with a very serious situation. This is a very important project. I am not trying to lecture anybody. You all have been living it. Old Colony certainly has been living it, as we have in Southington, and so, I just from April of 2004 until now, it’s been over a year and there has been very, very little done. I understand that the process might’ve taken a little bit longer, but I don’t this process is any more complicated in terms of getting the approvals than any other project that -- any other pump station project that we’ve ever done.

I appreciate that. Are there any other Council members with any other questions on this matter?

MR. RICICO: Are all the approvals, are all the submittals approved at this time?

MR. O’BRIEN: By the way, there is a set of keys here.

ATTORNEY SCIOTA: That’s for the next guy who walks up. It’s a free car. We give it away every meeting. You’re the next guy, very good. Congratulations!

(Laughter, laughter)
THE CHAIR: It’s that electric car!

(Laughter, laughter, laughter)

VINCENT NEERY: Old Colony Construction. I believe the majority of the submittals have been approved at this time. We’ve got a couple of outstanding issues on a few submittals that we talked to M & E last week which should be cleaned up very shortly.

Some of that stuff’s kind of been in limbo with this letter of the 11th or the 12th that we received. But we were instructed by Tony Tranquillo to proceed with those submittals and that is what we are doing.

THE CHAIR: Thank you. Mike, did you have follow up? No?

MR. RICCIO: Our Attorney is handling it.

ATTORNEY SCIOTA: The meeting aspect of it, there’s a timing of the meeting, which has to do with the contract aspect of it. What Bob is saying here and it makes it a little difficult because to schedule a meeting -- Tony would have to be at the meeting, so it would have to be this week. But obviously, that would not affect your vote tonight because that is a separate meeting all together.

Obviously, if you wanted to meet later in the week, I have no problem with you meeting with Tony. That’s not an issue. That is certainly not going to stop the next process of course. Unless Tony says to us, oh, everything is hunky-dory and you don’t have to go forward with the other part. I don’t foresee that nor I don’t think you do, either, Bob.

But if you wanted to meet about something like that before the letter, Tony is here this week. That is something that --- I am not going to stop a meeting like that from happening between the engineering types. I mean, the attorneys don’t have to be there for that, but if that’s something you want to take place, Tony’ll probably make some time to meet with you this week.

MR. TRANQUILLO: We can do that.

THE CHAIR: Very good.

ATTORNEY O’BRIEN: I think that is maybe something I could discuss with Mark tomorrow and see if we can bring the parties together.

THE CHAIR: Very good. Appreciate it. Very good and thank you very much for coming. Thank you everybody.

ATTORNEY O’BRIEN: Thank you.
THE CHAIR: Anyone else from the public?

PHIL POMPOSI: I just want to make a few comments. Phil Pomposi, 1215 Pleasant Street. Regarding the BOE issue on the bonding. I can understand their motivation and I like what I hear tonight regarding that issue because it is so important.

But I wanted to make a few comments based on some of the comments I heard and that is that on --- one of the things I think we ought to do besides getting together as Boards, the BOE, the Council and the Board of Finance, is this issue is certainly a lot bigger than just building or adding on or building a new middle school.

I think we ought to step back and look at where we are and what do we - --- what have we accomplished over the last five years since we had this renovation of our three elementary schools.

And, I am thoroughly convinced that we are not getting effective and efficient management on what we have. And, I think as part of the discussion, that that has to be looked, also. That is why I think it is such a good idea to have the Boards basically maybe in the form of the committee we have for the capital improvements for the schools. You know, some representatives from each Board, as a committee, on this project, along with the BOE because I think Bill could attest to this and so can Tony, that the fact that we have been there, members of the Finance Board and the Council, have made a pretty big impact as to some of the things that have happened on that Board up to this point.

And, where we go from here. And, I shudder at the thought of what would have happened had we not been there. So, I think a committee based on that committee certainly would be an important thing to do as we go down this road. Because when you look at what’s happened over the last few years, we have --- taxpayers spend millions of dollars for these schools. We were promised that the three elementary schools would be 500 kids apiece. Well, that’s not the case.

We did not spend millions of dollars to rent out some space in the new Thalberg School. We have North Center School that was closed. And, now it’s being used for the ALTA Program. Maybe you have 30 or 50 kids in there. You have Kelly School, which is now getting complaints that it’s overcrowded. Well, they had a few plans before them for redistricting which unfortunately were not, you know, were not listened to and they basically, they felt that they were doing the right thing. And, now we have the Plantsville School with just slightly over 200 kids in it.

These are some of the things that I think are the questions that we all should be asking when we proceed down this road with this
I wanted to make some of those points just to . . .

THE CHAIR: They are very well taken, too, Phil. I think that when we meet together in September, I am sure that members of the Board of Finance will be involved also in the questioning and the process of that. Okay?

MR. POMPOSI: Thank you.

THE CHAIR: Thank you.

Anyone else in the Town public who would like to come forward?

ART MATTHEWS: My name is Art Matthews and I have the farm at 786 East Street. I’ve been to the Town about this problem of water. The bridge on East Street. And, nothing’s been done.

Last week, a car went off the street there and hit this metal bridge, a plate in the road.

THE CHAIR: Give it to Tony and we’ll pass it around.

(Pause)

MR. MATTHEWS: And, nothing’s been done. I called the police department. They put cones out there. The cones are gone. This has been going on for three years.

MR. WEICHSEL: Might I hear what the location we’re talking about is?

MR. MATTHEWS: 786 East Street.

MR. POCOCK: I brought that up to Tony before. Have we checked anything on that, Tony? That is a problem out there. This afternoon a school bus almost went off there. I was going to bring it up tonight, but I see Mr. Matthews is here.

MR. MATTHEWS: I have more pictures of the bridge and how it’s fallen down.

(Passed around)

MR. TRANQUILLO: It’s Undermountain Crossing.

(Everyone commenting)

THE CHAIR: Okay, well, you are in the right spot now.
MR. MATTHEWS: And, that culvert is too small to retain or hold the or take the water out of the farm on East Street.

THE CHAIR: We thank you for the pictures. Tony, help us with this. Tony?

MR. TRANQUILLO: Very recently, this is very timely, very recently we spoke to Steve Wlodkowski and there are actually two projects on East Street that we’re going to be doing some engineering work on. One is the vertical curve, the hill, at Sloper’s. We recently had a very severe accident at that location. The Staff met out there with Steve and we agreed that we should do some engineering work and see about improving that condition.

And, at the same time, we would look at that culvert, replacing that culvert. Those are both projects that we’re doing survey work on right now and we would hope to get to those next construction season, 2006.

THE CHAIR: Okay, in the meantime, Tony, what do you suggest? Because it is a very serious thing and you know, Councilman Pocock over here is going to have a heart attack if we don’t take care of it.

MR. TRANQUILLO: We’ll go out ---

MR. POCOCK: It is a hazard. If that bus dumped in there this afternoon, it could have caused a major ---

THE CHAIR: I wasn’t trying to make light of it. I was being very serious about it. We need to ---

MR. TRANQUILLO: The plate in the road, I don’t believe has anything to do with the bus going off the road. That was probably a human error. Human error.

MR. POCOCK: One spot there, there’s no protection on that bridge, at all, Tony.

MR. TRANQUILLO: So, what I need to do, is go out there and look and see if perhaps a guardrail would solve part of that condition.

THE CHAIR: Yes, I think that would be very important, Tony, as soon as we can.

MR. MATTHEWS: There is no way you can put a guardrail there because no sooner you put a guardrail, a car will clock it. They ride right on the edge.

MR. TRANQUILLO: Well, you see, now we are talking about a different problem. The curvature of East Street in that area. If we want to get
involved in that, it turns into a much larger project with substantial takes, on the inside if the curve, so we’re really going to have to think about that a bit.

MR. POCOCK: Not an easy project.

MR. MATTHEWS: This is the culvert that is on East Street. This is the culvert on Undermountain. This is ten foot wide, feeding the farm for the water on the other side of the road.

That goes all from the mountain, on that side, and then it all floods into the farm.

MR. TRANQUILLO: Yes, well, one of the things we would do is size the culvert, the new culvert under East Street. It would probably mirror the same size as the one under Undermountain Crossing.

MR. RICCIO: What’s that going to do downstream?

MR. TRANQUILLO: It won’t make any significant difference because there is very little storage upstream of this culvert.

MR. RICCIO: Can I make a comment? I’ve noticed, traveling this road frequently, that since Copper Ridge was finished, that the farm floods unreasonably. And, I’ve seen it. When I was a kid I used to play over there. It was just a swampy area.

MR. MATTHEWS: I have a little pond. There. And, it flows out and then when the big rain comes, a heavy rainstorm, the mountain comes on it.

MR. TRANQUILLO: That culvert has flooded for the last thirty years that I’ve been here, approximately once every five years. That culvert is undersized. It was undersized before the development there and it’s undersized now.

The solution is to put a larger culvert in.

Excuse me?

MR. RICCIO: Is the detention working upstream?

MR. TRANQUILLO: Yes, it is.

MR. RICCIO: Properly?

MR. TRANQUILLO: Yes. Actually, that culvert ----

MR. MATTHEWS: That’s detention on the other side of Undermountain and that’s what they have there. That floods, fills the whole valley on the other side. It fills that on Undermountain, right. It fills up on
that side and then it runs over there. There is nothing to stop any kids or nothing to fall in there.

THE CHAIR: I think Tony, if you could get out there as soon as you can.

MR. TRANQUILLO: We’ll take a look at that.

THE CHAIR: And, you know, we can’t be responsible for, I mean, if drivers are driving too fast on that posted road or whatever, they just are going to have to slow down. My concern is having a car go off the edge. You know, I mean.

MR. MATTHEWS: Last Thursday a pick up truck went over it. It hit the steel plate, flipped upside down and was down in the ditch. The glass --- they never cleaned nothing up. The glass is still remaining in the brook.

THE CHAIR: Okay. We’ll let Tony get out there this week and we’ll see what we can come up with. Even if it’s just a band-aid, but at least it will safeguard folks from going off the side until he can address it.

Thank you.

Do you need your pictures back?

MR. MATTHEWS: No, you can keep them. I have more. I have a disc of them.

THE CHAIR: Oh, okay, very good.

MR. MATTHEWS: And, Tony, please let me know what is going on? Thank you.

THE CHAIR: Thank you for coming tonight. Appreciate it.

MR. MATTHEWS: Thank you.

THE CHAIR: Anyone else in the public who would like to address this Council?

(No response)

I am going to close public communication and proceed.

VIII. Old Business

A. Action on 1140 Meriden-Waterbury Turnpike.
THE CHAIR: That’s on the sewer system for Cheshire.

Anybody want to make a motion on this?

MR. WEICHSEL: We recommend approval of it, Madam Chairperson.

MR. POCOCK: I’ll go for a motion. I’ll make a motion we approve the action on 1140 Meriden Waterbury Road with the stipulations as mentioned by the Town Engineer ---

THE CHAIR: And, the Town Attorney.

MR. POCOCK: --- to go into -- and Town Attorney --- enter into an agreement for the parcels in that area so that we’re covered. It’ll be the agreement with the Town of Cheshire. Correct?

THE CHAIR: Thank you, Ed.

Do I have a second?

I’m looking for a second.

MR. SECONDO: Second.

THE CHAIR: Thank you. Discussion?

MR. BARRY: Just a comment. Is it, it’s just the, our, Councilman Pocock, just so I know, it’s the forcible action to obtain sewer fees in the event that they don’t pay?

MR. POCOCK: Correct.

MR. BARRY: Okay, that’s what we’re going to do? Okay. I just want to get that on the record.

MR. POCOCK: That’s good.

(Motion passed 7 to 0 to 1 abstention by Mr. Riccio.)

B. Action on report of Board of Finance

MR. RICCIO: Motion for approval.
MR. DELLA VECCHIA: Second.

(Motion passed 8 to 0 on a roll call vote.)

C. Action on Bond Ordinance appropriating $9,690,000 for the Southington Town Hall additions, improvements, alterations and renovations project and authorizing the issue of bonds and notes in the same amount to defray the appropriation and scheduling Public Hearing thereon for August 8, 2005 at 7:00 p.m.

MR. SECONDO: Is that your motion?

THE CHAIR: I was just reading what it said.

MR. SECONDO: Same thing as a motion?

THE CHAIR: Yes.

MR. SECONDO: Well, then, I’ll second it.

ATTORNEY SCIOTA: She can’t make the motion.

THE CHAIR: I am not making a motion. You’ll make the motion?

MR. SECONDO: You want me to read that whole thing all over again?

THE CHAIR: No, I just did. It’s all right.

MR. SECONDO: So moved.

THE CHAIR: Okay, seconded?

MR. RICCIO: Second.


(Motion passed 8 to 0 on a roll call vote.)

D. Action on Leach property

MR. RICCIO: Motion to approve --- how should I word it?

ATTORNEY SCIOTA: Motion to authorize the Town Manager to sign the option agreements as set forth by the Economic Coordinator.

MR. PALMIERI: I’ll second.

MR. RICCIO: I’ll make the motion.
MR. BARRY: Madam Chair, I just wanted to make a comment. Based on the advice of the Town Attorney, I will recuse myself on voting on this item.

THE CHAIR: Okay, very good.

(Motion passed 7 in favor, 0 opposed and 1 recused by Mr. Barry.)

E. Action on Lot 7 on Captain Lewis Drive

MR. DELLA VECCHIA: Move to approve the sale of that parcel.

MR. D’ANGELO: Second.

(Motion passed unanimously on a voice vote.)

F. Action on Panthorn Park cell tower

MR. RICCIO: Motion to have the Town Attorney enter into contract negotiations with Verizon Wireless.

MR. D’ANGELO: I’ll second.

ATTORNEY SCIOTA: And, authorize the Manager to sign it after the negotiations are finalized.

THE CHAIR: Seconded by Tony.

(Motion passed unanimously on a voice vote.)

G. Action on lease purchase for Recreation Park lighting

MR. PALMIERI: Make a motion to approve as presented by Emilia this evening.

MR. D’ANGELO: Second.

(Motion passed unanimously on a voice vote.)

H. Action on Liechtenstein proposal for Atwater St. Bridge

(Pause)

THE CHAIR: I’m waiting for a motion.

MR. RICCIO: So moved.
MR. D’ANGELO: Second.

THE CHAIR: What’re you moving?

MR. RICCIO: For approval.

THE CHAIR: Moving for approval and seconded by Tony.

(Motion passed unanimously on a voice vote.)

I. Action on Old Colony contract

ATTORNEY SCIOTA: Recommend to authorize the Manager to begin the termination process as set forth by the Town Attorney.

MR. RICCIO: So moved.

MR. PALMIERI: Second.

MR. WEICHSEL: There are hearings provided. We are going to have a meeting apparently this week and this procedure sets up an official hearing. So, this is a necessary beginning and we’ll see where it all comes out.

THE CHAIR: Any other discussion on this matter?

(No response)

(Motion passed 8 to 0 on a roll call vote.)

IX. New Business

A. Action on Engineering for section of Mt. Vernon Road

MR. RICCIO: Motion to approve the firm selected by the committee, Cardinale Engineering of Meriden.

MR. PALMIERI: Second.

(Motion passed unanimously on a voice vote.)

B. Appointments:

- 2 members, CCRPA (Baggetta, O’Keefe), 2 yr. terms to 5/07

THE CHAIR: I think it is the wish of the majority that we would
reappoint the two individuals that are there. Matt O'Keefe and Attorney Baggetta.

And, so we will go ahead and -- is that all right with everybody?

Any opposition to that?

Could I have a motion for that?

MR. RICCIO: Motion to approve LeAnne and Baggetta and Matt O’Keefe to the CCRPA for a two-year term to May of 2007.

MR. DELLA VECCHIA: Second.

(Motion passed unanimously on a voice vote.)

-1 member, Capital Workforce Partners (business community), 2 yr. term to 7/07

THE CHAIR: We do have someone that we’re looking at. I don’t know if you all have someone, but we do have a name that the person is thinking about it and promises that we will have her answer and if not her, we’ll have that fulfilled by next meeting.

MR. SECONDO: Move to table.

MR. RICCIO: Second.

(Motion passed unanimously on a voice vote.)

C. Tax refunds

MR. D’ANGELO: Make a motion we approve the tax refunds.

MR. POCOCK: Second.

D. Deputy Town Manager/Town Attorney

THE CHAIR: Bill?

MR. DELLA VECCHIA: Madam Chairman: It is with great pleasure and honor that I make the following motion:

That the Town Council, make the Town Attorney's position, subject to Attorney Sciota being reappointed in November, a full time position.

I believe the Town has grown to a point where a full time Town Attorney is not only beneficial, but required.
I would further move that the town adopt a new Ordinance establishing a position of Deputy Town Manager using the following language:

"The Town Council may appoint a Deputy Town Manager which qualifications it may deem appropriate. The Town Manager shall assign any duties and responsibilities to the Deputy Town Manager as he may deem appropriate."

I am also very excited to request that once the position of Deputy Town Manager has been established, I would like the Council to appoint Town Attorney Mark Sciota to that position.

I realize that the position of Deputy Town Manager will be subject to the public hearing and Ordinance process.

It is my further hope that this Council would establish a Charter Revision Commission to look at the changing of the current wording of the Town Attorney section in our Charter. It is my hope that the Charter Revision Commission would report back to the Council requesting to modify the wording of the Town Attorney's position to include a term similar to that of the Town Manager. Not it's current two-year term.

I would ask that the public hearing on the new Deputy Town Manager Ordinance be held at 7:15 o'clock, p.m. on Monday, August 22, 2005, which we cannot do, so the first meeting in September.

MR. POCOCK: Second that.

THE CHAIR: I think Tony had his hand up to second. Were you going to second?

MR. D’ANGELO: Yes.

THE CHAIR: Tony had his hand up to second that, Ed, already.

All right. So, we have a second on this motion. Is there any further discussion on this?

MR. D’ANGELO: Yes. I am also very proud to be part of this discussion and to make the Town Attorney’s position a permanent one. I think long range it is going to be a savings.

Mark has done a tremendous job for the Council for several years now and I look forward to working with him.

It also answers my concern or my question, too, of the Town Manager, I know a couple of meetings ago when I discussed the Human Resource or Personnel Department. That that would take that place, as well, or
that position, the Deputy Town Manager could do some Human Resource or get involved in personnel training and just be a personnel department. It’s not a full time position, but it is a part time position. So, I think long range there’s going to be some savings on this, too, for the Town. So, I like what I heard.

THE CHAIR: I would just like to add as or to thank Mr. Della Vecchia and also Mr. D’Angelo for working on the sub committee and this motion.

The motion is before the Council.

MR. D’ANGELO: I did have one other question, though, and I do agree with the Charter Revision. Obviously, we have to look at this position. But once the Charter Revision Commission is appointed, that opens up the entire Charter.

THE CHAIR: Yes.

MR. D’ANGELO: So, it’s not just on this.

THE CHAIR: Right.

MR. D’ANGELO: Good. Thank you.

THE CHAIR: Yes, that’s right. Art?

MR.SECONDO: Like Tony I wanted to say that I’m very happy to be part of this --- basically what it is in reality is a very historic move.

In the short time that I’ve know Mr. Sciota, I’ve never met an individual who has actually been adopted by both sides of the aisle and that’s very, very, very unusual in this Town, which lends to his expertise and his overall character.

So, I’m very happy to support this.

THE CHAIR: Very good. Yes?

MR. BARRY: Question, rather. Mr. Della Vecchia, I don’t know and maybe I didn’t understand your motion. On the Charter Revision, are you saying when we should have a Charter Revision?

MR. DELLA VECCHIA: We should in the very near future appoint a Charter Revision Committee to look into this and the wording of the position of Town Attorney.

MR. BARRY: Are you suggesting that the Charter Revision Commission be appointed before the November election or after?
MR. DELLA VECCHIA: I say that in the very near future we should appoint a Charter Revision. And, if it happens to be before the election, so be it.

THE CHAIR: The motion, however ---

MR. BARRY: That is not part of the motion, correct?

MR. DELLA VECCHIA: That’s correct.

THE CHAIR: --- I believe, no, it’s not part of the motion, right, Bill?

MR. DELLA VECCHIA: That’s right, it’s not. It’s just that in the near future we should have a Charter Revision Commission.

MR. BARRY: Well, actually, based on what you are suggesting, we will have to have a Charter Revision. I just want to make that clear.

MR. DELLA VECCHIA: Correct.

MR. BARRY: Okay, very good.

THE CHAIR: (Addressing citizen in the audience) I’m sorry, I can’t recognize you during this time. I can’t recognize you. I’m very sorry.

But there will be a public hearing so you’ll be able to ask any questions or whatever at that time.

FROM THE AUDIENCE: No, it’s not about that. It’s about Tax Refunds. I would’ve spoken to it, but it came after when people are allowed to speak. I don’t know.

THE CHAIR: (Addressing citizen in the audience) I see. Well, let’s deal with this first.

ATTORNEY SCIOTA: After the meeting, she can ask the question.

THE CHAIR: That’ll be fine, thank you.

So, right now we have a motion on the floor. It has been seconded. I believe that we’ve ended our discussion on this. This is historic. It is a change. And, I think it’s the right change.

(Motion passed 8 to 0 on a roll call vote.)

Thank you, all. And, congratulations, Mark Sciota.

(Applause, applause, applause)
ATTORNEY SCIOTA: Thank you.

THE CHAIR: All right.

X. Miscellaneous

MR. RICCIO: I didn’t feel as though it was appropriate to speak about this under Item I of Old Business, but the company that just came before us tonight about this contract, we’re talking about the next three weeks being prime construction season. I didn’t even calculate how many weeks of prime construction we’ve had in the last two years.

But, I would seriously hope that we do not go down the road of prior contracts where we’ve had this type of contractor.

And, I just wanted to have that on the record. I have all the faith in Mark, as does everybody else as we just saw. I don’t, I don’t want to see the guy begging to get any results, I guess is what I’m saying.

THE CHAIR: Thank you for sharing your thoughts.

ATTORNEY SCIOTA: There is one thought that Tony and I would like to share is that currently the procedure we have is for $1 million and over. This particular contract didn’t fall in that category. So, in the future, Tony and I may put together a suggestion for the Council that we may want to --- even though it’s more work for his department and my department and Emilia’s department --- we may want to bring that number down to half a million dollars.

It’ll add more contracts, but I agree with Tony and we’ve had this conversation several times that we may want to bring it from a million down to 500,000 and that would take virtually every contract that we have.

This one, of course, did not have to go through that process because it was less than $1 million.

THE CHAIR: Very good.

MR. RICCIO: Thank you.

THE CHAIR: Anything else under Miscellaneous?

MR. TRANQUILLO: One quick report. I was not at the meeting. I believe Councilman Secondo mentioned a left turn lane on West Street, going northbound on to Jude Lane? And, I did take a look at that. I think with some fairly minor widening we can accomplish that. So, it would probably happen in 2006.
THE CHAIR: Great. Very good. Thank you, Tony, that’s great.

The Italian Festival! It’s this weekend. Come and join us. We’re going to have a great time. Everybody gets to be Italian for a couple of days. That’s great.

I’ll entertain a motion for adjournment and give you an opportunity to come on forward and talk to the Town Manager.

ATTORNEY SCIOTA: We need executive session for heart and hypertension with Attorney Kania.

And, then I need to talk to you about the Brownfield Program with Lou Perillo.

THE CHAIR: I have a motion by Mike and a second by Art. That’s it.

(Whereupon, the meeting was recessed at 9:40 o’clock, p.m.)

Attest:

_______________________________
Leslie Cotton
Town Clerk

EXECUTIVE SESSION

The Southington Town Council entered executive session immediately following the Town Council meeting with the following in attendance in order to discuss the Brownfield Program and heart and hypertension matters:

Michael Riccio Arthur Secondo
John Barry Edward Pocock
Christopher Palmieri Anthony D'Angelo
William DellaVecchia Victoria Triano

Ex-Officio members present were as follows:

Mark Sciota, Town Attorney
John Weichsel, Town Manager
Louis Perillo, Economic Development Coordinator
John Kania, Attorney

Absent: Cheryl Lounsby, Councilwoman
No motions were made or votes taken during executive session.

Mr. Riccio made a motion to adjourn from executive session. Mr. Pocock seconded. Motion passed unanimously.

(Executive Session was adjourned at 10:15 o'clock, p.m.)

Mr. DellaVecchia made a motion to adjourn the Town Council meeting which was seconded by Mr. Palmieri and passed unanimously.

(Meeting was adjourned at 10:16 o'clock, p.m.)

Mark J. Sciota
Acting Secretary