

MINUTES OF THE TOWN COUNCIL MEETING
OF THE TOWN OF SOUTHLINGTON
September 27, 2010

The Town Council of the Town of Southington held a public hearing and a regular meeting on Monday, September 27, 2010. Edward S. Pocock, III, Chairman, called the meeting to order at 7:00 o'clock, p.m.

The following Councilpersons were present, viz:

John N. Barry	Anthony E. D'Angelo
Dawn A. Miceli	Albert A. Natelli, Jr.
Christopher J. Palmieri	Peter J. Romano, Jr.
Stephanie A. Urillo	John C. Dobbins
Edward S. Pocock, III	

Ex-officio members present were as follows, viz:

Anthony J. Tranquillo, Director of Public Works/Town Engineer
Mark J. Sciota, Deputy Town Manager/Town Attorney
John Weichsel, Town Manager

Public Hearing: Ordinance appropriating \$225,000 for costs related to the construction of a Sanitary Sewer Interceptor of approximately 455 lineal feet from the intersection of Smoron Drive and Spring Street across the Quinnipiac River Bridge to a point on Spring Street approximately 200 feet east of the Quinnipiac River Bridge, and authorizing the issuance of \$225,000 bonds, notes and temporary notes to finance said appropriation.

The Chair called on Mr. Tranquillo to give a brief overview. Mr. Tranquillo stated that about a year and a half ago a previous Town Council authorized the design and extension of sanitary sewer across the Spring Street bridge. We investigated several options for crossing the river and the most cost effective was to hang the 15" diameter pipe in between the bridge beams. That actually saved us a lot of money. We find that we can extend the 15" pipe from the existing system westerly and then crossing the river within the girders of the bridge and then continuing westerly to the intersection of Smoron Drive.

The estimated cost is \$225,000. I would like to state that the Council decided, this would not be built until the development proposed on Smoron Drive was actually fully committed. What we are doing now is getting ready for it. The timing will be very critical as the developer of the sports complex has indicated that they would like to get going and as soon as they break ground they will be in a hurry to get the sewer. We will be ready to extend to this point (indicating).

Beyond that, the developer has committed to extend an 8" or 10" main (to be determined) along Smoron and then up into his private road and the complex.

This sewer is shown on our master plan from 1969 and it shows this portion of town perhaps about a 1.5 to 2 square mile area being serviced. So it's not just being done for this particular developer or this particular complex. There is a great deal of industrial land on the west side of the river so this will benefit that whole area.

Mr. D'Angelo commented that the original intent of the sewer was contingent upon the sports complex being built. Mr. Tranquillo said that was the driving force when the issue first came up.

Mr. D'Angelo asked the status of the sports complex right now. Mr. Tranquillo said it has many of the environmental and planning and zoning permits. From a property standpoint I'm not sure of the status.

Attorney Sciota said from a local standpoint they have all their permits. The issue now is in the court system as I understand it.

(Public input)

Louis Perillo, Economic Development Coordinator for the Town of Southington. Mr. Perillo spoke in favor of the item. He noted last Thursday, September 23rd, the Town Council Subcommittee the Economic Development Strike Committee held a meeting and made a motion to recommend to the Town Council support for the Spring Street sewer project. We made a commitment to the builder of the proposed complex but this is not just about one project. This is to open up the entire area that's zoned industrial off of Spring Street.

It is proactive from an economic development standpoint. This isn't a sewer project per say. It's a difficult project that involves a river crossing. Trying to get a private developer to pay an excess amount to cross the river and it may be their obligation but it would be very difficult to achieve.

Mr. Perillo explained the benefits of doing the project now economically and that the land may be marketed once the sewer is in.

Ms. Miceli asked if it was usual for a municipality to do this type of project because of the topography we're talking about on Spring Street and the river crossing. Mr. Perillo said he knew other communities pay for the infrastructure and may charge a hook up. He mentioned the Marion Highlands project which was residential and paid for by the Town.

Mr. Perillo said from an industrial or commercial standpoint today it is not feasible for the most part to market without infrastructure.

The Chair asked Mr. Perillo to give an overview of how much inventory is sitting on the western side of the River. Mr. Perillo said in addition to the Smoron Farm, there is property owned by Rockwood Hills (approximately 32 acres), Smoron Farm is about 60 acres, the Johnson parcel is another 30 acres. Calco owns some land over there. The Sepko property.

Bill Knoegel, 96 Woodberry Hill Drive. I do not favor the sewer expansion on Spring Street. Spoke about the land being a farm and may still be a farm in the future. Spoke about the legal aspects of the property in court.

I think there has been a lot of lack of sensitivity to virgin land in town. We have accommodated residential property development in the last decades.

Spoke about the project and the particulars of the probate court matter.

I hope you look long and hard before you continue to go forward with the proposal.

Will Parker, Cedar Drive. Spoke about the sports complex. He said this sewer project will improve the property values in that area and then probably increase my taxes.

Talked about the probate matter.

Jim Michlewski, 103 Ashwell Drive. I am here to oppose at this time the sewer extension on Spring Street as being premature.

Spoke about the probate matter.

Marie Tuccitto, Preli Court spoke about the probate matter.

John Wasik, Spring Street. My property abuts Smoron Farm and I've lived there for 25 years. Spoke about the probate matter.

He stated he was against this project totally.

Richard Burbank, Blue Hills Drive. Resident in town for 45 years. I can't think of an issue that even comes close to this probate issue in all that time.

The sewer may be a wonderful idea and I'm all for developing other parcels in town but under this climate I really feel this should be set aside until all legal issues are settled.

Nancy Wasik, 536 Spring Street. Spoke about the probate matter.

Spoke about the sports complex --- she's all for it.

This is totally wrong.

Ms Wasik also discussed concern about the turtles crossing right where you want to put the sewer lines.

Arthur Cyr, 103 Berlin Avenue. We're at Town Council; we're not at Inland Wetlands or Planning & Zoning. They have reviewed this project to death. We're surely not at probate court.

We're here to talk about authorizing the money for a sewer crossing. We're looking at possibly spending the money only after a new facility comes in that will pay us back \$200,000+ within two years which will pay for the sewer crossing. That is not an increase in sewers or our taxes. This complex, if ever approved and built, will pay for this crossing.

Your question tonight is: if this developer gets the land and starts building his sports complex, it's going to pay us more than \$200,000 in taxes. Are we going to jump the river which is then going to open up another 100 acres of industrial land. The answer should be yes to all of that.

Jim Michlewski, again. Let's talk about industrial properties that are still vacant such as Pratt & Whitney. We're talking about developing more land when we still have things that are empty? I have a problem with that.

Ms. Cotton read a letter into the record from Andrew J. Meade. Record on file in the Town Clerks Office. The letter is in support of the project. (Attachment 1)

The Chair closed the public hearing portion of the meeting at 7:25 o'clock, p.m.)

REGULAR MEETING

The following Councilpersons were present, viz:

John N. Barry	Anthony E. D'Angelo
Dawn A. Miceli	Albert A. Natelli, Jr.
Christopher J. Palmieri	Peter J. Romano, Jr.
Stephanie A. Urillo	John C. Dobbins
Edward S. Pocock, III	

Ex-officio members present were as follows, viz:

Anthony J. Tranquillo, Director of Public Works/Town Engineer
 Mark J. Sciota, Deputy Town Manager/Town Attorney
 John Weichsel, Town Manager

A prayer was recited by Councilman Peter Romano.

The Pledge of Allegiance was recited by everyone in attendance being led by Nicholas DePaola.

There were approximately 25 other persons in attendance.

EDWARD S. POCOCK, III, Chairman, Presiding:

II. Minutes

Mr. Palmieri made a motion to approve the Minutes as presented. Mr. Dobbins seconded. Motion passed unanimously on a voice vote.

III. Councilmanic Communications

Mr. Romano brought up the milling and resurfacing program along Route 10. It has been delayed until October 12th through 14th. Paving will be October 17th thru 20th. All weather permitting. Finishing work is October 21st thru the 24th. It will happen during the evening hours between 8:00 pm and 5:00 am. No work will be performed on Friday and Saturday.

Mr. Palmieri thanked Mr. Tranquillo for this. As soon as we heard, we co wrote a letter to the state and Mr. Tranquillo kept the Council informed on everything going on.

Mr. Palmieri discussed the STEPS Community Picnic. It was a great event and great to have so many youth involved.

I'd like to invite the Council and the public for the STEPS Forum which will be held October 26th at 7:00 pm at Hawks Landing Country Club. The forum will discuss more in-depth the details of the surveys.

IV. Report of Special Committees

A. Town Building Maintenance Committee

Nick DePaola gave his report to the Town Council. Explained the charge of the committee as going through all the town buildings to see what had to be done to bring them up to snuff. He acknowledged the two members of the committee: Peter Romano and Jim Sargent as they have been a big help. He acknowledged Tony Tranquillo for his excellent professional services. And, of course, Mark Sciota has been plugging in everything. Outstanding job to make my job a lot easier.

Mr. DePaola explained the survey sent to all department heads who had their own building. They listed by priority what they wanted done. The committee then set up a schedule wherein we had our meeting over at the site and had a walk thru.

The first one was town hall. We went through town hall and checked everything against the reports we had. Then we discussed it and proceeded on. The following are the projects:

1. The Town Clerk's vault project has been awarded by the Town Council. It is fully budgeted and should be moving forward any day now.

2. The community services department, the old Company 3 Milldale Fire Department building, the roof needs to be replaced. We are starting on a new roof and it's on your agenda tonight for approval. It is fully funded.

3. Repainting and refinishing of the Town Hall façade. It's fully funded and paid and they're working on that right now.

Four other major projects we are working on:

1. The windows at Town Hall with an estimated cost of \$160,000. Explained they are the original windows when the addition was put on in 1971.

2. The interior and exterior painting of Town Hall has an estimated cost of \$80,000. Your buildings should look good as well as be in good shape.

3. Modification of a fuel tank at the Police Department has an estimated cost of \$30,000. That is a high priority item. Explained the whole area in the parking lot should be raised. What is happening is a lot of snow gets in on the top is going down through and mixing with the fuel. What we want to do is raise it so they can't plow the snow over it. That has to be done.

4. Another top priority item is not funded. Going through the library in its entirety, one thing that has to be done immediately and

was on their list is the replacement of the elevator. That has an estimated cost of \$40,000.

The total for those four major projects not funded is \$310,000. We are requesting all or at least the top priority items be funded by the Council.

The Southington Public Library, we took a walk thru. It has roughly 21,000 sf and built in 1974. It needs work. Besides the elevator, they're having trouble with the roof and the HVAC systems. We need to do a study and see what you've got and why it's not working and how you can fix it. That's our recommendation for the library at this point.

Lastly, the Barnes Museum. Attorney Sciota explained the grant received for the architect and when we'll submit his cost estimate to the state for a grant. Mr. DePaola explained the importance of having the architectural study done because of the building's age. Then we'll come back with a recommendation and see where we stand on that.

We will be going to the fire departments and Calendar House. A lot of the fire department sites have asphalt that they want done. It would be probably be in our best interest to put them all together and get a better bid on everything.

There are a few items at the Calendar House. When we go there, we'll have a report as we have here and come back.

Dr. Urillo asked about the tank at the Police Department. Mr. DePaola explained it's not the tank; it's the concrete apron around the tank. We want to raise that and protect it from the snow plow.

Mr. D'Angelo asked about the Trust Fund with the Barnes Museum. Attorney Sciota said there are two projects, the painting project and we've discussed through the BOF and this Council that we want to have the Board of Directors at the Library look very seriously toward a portion of the nongrant money for the roof to come out of the trust fund. But that would still be under Nick DePaola's jurisdiction under this committee to bring forward.

The Chair thanked Mr. DePaola for taking on this subcommittee and the work he and the committee has done.

B. Public Works Committee

Mr. Romano reported on two items:

- Community Pavilion. The committee had a special meeting on September 23rd to discuss the pavilion project. We discussed it with the staff and the apparent low bidder to review the awarding of this project. He gave a financial overview to bring everyone up to speed on the funding. He noted the low bidder after meeting with staff came

in with a revised bid of \$260,200. This leaves \$23,000 in the budget for contingencies. That's a good thing.

Some concerns of our committee:

(1) Is the staff and Mr. LaPorte okay with the product and price and do they feel comfortable they are getting what they should be getting and they said they were.

(2) Will the final product that the contractor is going to be delivering to us be able to be occupied upon receipt by the town. Staff has assured us that the building will have a CO when it is turned over to us.

With that, the public works committee is recommending to the Town Council to approve the low bidder Mastrobattisto for the \$260,200. Based on the contractor's schedule, they will be having the pavilion ready for us in the spring of 2011.

(End of Tape #1 Side A)

(Beginning of Tape #1, Side B)

Joe LaPorte addressed the Council and assured them the reduction in the scope of work really isn't all that bad. Explained the bathrooms have been moved from a separate structure inside. There is a sidewalk that we can do later on. Some lights that could be added later on. It's small and nonessential items at this point but it is something that we can work on. We can get some volunteers to do some work.

- South End Road. It's my understanding and staff has assured me that the paving will get started again this week. That's the important thing.

Mr. Tranquillo gave an overview of what's been going on there and why there was a two week battle between the town, the state and the contractor. We had an issue with a ruling by state officials. We met with the contractor and the state and once we sat face to face, all sides understood where we're at and we all agreed to a solution. And, the paving will be restarted on Wednesday or Thursday, weather permitting.

Mr. Romano added he had spoken with Representative Zalaski this morning about it, as well. He was also setting up a meeting with the DOT. I thank you for your efforts.

The technical work on the project was clarified by Mr. Tranquillo in response to a query by Mr. Palmieri.

C. Rails to Trails Phase II Committee

Dr. Natelli reported on a meeting on September 17th. We completed about 70% of the project. The topcoat of asphalt is about to be placed as well as the landscaping over the next several weeks. The project should be completed anywhere from the end of October thru the second week of November, weather permitting.

Our Town officials, myself, our committee will be doing a punch list walk thru on a date to be determined.

As far as people using the trail right now, they continue to ignore the barricades. We don't want you on there. There is heavy machinery still there. We restored barriers and fences to no avail. So, use it at your own risk. It's not ready for use but use it at your own risk.

As to the winter, the town is responsible for taking care of the roads first, then the public buildings and last the parks and trails.

The train station was discussed. The Kiwanis Club is going to build a showcase for us at the kiosk there. We are working on painting it. An Eagle Scout project to paint it. Approximately eight parking spots will be available on a gravel lot.

We have a recommendation from the committee that was approved unanimously, that we sell plaques for the benches on the second phase of the trail. Each plaque will be sold at \$1,250. That'll offset the cost of the bench. Priority for the purchase of the plaque will be to individuals and businesses along the trail on a first come, first serve basis. Filing and administration of it will be done through the Town Attorney's Office working with the finance department. For clarity sake, people can come forward to the Town Attorney's Office Wednesday morning at 9:00 am. And, it will be first come, first served and time stamped.

D. Apple Harvest Festival Committee

Mr. Palmieri stated the tents are already starting to go up. First of all I'll give an overview of some of the events coming up with the Apple Harvest Festival. He noted the Gala and acknowledged the Apple Harvest Queen and the Hostesses by name and thanked them for their time with the Festival.

Opening ceremonies will be held this Friday at 6:00 pm right on the main stage. Extended the invitation to the entire Town Council.

He then spoke about the following events: Southington Icon and Harvest the Arts.

We have a firework display to celebrate our 42nd Annual Festival on Saturday, October 2nd at 9:00 pm viewable from the festival grounds.

We have a bed race, road race, annual parade, family night and arts & crafts. This is just a small list of many of the events we

have scheduled and for a complete list you can visit Southington.org and click on the Apple Festival logo and you'll be brought right to our site.

Mr. Palmieri offered thanks to the following: Town Officials and staff, vendors, sponsors, Chamber, volunteers and the list goes on and on. He enumerated the sponsors for this year.

He acknowledged Jim Champagne for all his hard work. The amount of time he devotes to this really can't be counted.

He also acknowledged the following committee heads:

- Administration: Laurie DePathy
- Accounting: Dave DeCroce
- Arts & Crafts: Tracey and Tom Bents
- Beverages: George Newton & Fran Escot
- Entertainment: Jerry Limmer
- Gala: Rosemary Champagne & Glenn Canning
- Grounds & sanitation: John Vey and Paul Champagne
- Harvest the Arts: Mary DeCroce
- Carnival: Linda Simpson
- Hostess Coordinator: Kim Horton & Tori Leone
- Parade Coordinator: Kathy Stevens
- Sponsorship & Icon Coordinator: Melissa Ericksen
- Booths & Vendors: Robbie Magucci
- Volunteer recruiting: Lucy Leach
- Ambassadors: Tory Leone, Josh Prior, Matt Prior & Matt

Turner

I acknowledge the members of the Supervisory Committee: Town Attorney Mark Sciota, Steve Pestillo, Judy Miceli, Fire Chief Buddy Clark, Police Chief Jack Daly, Bill Masci.

The volunteers we have are what makes the event what it is.

Come on down and check out the Apple Harvest Festival.

The Chair reminded everyone Mill Street will be closed on Saturday because of the fireworks between Water Street and North Main Street from 12:00 noon to 11:00 pm.

The parade detour will kick on at 1:00 pm sharp on Sunday.

The rails to trails will be closed, as well, from High Street to North Center School during the same hours on Saturday, 12:00 noon to 11:00 pm.

And, the dog park will be closed from noon on Saturday, October 2nd to noon on Sunday, October 3rd. Due to the fireworks.

Attorney Sciota said the committee had asked him to say this and he happily says it but other than Jim Champagne, Chris Palmieri worked the hardest on the Apple Harvest Festival. On behalf of your supervisory committee, thank you.

E. Sewer Committee

Mr. Dobbins reported:

- Queen Street Pump Station: Tighe & Bond had presented four options to the committee and they will be meeting with the engineering department sometime this week and we should have some numbers back for the committee to review.

- Water Pollution Control Plant: We had several items that went out to bid this past Friday. They will be reviewed at the committee on October 13th. And, also engineering bids for the repair of the roof will also be looked at that time.

- Marion Highlands Sewer Update: The engineering department has been in contact with Baltazar Construction concerning the final punch list for that project. We have a restoration list of eleven items and a checklist of 39 items that they're looking at. And, I believe we are shooting for the week of October 4th for possible useful acceptance of the lines and residents of that area should be able to contact their contractor to hook up. We will send out a notice through the sewer committee.

V. Town Manager's Report and Communications

A. Bids - Roof Replacement- Community Services Building

We have a short note from Tony recommending Heritage Systems of Waterbury at a figure of \$23,400. (Attachment 2)

B. Manager's Appointment: Housing Authority, 1 member, 5 year term to October 2015

Mr. Weichsel indicated he had no name for this meeting and this item should be tabled to the next meeting.

VI. Town Attorney's Report

A. Option on Primus Property on Hightower Road

Attorney Sciota gave a history regarding the NRD Claim which is a Natural Resource Recovery Claim.

What we are proposing to the State of Connecticut is that the Primus Property, approximately 24 acres, that the State of Connecticut purchase that property through the town and that becomes in essence an open space property which could be used for several different things:

Water recharge as Well 1A is here and also the Qunnipiac River is here and the Rails to Trails are here and also a virgin area in the property. (Indicating)

We proposed this to the state since this covers all the areas that the state has asked us to do: water recharge, possible flood mitigation and water supply.

We believe this is the perfect opportunity for us to apply to the state and get the money necessary to purchase the property and use money that was collected from the Town of Southington and area businesses that used the old Southington landfill many years ago.

I'm asking tonight that we are authorized to enter an option agreement with the Primus Family for one year for the sum of \$50,000. The option is to be applied to the purchase price. If we don't do the purchase within the one year period, then the money is forfeited. We have another option to extend that if we so desire until the end of 2011.

Our environmental lawyer feels confident that we'll have the answer before the one year is up. Staff feels that this covers everything the state is looking for the NRD Claim Trust monies.

I'm looking for authority to move forward with the contract.

Attorney Sciota reported on the contact with the Parks Department and the Southern Little League regarding the issue with the Babe Ruth field. We walked on site and Mr. LaPorte has a very brief report to the Council.

The Chair asked for and received unanimous consent.

Joe LaPorte explained a site walk was done and we checked some of the other fields. I was also in contact with the baseball league and they are aware of the problem and have been working on it for some time. They have a price for putting up four additional poles and 150' of netting, 50' high. And, the existing poles are 60' so they would have four 60' poles installed with the netting and the labor and material for a price of \$15,000. We'll have to go to the finance board and then when we get the money we're ready to go.

Attorney Sciota explained he has two items for executive session. One needs to be added to the Agenda: Town Manager Selection Process. The Chair noted that was his request and asked for and received unanimous consent to add that to the Agenda.

VII. Public Communications

Jim Michlewski, 103 Ashwell Drive. I thank you and congratulate you for getting involved in town maintenance.

I do have one other issue that has to do with the raising of the police gas tank. No matter what you do, unless you make that a 6' tower, you'll still have the same problem with the snow plow man. First I would suggest some sort of a metal barrier or something similar to that or some basic instructions to the snowplow man to stop burying the gas tank.

Arthur Cyr, 103 Berlin Avenue. People may cringe at spending \$15,000 on netting, but it's going to cost us more than that if someone gets hurt down there. I hope you and the BOF approve that expenditure ASAP.

The Primus Property, all I can tell you, if we can stop Primus from building housing in that area, it'll save our schools. That would be a win/win for this town.

This is for Mr. Palmieri. Mr. Sciota did not give him enough credit. How he works full time and then goes to all these committee meetings is one thing but then you walk in an Apple Harvest Committee meeting and it's like the energizer bunny! He just never stops.

The one thing he didn't talk about tonight is I opened my Step Saver this week and in the middle is an insert for the Durham Fair. It's \$5,\$6,\$7 to park your car. And, then \$15 or \$15 to get in.

Come to Southington because we're free! We have a free shuttle bus.

Joe LaPorte spoke about the project at Rec Park and the all purpose field (passed around photo).

I'm very happy to say this was done with a cost to the town with a complete irrigation system of less than \$30,000. He thanked a list of people who volunteered time and services:

SVMFL, Ed the Tree Man, Dlugos Tree Service, Cherokee Blasters, Advanced Welding, Progressive Development, Superior Pavement, Underground Builders, Greenway, GroLandscaping, Marek Brothers, our public works department (parks & highway), our engineering department and survey crew, Southington water department, Tilcon, Rotary Club. I want to acknowledge the gift of the Calvinese Foundation of \$25,000.

We did a lot more than I thought and I'm very happy. These people were responsible for it.

The Chair added he knew how much work Mr. LaPorte put into this behind the scenes. Thank you for your work and effort. The field looks fantastic.

Bill Knoegel, 96 Woodberry Hill Drive. I thank the Chairman in regards to the building supervision issue. There needs to be a

townwide master plan in taking into account buildings and maintenance. Keeping our buildings up to code is going to be essential.

Whether sewer, water, or whatever, we have to be planful in terms of putting that out to the general electorate.

(End of Tape #1, Side B)

(Beginning of Tape #2, Side A)

Stephanie Strasser, 521 Hart Street. Wanted to speak the about the public hearing items as she wasn't able to be here at 7:00 pm. Are there going to be any other public hearings or any other ability for residents to have a say about the public hearing issue?

The Chair advised she could comment on it now if she wished.

She asked about the timing of the bond and does it need to happen right now instead of later. The Chair said he is trying to bring economic development to the town and this is the best way to do it. It's not just tied to the Smoron property as has been stated. Nothing can happen without a sewer on that side of the river.

She pressed her question: Specifically, can you state any reasons for the timing in connection to this specific bond. The Chair responded what brought our attention to it? My attention was brought to it with the fact they were going to do some development over there and this came to a head and we realized that in order to develop that property, they'd have to put in a septic system and then they would agree to put in a sewer line. That's what brought it to the front of the table.

Upon analyzing it more personally, I realized there was a lot more inventory on that side of the town and it was a bigger issue than just one property.

She asked the Chair if he has spoken publicly about the bigger issue aspect of it? The Chair said he did anytime he was given a microphone.

Ms. Strasser said she was concerned about the article in the Citizen about the sports center. (Read the article) It seemed odd to me there was a contingency aspect that appeared to be coming from the quotes. Why aren't these two things being addressed at the same time?

The Chair explained the timeline indicating there was no probate issue that we were aware of at that time. That developed as we were pushing this forward. We indicated to the public we were going to do the sewer line crossing for something in which we were going to receive back a substantial tax base in the area which would almost pay for the project in a couple of years. You quickly realize that without the sewer development is prevented from occurring in that area

of town. It is not just the Smoron property even though that is what seemed to trigger this thing. That was only one element.

Ms Strasser asked where did you get the information about getting a substantial tax base back? Is it a tried and true figure? How do we know the sports complex is actually going to serve the needs of the residents in town who pay taxes? How do we know the impact? That would be a genuine concern.

She spoke about the cause and effect to the town when something new goes in.

Spoke about the public hearing she attended for Solvents Recovery Services hosted by the EPA. The Quinnipiac River is going to be affected by their operations. Monitoring of the Quinnipiac River was questioned.

Thank you.

Benny Cammuso, Meriden Avenue, Southington. I agree with Joe with the safety for the park, the net.

At the police department, can we put a fence around it instead of spending so much money? Mr. Tranquillo said it is not just the snowplowing that ends up on the tank but also the drainage, rainwater that falls right on top of the tank or runs across the tank. It has to be controlled. The best way to do that is lift the pad and lift the fill and the man-way so that they are high and water drains away from the structures.

The police station is not that old. We should have tried to prevent this before it happened.

Ilio Fusciello, 82 Autran Avenue. Last meeting, the front door was closed and tonight it was closed. Another time it was closed, too. This is the main entrance. At least it should be open.

The railroad I saw the picture of the shed in the newspaper. I remember when it was a nice station. Now you want to put this shed to a museum.

Spoke about his issue stating that he wanted to be paid.

(The meeting recessed at 8:47 o'clock, p.m.)

(The meeting resumed at 8:56 o'clock, p.m.)

Chairman Pocock resuming the Chair:

VIII. Old Business

A. Action on item from public hearing (Attachment 3)

Mr. Romano made a motion to approve the ordinance for the appropriation of \$225,000 for the costs related to the construction of the sanitary sewer. Mr. Dobbins seconded.

Mr. D'Angelo noted the original intent of this authorization was to authorize the sewer line contingent upon the sports complex. Based on the conversations at the last Economic Strike Committee and what's currently happening up there with the Smoron Property and the probate, that issue hasn't been resolved. We don't know if the sports complex is going there or not because of the complications with probate.

I feel uncomfortable at this time to approve it. I was in favor of it and I was in favor of it contingent upon the sports complex.

Mr. Barry said the real catalyst for this ordinance was the sports complex. In light of the probate controversy and there is a big question and lack of certainty concerning whether the complex will ever be built. So, I'm not comfortable approving this type of expenditure without knowing what is going to be built.

My concern is what is going to go there if the sports complex did not go there.

I would like to make a motion to table. Mr. D'Angelo seconded. Motion failed 4 to 5 on a roll call vote with Mr. Dobbins, Dr. Natelli, Mr. Romano, Dr. Urillo and the Chair opposed.

The Chair called for further discussion.

Ms. Miceli presented a compromise to amend the original motion to add the stipulation that this project have the stipulation that it only move forward if the sports complex is built there or barring that that this Council have final approval on whatever development goes on that parcel.

Mr. Romano said he would prefer not to amend his motion. I understand the emotional aspect of this. I'm pro economic development. We ran on that platform. I am a true believer that now is the time. I don't believe this sewer crossing should be tied to any one actual building. We're never going to get a better price than we would right now to put that in. What that does for the economic development in Southington - we're missing the forest for the trees if we don't take advantage of this opportunity.

Dr. Natelli concurred he was in favor of this right now. This is an opportunity. It is pro economic development. The cost of this right now and if we delay, what is the cost to the taxpayer? If it's there, it's ready to go. We're not waiting. I'm in favor of this.

Mr. Palmieri said the amendment will allow for everything we just said but give the Council the authority if the sports complex wasn't

built. We are not anti business or anti development. We're just trying to protect ourselves with the stipulation.

Dr. Urillo said that takes the onus out of Lou Perillo's office, the Economic Strike Committee as well as people on Planning & Zoning to approve businesses that come into town. I kind of understand the intent, but not really. We want to create a different source of revenue for our town and that would be to increase the business base in our town. I think this would be an excellent place for businesses to plant their bases. It's not only one parcel of land. There are acreages from other people.

Mr. Dobbins said this is the perfect opportunity and by putting stipulations on it, we would discourage that. We're limiting the property. Let's not tie the two together. Let's make it clean and get the project done when prices are very good and we'll have it in the bank to encourage economic development in that area.

Further discussion amongst the Councilors regarding the motion and the amendment proposed.

(End of Tape #2, Side A)

(Beginning of Tape #2, Side B)

Motion passed 5 to 4 on a roll call vote with Mr. Barry, Mr. D'Angelo, Ms. Miceli and Mr. Palmieri opposed.

B. Action on Rails to Trails Phase II Bench Plaque Program

Dr. Natelli made a motion that the Town of Southington sell the plaques for the benches on the second phase of the Rails to Trails for the sum of \$1,250 to offset the cost of the maintenance of the benches. That priority for the purchase of these plaques shall be given to individuals and businesses along the trail on a first come, first serve basis. And, filing and administrative requests would come through the Town Attorney's office working with the finance department. Mr. Dobbins seconded. Motion passed unanimously on a voice vote.

C. Award of Bid - Roof Replacement - Community Services Building

Mr. Dobbins made a motion to award the bid for the roof replacement at the community services building in the amount of \$23,400 as presented by the Town Manager. Dr. Urillo seconded. Motion passed unanimously on a voice vote.

D. Award of Bid - Community Pavilion

Mr. Palmieri made a motion to award the bid to Mastrobattisto out of Bristol, Connecticut. Ms. Miceli seconded. Motion passed unanimously on a voice vote.

E. Action on Primus Property Option

Dr. Urillo made a motion that the town approve \$50,000 for a one year option as part of the purchase price for the Primus Property with the contingency that we are looking for a grant from the state from the Natural Resources Recovery Damage claim to purchase this property. Mr. Romano seconded. Motion passed 9 to 0 on a roll call vote.

F. Tabled Appointments:

1. Cable TV Committee - 1 member, 2 year term to July, 2012

Mr. D'Angelo presented the name of Karen Krtiz from 146 County Road. Mr. Barry seconded. Motion passed unanimously on a voice vote.

Congratulations to her.

2. SEED: 1 member, 4 year term to August 31, 2014 (BOE representative)

Mr. Dobbins made a motion to approve Terry Carmody for that position. Mr. Romano seconded. Motion passed unanimously on a voice vote.

IX. New Business

A. Tax Refunds (Attachment 4)

Ms. Miceli made a motion to accept the tax refunds as stated in our packages. Mr. D'Angelo seconded. Motion passed unanimously on a voice vote.

Dr. Urillo made a motion to go in executive session for real estate and Town Manager Selection.

Mr. Sciota added in the real estate section it'll be the entire Council, the Manager and the Town Attorney.

In the Town Manager Selection, it will be the entire Council, the Town Manager and the Assistant Town Attorney.

Mr. Dobbins seconded. Motion passed unanimously on a voice vote.

(The meeting adjourned to executive session at 9:17 o'clock, p.m.)

Attest:

Leslie G. Cotton
Leslie G. Cotton, Town Clerk

RECEIVED & FILED
TOWN OF SOUTHBINGTON

SEP 30 2010

Leslie G. Cotton 4:00 PM
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 real estate and the Town Manager selection.

The following Councilpersons were present, viz:

Anthony E. D'Angelo	Christopher J. Palmieri
John C. Dobbins	John N. Barry
Dawn A. Miceli	Albert A. Natelli, Jr.
Peter J. Romano, Jr.	Stephanie A. Urillo
Edward S. Pocock, III, Chair	

Ex-officio members present were as follows:

John Weichsel, Town Manager
 Mark J. Sciota, Deputy Town Manager/Town Attorney
 Louis J. Martocchio, Assistant Town Attorney**

(** entered the meeting where noted.)

Attorney Sciota left after real estate matter was discussed.
 (Approximately 9:40 o'clock, p.m.)

** Attorney Martocchio entered the meeting for the discussion regarding the Town Manager selection.

No motions were made or votes taken during executive session.

Dr. Natelli made a motion to adjourn from executive session. Mr. Palmieri seconded. Motion passed unanimously.

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

REGULAR SESSION

Mr. D'Angelo made a motion to adjourn the Town Council meeting which was seconded by Mr. Barry. Motion passed unanimously.

(Meeting was adjourned at 10:11 o'clock, p.m.)

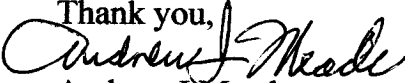
John Weichsel
 Acting Secretary

September 27, 2010

Mr Chairman & Members of the Council,

My name is Andrew J Meade and I live at 362 East Street. I was hoping to be present at the public hearing, but I'm helping the Hospital Auxiliary with their fashion show being held tonight at the Aqua Turf. I strongly urge the council to approve the sewer extension on Spring Street. It is my hope that the proposed sports complex will be built. However, if it is not, the sewer line will help to open a great deal of industrial land in that area.

Many years ago we had that land zoned industrial and initiated the enterprise zone. The only thing missing to make it more desirable for industrial development is the sewer extension. I feel the timing is right to get favorable quotes. The land will then be more attractive to new business when the economy improves.

Thank you,

Andrew J Meade

Town of Southington

Engineering Department

ANTHONY J. TRANQUILLO, P.E.
DIRECTOR OF PUBLIC WORKS/TOWN ENGINEER



75 MAIN STREET
SOUTHTON, CT 06489
TEL. (860) 276-6231
FAX (860) 628-8669

September 24, 2010

John Weichsel, Town Manager
Town Hall
75 Main Street
Southington, CT 06489

Re: **Southington Community Services Building Roof Replacement
Contract 2010-12**

Dear Mr. Weichsel:

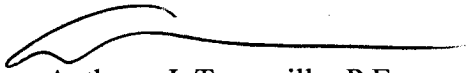
On September 10, 2010, the Town opened four bids for the above project. The low bidder was H S Roofing Systems, d/b/a Heritage Systems of Waterbury, CT, at a figure of \$26,300. There is \$27,500 presently funded for this project. In order to provide a proper contingency, the Town Attorney and I negotiated with Jim Kelly of Heritage and have reduced the lump sum cost of the project to \$23,400.

We find that Heritage Systems is competent and qualified to undertake this project and, therefore, recommend that the project be awarded to them at a lump sum price of \$23,400.

If you have any questions, please advise.

Very truly yours,

ENGINEERING DEPARTMENT



Anthony J. Tranquillo, P.E.
Director of Public Works/Town Engineer

AJT:smm

cc: Mark Sciota, Emilia Portelinha, Janet Mellon, Annette S. Turnquist,
James A. Grappone

RESOLUTION OF TOWN COUNCIL APPROVING BOND ORDINANCE

Item VIII. A.

MR. ROMANO presented the following resolution, which was seconded by MR DOBBINS :

RESOLVED, that the following ordinance be adopted:

ORDINANCE APPROPRIATING \$225,000 FOR COSTS RELATED TO THE CONSTRUCTION OF A SANITARY SEWER INTERCEPTOR OF APPROXIMATELY 455 LINEAL FEET FROM THE INTERSECTION OF SMORON DRIVE AND SPRING STREET ACROSS THE QUINNIPIAC RIVER BRIDGE TO A POINT ON SPRING STREET APPROXIMATELY 200 FEET EAST OF THE QUINNIPIAC RIVER BRIDGE; AND AUTHORIZING THE ISSUANCE OF \$225,000 BONDS, NOTES AND TEMPORARY NOTES TO FINANCE SAID APPROPRIATION

BE IT ORDAINED,

(a) That the Town of Southington appropriate TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000) for costs related to the construction of a sanitary sewer interceptor of approximately 455 lineal feet, running from the intersection of Smoron Drive and Spring Street proceeding easterly within Spring Street across the Quinnipiac River Bridge within the bridge superstructure to a point on Spring Street approximately 200 feet east of the Quinnipiac River Bridge. The project is contemplated to include construction of new 15 inch PVC and ductile iron sewers, television inspection of new sewers, manhole connections, bridge work, pavement restoration and related improvements. The appropriation may be spent for design, construction, acquisition and installation costs, equipment, materials, administrative, printing and permitting costs, engineering and inspection fees and costs, traffic control, erosion and sedimentation control, landscaping and turf establishment, consultant and legal fees, related improvements, related easement or land acquisition, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Town Council shall determine the scope and particulars of the project and may reduce or modify the project scope; and the entire appropriation may be expended on the project as so reduced or modified.

(b) That the Town issue its bonds or notes in an amount not to exceed TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-259 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the estimated cost of the project described above is TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000).

(d) That no amount has been included in the Town budget for the current or any previous year in anticipation of such bond issue.

(e) That the period of usefulness of such project is not less than thirty years, as evidenced by the certificate of the Town Engineer filed with the Town Council and hereby approved.

(f) That the Town issue and renew its temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes, or obligations for the sewer project and the receipt of sewer grants. The amount of the notes or obligations outstanding at any time shall not exceed TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000). The notes shall be issued pursuant to Sections 7-264 and 7-378 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a and 7-378b of the General Statutes with respect to any temporary notes if the notes do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any interim funding obligations.

(g) The Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer shall sign the bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to determine the amount, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more bank or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes; to provide for the keeping of a record of the bonds, notes or temporary notes; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell and deliver the bonds, notes or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or temporary notes.

(h) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to amend such declaration of official intent as

they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(i) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes or temporary notes.

(j) That the Town Council is authorized to construct the project, to approve expenditures incurred for the project, and to contract with engineers, contractors and others on behalf of the Town for said project.

(k) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to apply for and accept federal and state grants to help finance the appropriation for the sewer project. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes, temporary notes or obligations.

(l) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer, on behalf of the Town, are authorized to apply for and accept state grants to finance the appropriation for the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State, and the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

(m) That the Town Council, the Town Manager, the Deputy Town Manager, the Town Engineer, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to construct and complete the project and to issue bonds, notes or temporary notes to finance the aforesaid appropriation. In the event that costs of the project are in excess of the amount hereby appropriated therefor, it is the intent of the Town to supplement the appropriation with an appropriation from available funds.

(n) That this Ordinance shall become effective twenty (20) days after publication of notice of passage thereof in at least two newspapers having major and substantial circulation in the Town.

The ordinance was adopted by the following roll-call vote:

<u>IN FAVOR</u>	<u>OPPOSED</u>	<u>ABSTAIN</u>
5	4	0

Item VIII. A.

MR. ROMANO presented the following resolution, which was seconded by MR. DOBBINS

RESOLVED, that the Town Manager cause a copy of the above bond ordinance to be filed with the Town Clerk.

FURTHER RESOLVED, that the Town Manager or Town Clerk cause a notice of passage of said ordinance to be published in two newspapers having major and substantial circulation in the Town.

The foregoing resolution was approved by the following roll call vote:

IN FAVOR	OPPOSED	ABSTAIN
5	4	0

List of Requests for Abatement or Refunds of Taxes - Town Council Meeting of Sept. 27, 2010

<u>Taxpayer's Name</u>	<u>Reason for Refund</u>	<u>Amount of Refund</u>
ATG Inc dba Carey Hartford Springfield	Assessor C/C List #11499 M 2009	\$938.22
BMW Leasing Corp.	Assessor C/C List #21876 M 2009	\$416.02
DCFS Trust	Assessor C/C List #40583, 40611, 40618 & 40634 M 2009	\$306.02
Financial Ser Veh Trust	Assessor C/C List #60567 M 2009	\$51.23
Financial Ser Veh Tr	Assessor C/C List #60590 M 2009	\$434.18
Financial Ser Veh Tr	Assessor C/C List #60552 M 2009	\$818.95
Financial Ser Veh Tr	Assessor C/C List #60571 & 60585 M 2009	\$577.17
Financial Ser Veh Tr	Assessor C/C List #60604 & 60613 M 2009	\$723.63
Honda Lease Trust	Assessor C/C List #81181 & 81198 M 2009	\$65.71
McCallum, William Scott	Assessor C/C List #131636 M 2008	\$145.67
Pensarosa, Charles & Deborah	Duplicate Pmt List #11793 R 2009	\$2,621.30 *
Tax Collector or Mariani Arnold & Deborah	Assessor C/C List #13438 R 2006, 2007 & 2008	\$400.08
Toyota Motor Credit Corp.	Assessor C/C List #201240 M 2009	\$76.21
Weaver, Tammy & Paul Grant	Duplicate Pmt List #6741 X 2009	\$648.31

*explanation attached