

MINUTES OF THE TOWN COUNCIL MEETING
OF THE TOWN OF SOUTHTON
July 11, 2011

The Town Council of the Town of Southington held a regular meeting on Monday, July 11, 2011. John C. Dobbins, Vice-Chairman, called the regular meeting to order at 7:00 o'clock, p.m.

The following Councilpersons were present, viz:

John C. Dobbins	Dawn A. Miceli
Albert A. Natelli, Jr.	Christopher J. Palmieri
Peter J. Romano, Jr.	Stephanie A. Urillo
John N. Barry*	

(*Arrived at 7:03 o'clock, p.m.)

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
Garry Brumback, Town Manager

ABSENT:

Anthony E. D'Angelo, Councilman
Edward S. Pocock, III, Chairman

A prayer was recited by Councilman Christopher Palmieri.

The Pledge of Allegiance was recited by everyone in attendance being led by resident Benny Cammuso.

There were approximately 25 other persons in attendance.

JOHN C. DOBBINS, Vice-Chairman, Presiding:

II. MINUTES

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

III. COUNCILMANIC COMMUNICATIONS

Dr. Urillo gave an update on the community gardens. They're in full summer swing. All the plots are planted and everything is growing nicely. Green flags are up in each plot which means that all the plots are very well kept - no weeds - and Dave Lavallee has been checking regularly to see they're properly maintained. Mulch is spread around each of the plots and flowers have been planted in front

of the stone wall. Still they have not put in the big stone from Mathieu Memorials but that is forthcoming.

Yesterday, I attended the fundraiser for the Mehovic boys which was held at the pavilion at Rec Park. It was a very nice event organized by Scott Orsini, Executive Auto, Bob Cugliari of Asiago's Restaurant and Tony Perone of Tire Depot in Bristol.

Asiago's donated the food. Bands played music. They had a firetruck and firemen from Division 3 there. They had activities for the children. The convincer car was there from the Connecticut State Police.

According to the organizers, there was a nice turn out. They took in about \$30,000 for the boys and 100 percent of the proceeds went to the boys. Checks are still coming in.

The organizers said they'd like to make this an annual event to support the boys who are 14 and 17. Everything was donated.

The organizers would like to thank the Town of Southington --- especially Joe LaPorte - for the use of the pavilion at Rec Park.

Dr. Natelli stated the Rails to Trails Committee has not met in June or July. But you need to understand and know that the engineering department continues to work on the punch list. A walk thru will be scheduled with inspectors from the state and town staff to evaluate the progress.

The Historical Society is working on a presentation to present to our committee in August concerning the kiosk. Once that's received committee approved it will come to the Council for final approval.

The questions about maintenance will be directed to the public works department to be sure they get addressed.

We continue to work with and wait for an okay from the DOT regarding payment for the facade on 322 before we move forward.

Additionally, yesterday, in the New York Times, our town was mentioned in the real estate section commenting on our revitalization of downtown. Just a real nice note to say, wow, outside this area and in a major newspaper we are being commented on as to how great our revitalization is and some other communities can look up to. Thanks to the staff that has been involved in this. And, Lou Perillo, for his direction in economic development for our community.

Mr. Romano recognized the Barnes Museum as it was the focus of an article in the AAA Journey's Magazine, the most recent issue. It is available on line. And, 2011 marks the 175 anniversary of the homestead originally built in 1836.

Current exhibits at the Barnes:

- Century of Hats Exhibit running through August.
- July 14th - They call me Lizzy which is a Slavery to White House story.
- The Taste of Southington is August 10th.
- Victorian Holiday Decorations from Thanksgiving thru early January.

Further information is available through the Southingtonlibrary.org and there's a link to the Barnes Museum.

Congratulations!

Ms. Miceli reminded everyone movies continue at the Southington Drive In which is completely run by volunteers. A special event July 22nd & 23rd, is our first double feature weekend with a movie Friday night and Saturday night. We are running American Graffiti on Friday and Grease on Saturday. We're encouraging the 1950's theme become a part of the evening with the garb you come dressed in and inviting classic cars enthusiasts to come on out. We have special reserved parking for them. Come on out and enjoy the nostalgia of the Southington Drive In.

Mr. Barry followed up on the New York Times article and offered his comment that the neat thing about the article is it grouped Southington in with West Hartford in terms of its downtown. He explained it was the policymakers at the time who determined there had to be an investment in our downtown revitalization projects. I hope this mention in the article reminds the residents that these types of investments are important for the community.

Acting Chairman Dobbins had two things:

- Request for Extension of Renaissance Zone to 301 Main Street. We did receive information in our packet and it is on for discussion under Old Business.
- I spent Friday with the new Connecticut DEEP which is the Connecticut Department of Energy and Environmental Protection which used to be known as the DEP. In addition, the towns of Wallingford, Meriden and Southington were at this meeting and it was the presentation of the science behind phosphorus limits assigned to municipalities on the Quinnipiac River. It is important for us and will not be inexpensive for the town to follow the regulations coming down.

Explained the limits for Southington. Seasonal from April to October there is a phosphorus cap of roughly 7.5 lbs per day that

we're allowed to discharge. This number is calculated using an enrichment factor.

What comes out of this is we're going to have a concentration of roughly in the neighborhood of 0.2 milligrams per liter. It does not allow for any future expansion and the DEEP's recommendation is that municipalities all along the river design down to current technology which is 0.05 to 0.1 milligrams per liter.

We'll be keeping our legislators, both municipal and state, aware of this and we'll try to chip away at it, if possible.

In November we'll be receiving that information. We need to be aware of what his happening.

IV. REPORT OF SPECIAL COMMITTEES

A. Public Works Committee

Mr. Romano reported on three items:

- Pavement and Reconstruction Program was voted on at the last public works committee meeting. You received this in your packet. The town is planning to pave this next year: West Center Street between Bristol Street and West Street (widening and resurfacing and drainage program). West Street between West Center Street and Mill Street is also on that program as well as part of Mill Street.

Under the Town Aid to Roads, which is money we receive from the state, the balance of Mill Street is on there so Mill Street will be done in its entirety. Newell Street, Redstone Street and Aircraft Road are also part of this program.

The LOCIP program is Newell Street, Redstone Street and Aircraft Road, the balance of that project. Spring Lake Road between Kuhr Drive and East Street and Old Turnpike Road between Carter Lane and Route 10. Summitt Street will also be on there for LOCIP. Action Item 8-G.

We're only doing about 3 or 4 miles of road of the 200 miles of road we have but that's what we have in the budget right now.

Mr. Barry asked how much actual money of Southington taxpayers is being put into upgrade of roads this year. A lot of this money is funded through federal and state grants. How much is town money? Mr. Romano said the town money under the widening, resurfacing and drainage, the number is \$500,000.

TAR is \$200,000 and LOCIP is \$289,838.

Mr. Barry spoke about how important it is to keep our roads in good repair and maybe we have to look at it in future budget years

because we can't let our roads get in disrepair. Even though money is tight, people do expect some of their tax money used for upgrades of the local roads. For a town of \$42,000 only \$500,000 for road upgrades is not a lot.

Mr. Romano briefly explained a program the committee is working on which is called a pavement management system.

Mr. Romano explained the TAR and LOCIP Programs are in jeopardy and they have already backed off some in previous years.

- Downtown Decorative Street Lighting Issue was explained by Mr. Tranquillo. These lights were put in in around 2002. Sixty-one lights total which include the black lights around the Green and the green & gold lights that line North Main Street and Center Street.

We've had a lot of problems with the lights through the years. The bulb is burning out very quickly. The bulbs are very expensive. We didn't want the area to degrade or deteriorate, so we replaced the bulbs. Through the years we've investigated why the bulbs burn out so quickly, with no answer.

The latest proposal is to retrofit the head with induction lighting. Our lighting contractor, Pro Energy, would be doing this work and he's given us an estimate of \$452 per light to retrofit each light for a total of \$27,500. Of that, because of energy savings, we'd save almost \$300/month which would make up for the loan payments to do the work. The budget for this would include a CEEF Energy Efficiency Fund incentive of \$9,500. The balance would be a no interest loan from the power company of \$18,000. The savings would pay for the loan and payback.

Once the loan was paid back, we would save \$300/month in electrical energy costs.

There has been a UL issue with this project and it has been held up in committee. It was submitted to the Energy Committee and there's an issue with the UL listing which is a valid point but we feel the risk is very small and the savings and the benefit is very large. In spite of the small risk, we would recommend you move forward and get the grant and the energy incentive money from CL&P and do the project which needs to be done by September, 2011.

Mr. Romano advised the committee discussed this at length. There is a concern about the UL listing. It's important to note that the vendor that we bought the light bulbs from is no longer in business. We have no warrantee and no recourse with this firm. Our choices are to continue to change the bulbs at a rate that far exceeds how quickly they should be replaced which is expensive. We cannot hold our lighting contractor to have to replace these bulbs when they're not even lasting the average life of a bulb.

Or, we have to replace the whole fixture.

We bring it to the Council for decision.

Discussion about having no warrantee from the manufacturer.

Mr. Romano supported the change. However, there is always the potential the induction bulbs don't last as long as they're supposed to and if they don't, that skews the bottom line of the project. But the alternative is to replace the whole fixture which is more expensive.

Discussion about induction lighting having been done in other places.

Mr. Palmieri asked if anything was gotten in writing from the contractor. Mr. Tranquillo said that was sent out in the packet.

- Update on the STEPS Program. Mr. Palmieri stated the STEPS committee was looking for approval of their concept which was to plant a tree on a prominent location in town. We had sent them to the Rails to Trails subcommittee. Instead, the kids regrouped and decided they'd like to put it in a park in town. They came to the public works meeting and we discussed it. As a result of that meeting we did ask they be in touch with our new Assistant Superintendent of Parks. He has a background in horticulture so he can advise them of the type and location for the tree. We also advised them to report to the Park Board to be sure they're onboard. With no concerns, we'll have them proceed as directed by the committee.

Mr. Palmieri reported that the lights he reported have been repaired. He thanks the Manager. The lights were burning during the day thus wasting electricity.

The members of the public works committee received an email from Mr. Cyr today and I'm a little troubled by the fact a resident is reporting areas where there are lights that are out and if a resident can give the pole number, that's great. But it's just as much trouble for the resident to get a pole number as it is for the vendor. Quite honestly, the vendor is getting paid to do the work and the town resident is not. I'd like to see our vendor get out and find the lights. They were given an approximate area. I think that's reasonable.

Mr. Brumback said he would follow up.

B. Emergency Medical Services Committee

Dr. Natelli reported a meeting was held June 30th. Explained how the ambulance service works here in Southington.

The committee works with AMR to make sure the public are transported in a timely manner. We get AMR to report to us. Gave the

numbers for the calls in March and April, 2011 indicating they met our criteria for being within the confines of the contract.

However, they are not as timely as they should be with their reports to us when there is a question regarding extra time to get to a scene. We've helped them streamline their reporting to us. They continue to work with us to get the reports to us.

Unfortunately, we did not have the May report for various reasons. So we have not had an opportunity to review the May report.

Mr. Barry noted as far as reviewing the May report, it is July.

Mr. Barry felt the system was unacceptable and we should be concerned when this is announced for a vendor who has basically a house account and provides every ambulance in town and they can't get a report in for May and it is July.

Maybe we should look at another way of providing ambulance service for the people of Southington, i.e. the fire department.

Mr. Barry felt the criticism seems to be all around and the Town Manager should look into this.

Attorney Sciota explained the tardiness of the May report from AMR. It did come in when Mr. Motes was on vacation. When he came back, the AMR report did not have the call sheet, so it was incomplete. We could not review it as it was only half a report and it had to go back to them. Mr. Motes vacation did not make it tardy.

It was made perfect clear to AMR at the meeting that we are not happy with their reporting.

Acting Chair Dobbins said this is something for the new public health committee to look at. Mr. Barry agreed. However, it's a bigger picture. We as Council represent the people of Southington who rely on AMR. This is an ongoing issue. From a Council perspective I do not want to ever hear this when it comes to public health and safety concluded Mr. Barry.

V. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Report of Board of Finance

Mr. Brumback reviewed the three significant things on the Board of Finance Report.

Mr. Barry asked Mr. Brumback to explain the \$410,000 cash call. Mr. Brumback explained what a cash call is. Mr. Barry asked for an explanation of the reduction from \$820,000 to \$410,000. Mr. Brumback explained the Council would be granting the authority for the option for short term notes or for bonding. This is preserving an option.

Dr. Natelli congratulated the BOF for how they went about doing this as it has the potential to save taxpayer money.

B. Introduction of bond ordinances & scheduling of public hearings: (Attachment 1&2)

1. **\$85,000,000** for renovations, improvements & additions to DePaolo and Kennedy Middle Schools

Mr. Brumback stated the BOF has in fact recommended to reduce the school bond from \$100,100,000 to \$85,000,000. You will be setting the public hearing later on.

2. **\$410,000** for Natural Resource Damage Settlement & Groundwater Remedy "Cash Call" payments regarding the Old Southington Landfill Superfund Site

Mr. Brumback stated this is to set the public hearing for this item.

C. Governor's Proclamation on behalf of American Red Cross

Mr. Brumback presented to the Town Council a Proclamation from our Governor offering his thanks to the residents of the Town of Southington for their support of the Red Cross Blood Drives. He wishes us continued success. We have had a good turnout on each of the three blood drives locally which generated this proclamation.

D. Manager's Appointment: Conservation Commission Alternate (vacancy) - term to 4/2013

Mr. Brumback said he did not have a Manager's Appointment for the Conservation Commission and would be receptive to any suggestions the Council has. The term will end 4/2013.

E. Bids - Library Elevator Hydraulic Cylinder

The Town Manager recommended the selection of the low bidder who is Hartford Elevator of Cromwell, CT. Their low bid for this project is \$23,739. He detailed the second and third bidders.

In response to a question by Dr. Urillo about the award of the bid, Mr. Tranquillo said we have not done business with them before but we did call their references and examined their credentials very carefully with rave reviews from their references.

Acting Chair Dobbins stated as to the Conservation Commission, there is actually two vacancies on that board. Contact the Chair or the Town Manager if you are interested or know someone who is.

VI. TOWN ATTORNEY'S REPORT

Attorney Sciota reported some good news. Last March we applied for the FEMA Grant for the January snowstorm. I'm happy to say that the federal government has come through for us. We applied for a total amount of \$115,000. The town has already received a check for \$86,570 to offset the public works and other departments who submitted their claims. This applies to last fiscal year.

We have executive session tonight with no action outside of executive session.

VII. PUBLIC COMMUNICATIONS

Arthur Cyr, 103 Berlin Avenue. I'd like to thank the Town Manager for working on a problem situation down at the Rails to Trails, Phase II to Phase I. The nasty intersection on West Main Street. The Town Manager got the line of sight problem taken care of by getting trees cut.

And, I'd like to thank Chief Daly for getting that nice intersection sign put in this week that says: Yield to pedestrians - state law - in crosswalks.

You're looking for appointments tonight. Appointments are tough and sometimes you have people that want to get appointed to certain things, but this Council in the last two years appointed two people to the Parking Authority and it's come back to bite this town where it shouldn't. It's unfortunate that I had to file an ethics complaint.

Attorney Sciota advised Mr. Cyr he has to read the Ethics Code where it talks about filing a complaint and it's something that cannot be discussed in public. It's unethical to discuss that. You are not supposed to discuss it and you've read the code and you know what it says.

Mr. Cyr concluded the Council should think long and hard before they appoint anybody to some of our sensitive boards/commission because citizens have to turn around and take our last resort which is to file complaints which we shouldn't have to do.

Thank you.

Gregg Curran, 48 Werking Street. I came to hear the discussion the renovations and improvements on DePaolo and Kennedy Schools.

However, while here, Mr. Tranquillo talked about retrofitting the lights downtown. Talked about the length of time it would take to recoup any money spent in savings.

As to AMR, I work for a municipality in emergency services. You talked about maybe looking into something else like the fire department. Before we do something like that, there would be a lot of expenses for training, rescue truck, ambulance, et cetera.

Finally, the plans for DePaolo and Kennedy, who presents that to the public and at what point would we get some kind of plans so we know what is going on.

Attorney Sciota explained there'd be a very brief presentation by the BOE for the difference between what was presented to the council last time and what is currently in front of us. But assuming it all goes forward, the public hearing with a full blown presentation would be on July 25th at 7:00 pm.

Benny Cammuso, Meriden Avenue. I asked previously if there was any chance of fixing the parking lot over behind the bank. Anything going on? Mr. Tranquillo said that was investigated and Tilcon did commit to repaving that area. They have not done it, yet. We will place a call as to their schedule.

As to the bulky waste, I brought it up we should have a fee for the property owner. People that go every week, they are business owners. I say why not charge a fee.

Ilio Fusciello spoke of his matter and indicated he wanted to be paid.

Upon a request by Mr. Palmieri, Attorney Sciota again gave a brief overview of Mr. Fusciello's matter.

Mr. Barry stated as to the AMR matter, he clarified his comment was in reaction to Dr. Natelli's report. We should have a zero tolerance when it comes to incomplete reports from a provider such as an ambulance service. I mentioned we should look at other options, I think we should let AMR know that the Town has other options. I am not suggesting or saying we should do ambulance service through the fire department. What I'm saying is we have other options as a community.

VIII. OLD BUSINESS

A. Action on Report of Board of Finance

Mr. Romano made a motion to approve the report of the Board of Finance. Mr. Palmieri seconded. Motion passed 7 to 0 on a roll call vote.

B. Scheduling of Public Hearing on \$85,000,000 Bond Ordinance for 2 middle schools (Attachment 1)

The Acting Chair suggested the date of July 25th. He asked Dr. Erardi to comment.

Dr. Erardi stated we had a very positive interplay with the BOF. When the meeting ended they took action to move the project to an \$85,000,000 mark. The net of the \$15,000,000 reduction resulted in

the education committee meeting last Friday. We've tried to do our best to keep everyone informed with the communications.

On Tuesday, July 19th, the architectural firm of Fletcher Thompson will once again lead the school board through the \$85 million project. We've reduced and redesigned. The school board is extremely excited as is the administration about moving forward with the \$85 million project.

We were clear with the BOF that the reduction of 15% of the project needed to come from new construction. Of the five spaces originally designed, most likely one will be compromised.

We are certain that the \$85 million will be a significant upgrade and opportunity for all students in this community.

Mr. Costa is here if you have questions.

One other comment, as to the Werking Street residents, there is anxiousness about what is happening at Kennedy Middle School. I'd be more than happy to meet with any of the residents or their neighborhood prior to the 19th or thereabouts to share exactly what that renovate to new as their next door neighbor would look like.

Ms. Miceli stated she was hopeful that in these meetings that you have with the BOE that you keep the air conditioning in that project. I do think for a myriad of reasons including health and the learning process that the air conditioning should stay. I wanted to get that on the record.

Thank you.

Dr. Natelli stated he was at the BOF meeting as well listening to the comments back and forth. This is a huge undertaking. The understanding that occurred between the two boards was appreciated in reducing this project to \$85 million. I fully support this project. With that, I'd like to make a motion to schedule the public hearing on July 25th, 2011. Attorney Sciota proposed the following motion:

Move to approve the resolution submitted tonight and to set the public hearing for July 25th at 7:00 pm here in the Town Hall Council Chambers. Dr. Natelli agreed.

Mr. Barry asked if the BOF indicated to the BOE what out of the plan should be cut with this 15 percent reduction. Dr. Erardi responded they did not. What will happen is that the BOE will have the first insight to the recommendation from the education committee on July 19th. We will then have a public hearing on July 25th with the Town Council.

Ms. Miceli seconded.

Attorney Sciota added the building committee will ultimately decide how the \$85 million, working with the architect and the construction manager will be spent.

Dr. Erardi added that the BOF indicated they were comfortable with reducing the land acquisition amount and they asked us to look at the present level of contingency percentages we were holding on to and they through the advice of Mr. Costa asked us to look at the new square footage to reduce the overall square footage to the project. There was a very general, broad based conversation.

Dr. Urillo asked about the concerns the Working Street residents had. Dr. Erardi said two residents brought the sale of their property to school officials or town officials. We had conversations with those folks. At this time we are not pursuing any further interest in any Working Street properties. There is a parcel of land on South Main Street that we do have interest in. I don't think the concern is about the aesthetics or the renovations. The greater concern is eminent domain and we have no interest in any of that.

Motion passed on a roll call vote 6 to 0 with 1 abstention by Mr. Palmieri.

C. Scheduling of Public Hearing on \$410,000 Bond Ordinance for NRD Settlement (Attachment 2)

Dr. Urillo made a motion to schedule the public hearing for the \$410,000 bond ordinance for the NRD Settlement on July 25, 2011 at 7:05 pm. Second by Mr. Palmieri.

Attorney Sciota added: Approve the resolution submitted to you tonight and schedule the public hearing as Dr. Urillo stated.

Motion passed 7 to 0 on a roll call vote.

D. Tabled Appointment: 1 member, CCRPA, 2 year term to May 2013

Mr. Barry made a motion to table which was seconded by Dr. Natelli. Motion passed unanimously on a voice vote.

E. Action on Request for Extension of Renaissance Zone

The Chair called for discussion before making a motion on this item. I have information that I had obtained in the last day or so which I emailed, as well.

The owners of 301 Main Street requested granite curb sidewalks in the Renaissance Zone be extended on the east side of Route 10 down below the library. If we do extend the zone, it would have to be on both sides of the road which would include Derynoski School and there would be a significant gap between our current Renaissance Zone and that area down there. If this was approved, every single business and

resident would have the opportunity to ask the town for reimbursement by extending the Renaissance Zone in that area.

Mr. Tranquillo explained the costs noting the curb upgrade would go to granite and the additional cost would be \$5 a foot between granite and concrete. The paver vs concrete sidewalks is about \$10 square foot additional which is substantial.

Street furniture, i.e.: trees, benches and lights and bike racks or other things that might be requested along that section would be 100 percent to the town on a case by case basis. Each property owner could provide unique features along their property "if they fit".

The total liability to the town is significant.

What would the benefit be for extending the zone there. Besides the cost we also have the schools, putting brick and granite in front of the schools would be a nightmare trying to remove the snow and the maintenance would become an issue which the BOE wouldn't appreciate.

Ms.Miceli noted it sounds like it needs further research and maybe one of the subcommittees can look into it. She made a motion to table for this evening. Dr. Urillo seconded. Motion passed unanimously on a voice vote.

**F. Award of Bid - Library Elevator Hydraulic Cylinder
(Attachment #3)**

Mr. Palmieri made a motion to award the bid to Hartford Elevator for \$23,739. Mr. Romano seconded. Motion passed 7 to 0 on a roll call vote.

G. Action on 2011/2012 Paving & Reconstruction Program

Mr. Romano made a motion to approve the 2011/2012 paving and reconstruction program as presented to the Council this evening. Dr. Natelli seconded. Motion passed 7 to 0 on a roll call vote.

**H. Action on Downtown Decorative Streetlight Maintenance
Conversion (Attachment #4)**

Mr. Romano made a motion to approve as presented to the Council. Mr. Palmieri seconded. Motion passed 7 to 0 on a roll call vote.

IX. NEW BUSINESS

A. Tax Refunds (Attachment #5)

Ms.Miceli made a motion to accept the tax refunds as cited in our packages. Mr. Romano seconded. Motion passed unanimously on a voice vote.

X. Adjournment - Executive Session: Dispatcher Negotiations Update, Primus Property Grant update

Dr. Natelli made a motion to go into executive session including the Town Council, Town Attorney and Town Manager to discuss dispatcher negotiations and Primus Property update. Ms. Miceli seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting adjourned to executive session at 8:11 o'clock, p.m.)

ATTEST:

Leslie G. Cotton

Leslie G. Cotton, Town Clerk

RECEIVED & FILED
TOWN OF SOUTHTON

JUL 15 2011

10:45 a.m.

By *Leslie G. 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 dispatcher negotiations and Primus property grant update.

The following Councilpersons were present, viz:

Christopher J. Palmieri	John N. Barry
Dawn A. Miceli	Albert A. Natelli, Jr.
Peter J. Romano, Jr.	Stephanie A. Urillo
John C. Dobbins	

Ex-officio members present were as follows:

Garry Brumback, Town Manager
 Mark J. Sciota, Deputy Town Manager/Town Attorney

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 8:45 o'clock, p.m.)

REGULAR SESSION

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

(Meeting was adjourned at 8:46 o'clock, p.m.)

Mark J. Sciota
 Acting Secretary

RESOLUTION FOR TOWN COUNCIL INTRODUCING BOND ORDINANCE AND CALLING
PUBLIC HEARING

Item VIII. B

Dr. Natelli presented the following resolution, which was seconded by

Ms. Micelli:

RESOLVED, that the following proposed ordinance is hereby introduced in substitution for the proposed ordinance on the same subject introduced at the Town Council meeting held on June 13, 2011, and the Town Council of the Town of Southington shall hold a public hearing in the Town Council Chambers of the Town Hall Building, 75 Main Street, Southington, Connecticut on Monday, July 25, 2011, at 7:00 p.m. on the following proposed ordinance:

ORDINANCE APPROPRIATING \$85,000,000 FOR RENOVATIONS, IMPROVEMENTS AND ADDITIONS TO DEPAOLO AND KENNEDY MIDDLE SCHOOLS; AND AUTHORIZING THE ISSUE OF BONDS AND NOTES NOT TO EXCEED \$85,000,000 TO FINANCE THE APPROPRIATION, THE AMOUNT OF SUCH BONDS OR NOTES TO BE REDUCED BY THE AMOUNT OF PROJECT GRANTS RECEIVED

BE IT ORDAINED,

(a) That the Town of Southington appropriate EIGHTY-FIVE MILLION DOLLARS (\$85,000,000) for design, construction, furnishing and equipping of renovations, improvements and additions to various Town school facilities, and for costs related to the financing thereof. The project is contemplated to include, without limitation, (1) at Joseph A. DePaolo Middle School, 385 Pleasant Street in Southington, additions to expand the school capacity; improvements to bring the existing facilities to "renovate as new" standard, including corrective measures to bring the facilities into conformance with building and fire codes and environmental standards, abatement of hazardous materials, handicap accessibility improvements, and replacement of portions of the roof; site improvements, including independent bus and parent traffic patterns; and other related work and improvements; and (2) at John F. Kennedy Middle School, 1071 South Main Street in Plantsville, additions to expand the school capacity; improvements to bring the existing facilities to "renovate as new" standard, including corrective measures to bring the facilities into conformance with building and fire codes and environmental standards, abatement of hazardous materials, handicap accessibility improvements, and replacement of the roof; site improvements, including independent bus and parent traffic patterns; and other related work and improvements. The appropriation may be spent for design, construction acquisition and installation costs, equipment, furnishings, materials, administrative, printing and permitting costs, architect, engineering fees, consultant and legal fees, related improvements, repairs or

renovations, net interest on borrowings and other financing costs, and other expenses related to the project. The building committee or committees established by the Town Council from time-to-time for the project 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. The Town anticipates receiving a grant commitment from the State Department of Education for approximately 56.07% of the fully eligible costs of the project.

(b) That the Town issue its bonds or notes in an amount not to exceed EIGHTY-FIVE MILLION DOLLARS (\$85,000,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 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 EIGHTY-FIVE MILLION DOLLARS (\$85,000,000).

(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 more than twenty 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 from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed EIGHTY-FIVE MILLION DOLLARS (\$85,000,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes 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 of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.

(g) The Town Manager, the Treasurer and the Director of Finance shall sign the bonds or 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 or notes. The Town Manager, the Treasurer and the Director of Finance are authorized to determine the amount, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more bank or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or 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 (except to the extent reimbursed from grant moneys) 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, the Treasurer and the Director of Finance 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 or 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, the Director of Finance and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or 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 or notes.

(j) That the Board of Education is authorized to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes or temporary notes.

(k) That the Town Manager, the Director of Finance, the Treasurer, the Town Council, the Board of Education, any building committee or committees established by the Town Council for the project and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes and obtain grants to finance the aforesaid appropriation.

(l) That this Ordinance is subject to a mandatory referendum under Section 746(b) of the Town Charter and shall not become effective until approved by referendum vote.

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

IN FAVOR

6

OPPOSED

0

ABSTAIN

1

RESOLUTION OF TOWN COUNCIL INTRODUCING BOND ORDINANCE AND
ESTABLISHING PUBLIC HEARING

Item VIII. C:

Dr. Urillo presented the following resolution which was seconded by

Mr. Palmieri:

RESOLVED, that the following proposed ordinance is hereby introduced in substitution for the proposed ordinance on the same subject introduced at the Town Council meeting held on June 13, 2011:

ORDINANCE APPROPRIATING \$410,000 FOR NATURAL RESOURCE DAMAGE SETTLEMENT AND GROUNDWATER REMEDY “CASH CALL” PAYMENTS PURSUANT TO THE 2009 CONSENT DECREE WITH THE U.S. DEPARTMENT OF JUSTICE, THE U.S. ENVIRONMENTAL PROTECTION AGENCY AND THE STATE OF CONNECTICUT REGARDING THE OLD SOUTHTON LANDFILL SUPERFUND SITE, AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION

WHEREAS, the Town of Southington, as a Settling Defendant thereunder, entered into a certain “Consent Decree for Remedial Design and Remedial Action Regarding Old Southington Landfill Superfund Site,” with an effective date of November 24, 2009, lodged by the U.S. Department of Justice and U.S. Environmental Protection Agency (“EPA”) with the United States District Court for the District of Connecticut (the “2009 Consent Decree”) in settlement of claims against the Town with respect to the Town’s share of certain of the costs related to investigation, containment, removal, monitoring and mitigation of pollution and contamination at the Site; and

WHEREAS, pursuant to the 2009 Consent Decree the Town, among other things, must make a final natural resource damage settlement payment to the State of Connecticut in the amount of \$210,283.33 not later than November 24, 2011, and “cash call” payments to be deposited in the “OSL Site Group Settlement Account Trust,” established by the Settling Defendants and administered by de maximis, inc., as Trustee, pursuant to a certain “Declaration of Trust,” with an effective date of June 15, 2009, for the Town’s share of the costs associated with the obligations of the Settling Defendants pursuant to the 2009 Consent Decree in the estimated amount of \$193,600 anticipated to be due in the fiscal year ending June 30, 2012;

BE IT ORDAINED,

(a) That the Town of Southington appropriate FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000) for the payment of the aforesaid natural resource damage settlement payment and OSL Site Group Settlement Account Trust “cash call” payments, and for costs related to the financing thereof. The appropriation may be spent for costs related to the aforesaid

payments, including without limitation, legal fees, net interest on borrowings and other financing costs, and other expenses related to the payments and their financing.

(b) That the Town issue its bonds or notes in an amount not to exceed FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-374b(a) and 7-369 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 FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000).

(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 twenty 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 from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes 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 of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.

(g) The Town Manager, the Treasurer and the Director of Finance shall sign the bonds or 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 or notes. The Town Manager, the Treasurer and the Director of Finance are authorized to determine the amount, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more bank or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or 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 (except to the extent reimbursed from grant moneys) 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, the Treasurer and the Director of Finance 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 or 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, the Treasurer and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or 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 or notes.

(j) That the Town Manager, the Treasurer, the Director of Finance, and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

(k) 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.

FURTHER RESOLVED, that the Town Council of the Town of Southington shall hold a public hearing in the Town Council Chambers of the Town Hall Building, 75 Main Street, Southington, Connecticut on Monday, July 25, 2011, at 7:00 p.m. on the aforesaid ordinance.

FURTHER RESOLVED, that the Town Manager cause a notice of said public hearing to be published in two newspapers having general, major and substantial circulation in the Town of Southington and to be posted on the public sign posts at least five days prior to the public hearing.

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

IN FAVOR	OPPOSED	ABSTAIN
7	0	0

Town of Southington

Engineering Department

Attachment #3

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



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

July 7, 2011

Garry Brumback, Town Manager
Town Hall
75 Main Street
Southington, CT 06489

Re: **Recommendation of Award**
Library Elevator Hydraulic Cylinder
Contract 2011-10


Dear Mr. Brumback:

On July 1, 2011, the Town of Southington received three bids for the above project. Of the three bids, Hartford Elevator of Cromwell, CT, was low bid at \$23,739. We have investigated the qualifications of Hartford Elevator and find them to be competent and qualified to perform this project.

We, therefore, recommend that the contract be awarded to Hartford Elevator of Cromwell, CT, at a bid price of \$23,739.

Very truly yours,

ENGINEERING DEPARTMENT


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

AJT:smm

cc: James A. Grappone, Annette S. Turnquist, Susan Smayda

World Wide Web URL:<http://www.southington.org>

Town of Southington

Engineering Department

Attachment #4

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



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

MEMORANDUM

TO: Garry Brumback, Town Manager

FROM: Annette S. Turnquist, Assistant Town Engineer *AST*

RE: Conversion of Downtown Decorative Streetlighting to Induction

DATE: July 8, 2011

Pro Energy Lighting, LLC, is proposing to convert the downtown decorative streetlighting to induction. Pro Energy was asked to investigate the lights because it seemed as though the bulbs were continuously burning out. The current lights are supposed to last approximately 24,000 hours. This is equivalent to 6 years. But due to the climate and conditions, the life of the bulbs has been much shorter. According to Pro Energy, induction lights are much better suited to withstand the type of climate and conditions we have. The life of these lights is estimated to be 100,000 hours, or 25 years. In addition to being more durable and having a longer life, induction lighting is also much more energy efficient. Therefore, the Town would save money on energy bills.

To complete the project, Pro Energy would charge \$452.00 to retrofit each light. For 61 streetlights, that is a total of \$27,572.00. The Connecticut Energy Efficiency Fund (CEEF) is offering an incentive of \$9,409.60. This leaves a balance of \$18,162.40. This amount would initially be paid by CL&P. The Town would then have to pay CL&P back over five years through an interest free loan. The monthly payments would be \$302.71. This would almost entirely be offset by the monthly savings of \$296.46 outlined in the table below. After the five year period and the loan is paid off, the Town would then benefit from the energy savings of almost \$300.00 per month. In fact, by that time the energy savings may be even greater considering energy rate increases.

The Energy Committee has reviewed this project, and several members are uncomfortable proceeding. They have two main concerns. The first concern is that the existing fixtures were not intended to house induction lights. Therefore, they are of the opinion that there is a possibility the induction lights may not function as well as expected. Particularly, there were concerns about the temperature in the fixtures affecting the life of the bulbs. Obviously, we cannot run a test for twenty-five years to

World Wide Web URL:<http://www.southington.org>

Gary Brumback

-2-

July 8, 2011

verify the life of the bulb within the existing fixture. However, Pro Energy did retrofit one of the decorative lights with induction in January 2011, and there have been no issues with it. The Committee's second concern is that retrofitting the existing fixtures would void the UL listing. While I believe this is true, it is my understanding that the kit being installed has its own UL listing. Currently, Ed Humel from Pro Energy is working on a statement to address these concerns in addition to providing his summary of the project. I will see that you get a copy as soon as I receive it.

The Committee suggested two alternatives. One was to completely replace the existing fixtures with new induction fixtures. This option approximately triples the price. The second alternative was to replace as many fixtures as possible with the incentive money and the CL&P loan. However, this would not provide enough of an energy savings to counteract the loan payments to CL&P. Furthermore, it changes the scope of the project enough where CL&P would have to review it again. That could affect both the incentive money and the loan.

If the Town is to proceed with this project, a decision has to be made as soon as possible. The project must be completed by September 1, 2011, in order to receive the CEEF incentive and the 0% interest rate loan.

IMPORTANT POINTS:

Total Project Cost - \$27,572.00 (\$452.00 per light)

Connecticut Energy Efficiency Fund (CEEF) Incentive - \$9,409.60

Customer Balance - \$18,162.40

Monthly Loan Payment - \$302.71

Loan Term - 5 years

Interest Rate of Loan - 0%

Mandatory Project Completion Date - September 1, 2011

Gary Brumback

-3-

July 8, 2011

TOTAL MONTHLY SAVINGS CALCULATION:

Location of Meter	85 North Main Street	North Liberty Street	Main Street
# of Lights	14	30	17
Price per kWh	\$0.099783	\$0.099444	\$0.10188
Monthly kWh	1,242	2,481	1,294
Monthly Price	\$123.93	\$246.72	\$131.83
Yearly kWh	14,904	29,772	15,528
Yearly Price	\$1,487.17	\$2,960.65	\$1,581.99
Yearly kWh with Induction	8,184*	15,372*	1,248*
Yearly Price with Induction	\$816.62	\$1,528.59	\$127.15
Yearly Savings	\$670.55	\$1,432.06	\$1,454.84
Monthly Savings	\$55.88	\$119.34	\$121.24
TOTAL MONTHLY SAVINGS	\$296.46		

* Annual estimated electrical savings taken from Exhibit A of CL&P's Energy Efficiency Services LETTER OF AGREEMENT dated March 16, 2011

cc: Anthony J. Tranquillo, Ed Humel

The following is the proposed paving and reconstruction program for FY 2011 / 2012 to be administered by the Highway Department.

Widen, Resurface, and Drainage # 40028031 - 570065 - C0515 (500,000)

1. West Center Street (Bristol St. - West St.) - Pulverize existing pavement, Regrade base material, 3-1/2" pavement, 50% curb replacement, and Drainage improvements. \$332,852
2. West Street (W. Center St. - Mill St.) - Pulverize existing pavement, Regrade base material, 3-1/2" pavement, 100 % curb replacement. \$147,114
3. Mill Street (Rte. 10 - West St.) - Mill 2" of the existing pavement and replace with a 2" overlay. \$20,034 (Partial Funding)

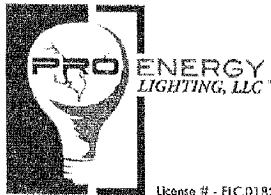
Town Aid Improved Roads # 40028031 - 570065 - C0516 (200,000)

1. Mill Street (Balance of Project Funding) \$162,584
2. Newell Street / Redstone Street / Aircraft Road - Intersection radius improvements, Selective pulverization and pavement replacement. \$37,416 (Partial Funding)

LOCIP Program # 40028031 - 570065 - C0512 (289,838)

1. Newell Street / Redstone Street / Aircraft Road (Balance of Project Funding) \$18,280
2. Springlake Road (Kuhr Dr. - East St.) - Pulverize existing pavement, Regrade base material, 3-1/2 " pavement. \$91,692
3. Old Turnpike Road (Carter La. - Rte. 10) - Mill 2" of the existing pavement and replace with a 2" overlay. \$98,620
4. Summitt Street - Mill 2" of the existing pavement and replace with a 2" overlay. \$81,246

Steve Wlodkowski, Highway Superintendent Town of Southington Highway Department



ProEnergy Lighting, LLC • 14 Townline Road • Wolcott, CT 06716 • Phone: 203.879.6367 • Fax: 203.633.4500

MRS. ANNETTE TURNQUIST, P.E.
 Assistant Town Engineer
 Town Of Southington
 75 Main St.
 Southington, CT.06489

RE: Proposed Downtown Induction Lighting

Dear Mrs. Turnquist,

It is our understanding at Pro Energy Lighting, LLC, that there are two (2) main concerns of the Energy Committee regarding the above referenced project, and they are

- 1 - heat discharge of the proposed 85 watt induction system in the existing 175 watt metal halide acorn type post top luminaries
- 2 - loss of the UL Listing on the existing luminaries after being retrofitted.

We would like to address these issues based upon facts and information presented by Phillips QL Induction Lighting System as per attached.

In the existing sample luminaries that we retrofitted in November of 2010, we removed the existing 175 watt metal halide ballast, inverted the aluminum mounting plate, mounted the generator on to the bottom side of the mounting bracket for better heat dissipation, reinstalled the socket on the top side of the mounting bracket away from the antenna, and then regrounded the system. This was our instruction by Mr. Roger Bouvier of Phillips Lighting. After 8 months of actual in-field operations, we have not had to deal with any issues. Please remember regarding heat buildup that these luminaries are outside and in open air all around them which helps act as a heat sink.

This now brings us to the UL Listing issue. It is our understanding that anytime a manufactured lighting source has been modified and that modification affects that luminary's coefficient, utilization, or physical structure from its original approved Underwriters Laboratories approval, then the approval has been sacrificed or lost. Reducing the number of lamps, adding reflectors to increase the lumen output, etc, all constitute modifications to manufactured luminaries, hence violating the UL Listing. What we will be installing does have its own UL Listing though.

In this unsure economic time we are now living in, we know that our energy costs from our utility companies are not going to go down. The luminaries in question are approximately 15 years old, and it is possible they may already have sacrificed their UL Listing due to other modifications. Perhaps our creativity and effort should be concentrated more on reducing energy consumption and cost.

Attachment #5

List of Requests for Abatement or Refunds of Taxes - Town Council Meeting of July 11, 2011

<u>Taxpayer's Name</u>	<u>Reason for Refund</u>	<u>Amount of Refund</u>
Devoe, Gordon R	Assessor /c/c List #41540 M 2010	\$88.32
GMAC	Assessor C/C List #71133 M 2009	\$81.18
Toyota Motor Credit Corp.	Assessor C/C List #201222 M 2009	\$173.97

