

MINUTES OF THE TOWN COUNCIL MEETING
OF THE TOWN OF SOUTHLINGTON
August 9, 2010

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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	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

Absent: John C. Dobbins - Vice Chair

Public Hearing: Ordinance - Qualification of Bidders

The Chair asked Attorney Sciota to briefly explain the ordinance. Attorney Sciota explained currently we have a prequalification ordinance which means we have companies submit their qualification to the staff and administration and now the two committees.

We have received large amounts, between 10, 12, 15 companies trying to be qualified which does take a large amount of staff time.

What we are asking you to do tonight is to change it from prequalification to qualification. That means that during the process they have to submit their qualifications with the RFP. But we'll take the three lowest responsible bidders and check their qualifications at that time.

Instead of checking 16, we'll check 3. If those 3 fail, we'll just move up the chain to 4, 5 and 6.

That's what we are asking the Council to do. After the public hearing there are a couple of suggestions that I received --- everyone has the language --- and I'll explain after the public hearing.

The Chair called for anyone wishing to speak on this item.

(No response)

The Chair closed the public hearing at 7:04 p.m.

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A prayer was recited by Councilwoman Dr. Stephanie Urillo.

The Pledge of Allegiance was recited by everyone in attendance being led by Councilman John Barry.

There were approximately 10 other persons in attendance.

EDWARD S. POCOCK, III, Chairman, Presiding:

II. Minutes

Mr. Palmieri made a motion to approve the Minutes as submitted. Dr. Natelli seconded. Motion passed on a majority voice vote with Dr. Urillo abstaining.

III. Councilmanic Communications

Dr. Natelli commented that Michael Turner received his Eagle Scout Award about ten days ago. That's a huge award and we are proud of him for that accomplishment.

Mr. Palmieri added Michael is a former student at DePaolo Middle School and he knows him very well. Michael also continues to give back to the town. He volunteers for the Apple Harvest Festival each year. It's an honor for him to receive the Eagle Scout award.

Mr. D'Angelo said he was proud to see the Barnes Museum is now considered a member of the Blue Star Museums. There was an ad in the New York Times. What that means is veterans and their families can visit the museum between now and labor day for free. We should be proud of the museum; it's really a shining star for Southington.

And, also that Southington state representatives Zeke Zalasky and Joe Aresemowicz will be collecting non-perishable food items on the Town Green on Saturday, August 14th from 9:00 am to 12:00 noon. This will help our Southington Community Services food drive. Please bring some non-perishable foods down to the Town Green if you're interested.

The Chair pointed out that the food drive is something we need all year along. It's fantastic they're doing that.

As far as the museum, we are truly fortunate to have that. It is a great honor and much deserved.

IV. Report of Special Committees

A. Sewer Committee

Mr. Romano, reporting in Mr. Dobbin's absence, said the sewer committee has worked on three items:

- Farmstead/Mill Street Project: the design is complete. The Inland Wetlands Floodplain application has been filed. We're moving forward with that.

- Sewer/Engineering Department is working on projects that allow the removal of the various oil tanks at the water treatment plant, repair of influent pump station roof and the Plantsville settling tank, rerouting the pipe around the tank.

- Stonegate Road update: There has been a draft sump pump relocation ordinance reviewed by the committee and passed. That will be coming before the Council probably at the next meeting.

The next full sewer committee meeting will be on Wednesday, September 8th in the Council Chambers.

One other item as seen on the Agenda is something I will ask Mr. Tranquillo to speak on:

1. Request for Discharge to sanitary sewer - Southington Business Park

Mr. Tranquillo noted this has been done several times before. This is a program that past Councils have felt is very beneficial. Whenever we have a property that is contaminated and they have groundwater contamination within the site, they sometimes come forward with a request that the discharge --- they clean up the groundwater through processes and they ask to discharge to the sanitary sewer.

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We will talk about the ISD (Intersection Sight Distance Improvement) which is something Mr. Tranquillo asked us to bring to the table.

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Unfortunately, the bid is well over the budgeted amount. I believe that we have a responsibility to do our due diligence on behalf of the taxpayers' of the Town of Southington. This is especially true when a project comes in over budget like this.

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Mr. Palmieri asked Mr. Tranquillo: I spoke to you personally at the budget time about this library project. I asked for an estimate for the Council for the amount that it would cost to divide the project in phases, why are we hearing now that it is not where we talked about?

Mr. Tranquillo responded the response to the Council at the time was let's put the entire project out to bid. We don't know what the bids are going to come in. They may come in very low. As it turns out, they didn't come in as low as I had hoped. So, now it's time to

make a decision and phase back the project now. I think it's appropriate.

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Attorney Sciota clarified. Yes, there was a phasing operation. When it was brought up to the Council we said that there are items we can phase out: sidewalks, retaining wall, et cetera. That is true.

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But you are correct in that when we talked about it we said, is there a logical way we can phase this. And, that is correct, we did say to you, that the logical way to do is we have to keep the improvements on Main Street out of it and do as much parking as possible. You are absolutely correct.

Mr. Weichsel said we would go with the budgetary amount, most of which is a grant, so we would do it as you suggested in two phases. We'll go as far as the money that we have available takes us and then stop. And, next semester we would finish it off.

Mr. Palmieri reiterated that is not the way it was explained in the first place.

Ms. Miceli commented she understood it in the phasing, as well. Now with your report this time around, I'm just concerned that if we do go with the phasing, are we still within safety measures that we were assured back at the budget time that going in phases, it would be safe. Mr. Tranquillo said it would be safe.

Mr. Traquillo commented his understanding is different than the recollection. Ms. Miceli said the memo didn't seem to reflect that.

The Chair noted Mr. Romano's request to table it, is well founded.

Mr. Barry agreed it should have extensive review by the public works committee. Mr. Barry said we have a budget we have to live within. Your recommendation here indicates we are looking for an appropriation. I think it's irresponsible and I think it is not reflective of the times we live in. I think as part of the management team to make that recommendation in the times we live in, is just not a recommendation that I can understand that management would say to a Council.

I agree with Mr. Palmieri that is not my recollection of what occurred and I hope this committee vets this out because this can't continue. We have to live within the budget. To even consider a special appropriation out of our reserve fund or out of contingency is not something I would be in favor of.

Ms. Miceli noted in the memo it talks about the fact that things are going to be higher during Phase II if we don't do it all now. It seems different than what we were told back during budget season. Now we are being told if we don't do it all now, we're going to pay more cost next time around.

Dr. Urillo discussed the difference between adding on or correcting during construction and phasing. My concern is if Phase I is over budget, how far over is Phase II going to be? That's my big concern.

The Town Manager advised letting the committee do the heavy work here.

Mr. D'Angelo asked the status of Rosanna Road. Mr. Romano said that issue is actually a sewer department issue. And, I believe we'll be talking about it at our next meeting. One item that will come up as part of the public works committee, we're going to try and review and make sure there is some sort of policy that going forward when we're looking at projects, we get an add alternate to do a complete pave over. Just makes a lot of sense to do that.

C. Apple Harvest Committee

Mr. Palmieri reported the Granny Apple has been named for this year: Mrs. Tonotti.

Also, he was very pleased to announce we will be going forward with the fireworks display for this year's festive which will occur on October 2nd at 9:00 pm. We have a sponsor that joined at the platinum level for the fireworks. It's Shop Rite.

Lastly, I'm pleased to announce the Southington ICON will be returning again this year to festival. It is a singing competition. Auditions are Saturday, September 18th at Derynoski Elementary School from 10:00 am to 5:00 pm. If you're interested, come on down.

V. Town Manager's Report and Communications

A. Report of Board of Finance

The report of the board of finance. No special comments. Are there any questions on the report?

(No response)

B. Resolution concerning CT DEH Block Grant (Attachment 1)

This is a simple resolution concerning a \$5,000+ grant for physical activities that our health department and the Y have worked on together for several years and it seems to be pretty popular. The resolution you are asked to approve tonight authorizes me to sign the necessary documents.

C. Library Parking Lot bids

Mr. Weichsel noted this item we have discussed earlier in the meeting.

VI. Town Attorney's Report

A. Proposed Charter Revision questions for November Ballot (Attachment 2)

Attorney Sciota reported we are going to have our Charter Revision questions on the ballot in November. He explained the process in getting the questions approved for the ballot.

We believe these are logical and meet the intent of the Charter Revision Commission as well as the Council and will give the voters the necessary information they need to vote on it.

Every polling place is going to have a large poster showing the exact changes.

Mr. D'Angelo asked about splitting question #1 into two questions. One, about having the board or commission pick the person to fill the spot as question 1. And, then question #2 would be limiting elected officials to only serve on one board or commission.

I feel it is two separate concepts entirely.

Attorney Sciota explained the thought pattern was dealing with elected boards and we put those questions together. There is no legal prohibition from us splitting those up, obviously.

Consensus of the Council is to split into 2 questions.

Mr. D'Angelo commented some of the questions are vague. Is that normal? Attorney Sciota said we can't possibly put the entire questions. What all towns do is give the reference as to what they're

discussing and then areas where people can look at it. These are going to be on the website, at the polling places and covered by the Press.

Attorney Sciota said they would split question one in two making five questions, and submit them to the Secretary of State for approval. They will be on the November 2nd ballot.

Attorney Sciota advised he will need executive session for three items as stated on your Agenda.

VII. Public Communications

Sandra Feld, 821 Glacier Way. I was on the Charter Revision Commission and I think it's a great idea to have the questions on the website and it may be a little late when people go to vote, but I would like added to the Minutes of today's meeting the last revisions that the Town Attorney did. It shows new insertions and deletions. (Submitted for the record Attachment 3)

Ron Stevens, 154 Rahlene Drive. Spoke about problems at the denitrification plant and the ineffectiveness of AECON.

Talked about the cost of the methanol which is used at the plant.

He spoke about AECON's inability or unwillingness to correct the problems at the denitrification plant since November.

The Chair advised Mr. Stevens these problems should be reported to his superintendent as he is an employee of the WPCA.

I asked questions and Tony got me answers from AECON. I have to say their answers only raised more serious questions.

Arthur Cyr, 103 Berlin Avenue. I'd like to start by saying how nice the new Town Seal is behind you that we look at at all of our Town meetings. It is a nice addition.

The Chair said it was done by Sign Pro in New Britain. We give him a pass because he lives in Southington.

Next, I noticed on your Agenda you have an executive session listed. I trust this Council will not do what the Board of Water Commissioners did at their July meeting, which they reconvened after executive session and they made a motion to approve a retroactive 2.5% pay increase for the top two employees of the Water Department.

While I was reading the Minutes, the Water Department showed up at the PZC meeting, which I do attend, and I was surprised that they were added on to the Agenda. They got added on to approve replacement of a water tank off of Mariondale Drive and they want to bond it for like \$3 million. They do want us to bond through the Town of

Southington because they would get better rates. My concern is what effect is that going to have on the Town's overall transparency in the fiscal review when somebody looks at what we've got bonded because we know that within the next couple of years, we'll be renovating two middle schools. And, hopefully they'll look at all the bonds that are out there when they do our bond rating for the future schools. I hope this favor for the water department has no effect on the Town's future bond rating.

When they are on the PZC Agenda, it should be published and posted with adequate time. They're talking about replacing a very large water tank by taking down the steel one and putting in a concrete one. I wonder what the people in the neighborhood think now that the 8-24 has been approved by the PZC and nobody has had the option of saying one word against replacing this tank with a huge concrete tank this Town is going to bond for them.

I've never been able to figure out the water department.

Thank you.

Ilio Fusciello, 82 Autran Avenue. Spoke about his issue indicating he wants to be paid.

(End of Tape #1, Side A)

(Beginning of Tape #1, Side B)

Benny Camusso, Meriden Avenue. I look at Wallingford, Meriden, Cheshire, they lay off people to try to get the budget down all they can. Southington, they give a raise.

Things are not going to get better in the next three years. It's going to get worse. I hope I'm wrong.

Everybody should look at the budget before they give a raise, before spending money.

Please, look at the people, many of them aren't making good money. They're on welfare, at Bread for Life. A lot of people go to community service for food and clothes.

Think about it. I hope it gets better, but I don't know how soon it's going to be.

I have to agree with the state giving no more money --- less and less.

We have to save our money. Give no raise like social security didn't give a raise for three years. We still have to pay the taxes. Taxes went up this year and will go up next year because of revaluation.

VIII. Old Business

A. Action on item from Public Hearing (Attachment 4)

Attorney Sciota said based on recommendations that were made to by my office, what was not contemplated when I drafted this was specifically sewer projects.

I suggest that Section 3 have added to it where it ends currently now, "And Chairman of the Public Works Committee", we add language to the effect that if it is a sewer project, to the Chairman of the Sewer Committee.

Mr. Romano made a motion to approve with the corrections Attorney Sciota is going to put in. Ms. Miceli seconded. Motion passed 8 to 0 on a roll call vote.

B. Action on Report of Board of Finance

Dr. Natelli made a motion to approve. Mr. Palmieri seconded. Motion passed unanimously on a voice vote.

C. Action on request of Southington Business Park

Mr. Romano made a motion to approve action on the request of the Southington Business Park. Dr. Natelli seconded. Motion passed unanimously on a voice vote.

D. Action on CT DPH Block Grant

Mr. D'Angelo made a motion to approve which was seconded by Dr. Natelli. Motion passed 8 to 0 on a roll call vote.

E. Award of Library Parking Lot bid

Mr. Palmieri made a motion to refer the matter to the public works committee. Mr. D'Angelo seconded. Motion passed unanimously on a voice vote.

IX. New Business

A. Appointments:

1. Constable, 1 member, fill vacancy to Nov. 2011

Mr. D'Angelo placed the name of David Zoni, Sr. on Annelise Avenue to serve as a constable. Mr. Barry seconded. Motion passed unanimously on a voice vote.

2. Cable TV Committee, 3 members, 2 yr. terms to July

2012

The Chair placed the names of David R. Voris of 134 Williamsburg Drive in Southington, CT. And, George Pohorilak of 1297 East Street, both have graciously volunteered to serve.

Dr. Natelli made a motion to approve. Mr. Palmieri seconded. Motion passed unanimously on a voice.

Mr. D'Angelo hoped to have a name for the next meeting.

B. Tax Refunds (Attachment 5)

Ms. Miceli made a motion to accept the list of abatement or refunds of taxes so listed in our packet. Dr. Urillo seconded. Motion passed unanimously on a voice vote.

X. Adjournment - Executive Session - Real Estate, Salary Adjustments, Town Manager Search

The Chair called for a motion to go into executive session for purposes of discussing real estate, salary adjustments and Town Manager Search. Dr. Urillo so moved the motion. Ms. Miceli seconded. Attorney Sciota noted present will be the entire Council, and for real estate and salary will be the Manager and the Town Attorney. And, for the Town Manager search, just the Town Manager and the Council.

Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned to executive session at 7:55 o'clock, p.m.)

ATTEST:

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 real estate, salary adjustments and Town Manager Search.

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Ex-officio members present were as follows, viz:

Mark J. Sciota, Deputy Town Manager/Town Attorney
John Weichsel, Town Manager

Absent: John C. Dobbins - Vice Chair

Attorney Sciota left at 9:00 following the discussion on the Real Estate matter and the salary adjustments.

No motions were made or votes taken during executive session.

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

(Executive session was adjourned at 9:20 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 9:21 o'clock, p.m.)

John Weichsel
Acting Secretary

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Mr. Weichsel said we would go with the budgetary amount, most of which is a grant, so we would do it as you suggested in two phases. We'll go as far as the money that we have available takes us and then stop. And, next semester we would finish it off.

Mr. Palmieri reiterated that is not the way it was explained in the first place.

Ms. Miceli commented she understood it in the phasing, as well. Now with your report this time around, I'm just concerned that if we do go with the phasing, are we still within safety measures that we were assured back at the budget time that going in phases, it would be safe. Mr. Tranquillo said it would be safe.

Mr. Traquillo commented his understanding is different than the recollection. Ms. Miceli said the memo didn't seem to reflect that.

The Chair noted Mr. Romano's request to table it, is well founded.

Mr. Barry agreed it should have extensive review by the public works committee. Mr. Barry said we have a budget we have to live within. Your recommendation here indicates we are looking for an appropriation. I think it's irresponsible and I think it is not reflective of the times we live in. I think as part of the management team to make that recommendation in the times we live in, is just not a recommendation that I can understand that management would say to a Council.

I agree with Mr. Palmieri that is not my recollection of what occurred and I hope this committee vets this out because this can't continue. We have to live within the budget. To even consider a special appropriation out of our reserve fund or out of contingency is not something I would be in favor of.

Ms. Miceli noted in the memo it talks about the fact that things are going to be higher during Phase II if we don't do it all now. It seems different than what we were told back during budget season. Now we are being told if we don't do it all now, we're going to pay more cost next time around.

Dr. Urillo discussed the difference between adding on or correcting during construction and phasing. My concern is if Phase I is over budget, how far over is Phase II going to be? That's my big concern.

The Town Manager advised letting the committee do the heavy work here.

Mr. D'Angelo asked the status of Rosanna Road. Mr. Romano said that issue is actually a sewer department issue. And, I believe we'll be talking about it at our next meeting. One item that will come up as part of the public works committee, we're going to try and review and make sure there is some sort of policy that going forward when we're looking at projects, we get an add alternate to do a complete pave over. Just makes a lot of sense to do that.

C. Apple Harvest Committee

Mr. Palmieri reported the Granny Apple has been named for this year: Mrs. Tonotti.

Also, he was very pleased to announce we will be going forward with the fireworks display for this year's festive which will occur on October 2nd at 9:00 pm. We have a sponsor that joined at the platinum level for the fireworks. It's Shop Rite.

Lastly, I'm pleased to announce the Southington ICON will be returning again this year to festival. It is a singing competition. Auditions are Saturday, September 18th at Derynoski Elementary School from 10:00 am to 5:00 pm. If you're interested, come on down.

V. Town Manager's Report and Communications

A. Report of Board of Finance

The report of the board of finance. No special comments. Are there any questions on the report?

(No response)

B. Resolution concerning CT DEH Block Grant (Attachment 1)

This is a simple resolution concerning a \$5,000+ grant for physical activities that our health department and the Y have worked on together for several years and it seems to be pretty popular. The resolution you are asked to approve tonight authorizes me to sign the necessary documents.

C. Library Parking Lot bids

Mr. Weichsel noted this item we have discussed earlier in the meeting.

VI. Town Attorney's Report

A. Proposed Charter Revision questions for November Ballot (Attachment 2)

Attorney Sciota reported we are going to have our Charter Revision questions on the ballot in November. He explained the process in getting the questions approved for the ballot.

We believe these are logical and meet the intent of the Charter Revision Commission as well as the Council and will give the voters the necessary information they need to vote on it.

Every polling place is going to have a large poster showing the exact changes.

Mr. D'Angelo asked about splitting question #1 into two questions. One, about having the board or commission pick the person to fill the spot as question 1. And, then question #2 would be limiting elected officials to only serve on one board or commission.

I feel it is two separate concepts entirely.

Attorney Sciota explained the thought pattern was dealing with elected boards and we put those questions together. There is no legal prohibition from us splitting those up, obviously.

Consensus of the Council is to split into 2 questions.

Mr. D'Angelo commented some of the questions are vague. Is that normal? Attorney Sciota said we can't possibly put the entire questions. What all towns do is give the reference as to what they're

discussing and then areas where people can look at it. These are going to be on the website, at the polling places and covered by the Press.

Attorney Sciota said they would split question one in two making five questions, and submit them to the Secretary of State for approval. They will be on the November 2nd ballot.

Attorney Sciota advised he will need executive session for three items as stated on your Agenda.

VII. Public Communications

Sandra Feld, 821 Glacier Way. I was on the Charter Revision Commission and I think it's a great idea to have the questions on the website and it may be a little late when people go to vote, but I would like added to the Minutes of today's meeting the last revisions that the Town Attorney did. It shows new insertions and deletions. (Submitted for the record Attachment 3)

Ron Stevens, 154 Rahlene Drive. Spoke about problems at the denitrification plant and the ineffectiveness of AECON.

Talked about the cost of the methanol which is used at the plant.

He spoke about AECON's inability or unwillingness to correct the problems at the denitrification plant since November.

The Chair advised Mr. Stevens these problems should be reported to his superintendent as he is an employee of the WPCA.

I asked questions and Tony got me answers from AECON. I have to say their answers only raised more serious questions.

Arthur Cyr, 103 Berlin Avenue. I'd like to start by saying how nice the new Town Seal is behind you that we look at at all of our Town meetings. It is a nice addition.

The Chair said it was done by Sign Pro in New Britain. We give him a pass because he lives in Southington.

Next, I noticed on your Agenda you have an executive session listed. I trust this Council will not do what the Board of Water Commissioners did at their July meeting, which they reconvened after executive session and they made a motion to approve a retroactive 2.5% pay increase for the top two employees of the Water Department.

While I was reading the Minutes, the Water Department showed up at the PZC meeting, which I do attend, and I was surprised that they were added on to the Agenda. They got added on to approve replacement of a water tank off of Mariondale Drive and they want to bond it for like \$3 million. They do want us to bond through the Town of

Southington because they would get better rates. My concern is what effect is that going to have on the Town's overall transparency in the fiscal review when somebody looks at what we've got bonded because we know that within the next couple of years, we'll be renovating two middle schools. And, hopefully they'll look at all the bonds that are out there when they do our bond rating for the future schools. I hope this favor for the water department has no effect on the Town's future bond rating.

When they are on the PZC Agenda, it should be published and posted with adequate time. They're talking about replacing a very large water tank by taking down the steel one and putting in a concrete one. I wonder what the people in the neighborhood think now that the 8-24 has been approved by the PZC and nobody has had the option of saying one word against replacing this tank with a huge concrete tank this Town is going to bond for them.

I've never been able to figure out the water department.

Thank you.

Ilio Fusciello, 82 Autran Avenue. Spoke about his issue indicating he wants to be paid.

(End of Tape #1, Side A)

(Beginning of Tape #1, Side B)

Benny Camusso, Meriden Avenue. I look at Wallingford, Meriden, Cheshire, they lay off people to try to get the budget down all they can. Southington, they give a raise.

Things are not going to get better in the next three years. It's going to get worse. I hope I'm wrong.

Everybody should look at the budget before they give a raise, before spending money.

Please, look at the people, many of them aren't making good money. They're on welfare, at Bread for Life. A lot of people go to community service for food and clothes.

Think about it. I hope it gets better, but I don't know how soon it's going to be.

I have to agree with the state giving no more money --- less and less.

We have to save our money. Give no raise like social security didn't give a raise for three years. We still have to pay the taxes. Taxes went up this year and will go up next year because of revaluation.

VIII. Old Business

A. Action on item from Public Hearing (Attachment 4)

Attorney Sciota said based on recommendations that were made to by my office, what was not contemplated when I drafted this was specifically sewer projects.

I suggest that Section 3 have added to it where it ends currently now, "And Chairman of the Public Works Committee", we add language to the effect that if it is a sewer project, to the Chairman of the Sewer Committee.

Mr. Romano made a motion to approve with the corrections Attorney Sciota is going to put in. Ms. Miceli seconded. Motion passed 8 to 0 on a roll call vote.

B. Action on Report of Board of Finance

Dr. Natelli made a motion to approve. Mr. Palmieri seconded. Motion passed unanimously on a voice vote.

C. Action on request of Southington Business Park

Mr. Romano made a motion to approve action on the request of the Southington Business Park. Dr. Natelli seconded. Motion passed unanimously on a voice vote.

D. Action on CT DPH Block Grant

Mr. D'Angelo made a motion to approve which was seconded by Dr. Natelli. Motion passed 8 to 0 on a roll call vote.

E. Award of Library Parking Lot bid

Mr. Palmieri made a motion to refer the matter to the public works committee. Mr. D'Angelo seconded. Motion passed unanimously on a voice vote.

IX. New Business

A. Appointments:

1. Constable, 1 member, fill vacancy to Nov. 2011

Mr. D'Angelo placed the name of David Zoni, Sr. on Annelise Avenue to serve as a constable. Mr. Barry seconded. Motion passed unanimously on a voice vote.

2. Cable TV Committee, 3 members, 2 yr. terms to July

2012

The Chair placed the names of David R. Voris of 134 Williamsburg Drive in Southington, CT. And, George Pohorilak of 1297 East Street, both have graciously volunteered to serve.

Dr. Natelli made a motion to approve. Mr. Palmieri seconded. Motion passed unanimously on a voice.

Mr. D'Angelo hoped to have a name for the next meeting.

B. Tax Refunds (Attachment 5)

Ms. Miceli made a motion to accept the list of abatement or refunds of taxes so listed in our packet. Dr. Urillo seconded. Motion passed unanimously on a voice vote.

X. Adjournment - Executive Session - Real Estate, Salary Adjustments, Town Manager Search

The Chair called for a motion to go into executive session for purposes of discussing real estate, salary adjustments and Town Manager Search. Dr. Urillo so moved the motion. Ms. Miceli seconded. Attorney Sciota noted present will be the entire Council, and for real estate and salary will be the Manager and the Town Attorney. And, for the Town Manager search, just the Town Manager and the Council.

Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned to executive session at 7:55 o'clock, p.m.)

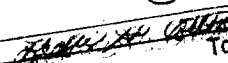
ATTEST:


Leslie G. Cotton
Town Clerk

RECEIVED & FILED
TOWN OF SOUTHTON

AUG 12 2010

5:00 p.m.

By  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, salary adjustments and Town Manager Search.

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	Edward S. Pocock, III

Ex-officio members present were as follows, viz:

Mark J. Sciota, Deputy Town Manager/Town Attorney
John Weichsel, Town Manager

Absent: John C. Dobbins - Vice Chair

Attorney Sciota left at 9:00 following the discussion on the Real Estate matter and the salary adjustments.

No motions were made or votes taken during executive session.

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

(Executive session was adjourned at 9:20 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 9:21 o'clock, p.m.)

John Weichsel
Acting Secretary



DEPARTMENT OF PUBLIC HEALTH

TOWN OF SOUTHINGTON, 93 MAIN STREET, SOUTHINGTON, CT 06489

(860) 276 - 6275 • FAX (860) 276 - 6277



Public Health
Prevent. Promote. Protect.

CHARLES I. MOTES, JR., M.S., M.P.H., R.S.
DIRECTOR OF HEALTH

LEANA GLEICHER
SECRETARY

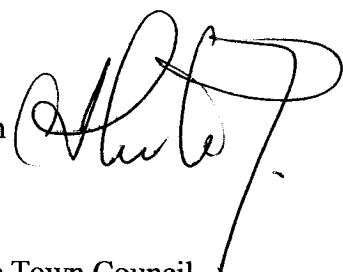
KATE KUPSTIS, R.S.
REGISTERED SANITARIAN

GENE GAGNON, R.S.
REGISTERED SANITARIAN

SCOTT COOK, M.S., R.S.
REGISTERED SANITARIAN

Memorandum

To: John Weichsel, Town Manager

From: Charles I. Motes, Jr., Director of Health 

Date: July 22, 2010

Re: CT DPH Block Grant Resolution of the Town Council

Following is suggested language for the Resolution:

“Resolved that John Weichsel, Town Manager, is authorized to make, execute and approve on behalf of this Corporation, any and all contracts or amendments thereof with the State of Connecticut Department of Public Health concerning contract #2011-0078.”

The contract is for a physical exercise grant for Town residents in the amount of \$5,524.00. This is the eleventh consecutive block grant that the Town has received for this purpose, which is to promote good health through a healthy exercise program. This grant money is passed through to the Southington YMCA to provide the service to the citizens of Southington.



Town of SOUTHINGTON, Connecticut

Leslie G. Cotton, Town Clerk and Registrar of Vital Statistics

TO: Mark Sciota
FROM: Leslie Cotton
Town Clerk
SUBJECT: 2010 Charter Revision Questions
Date: July 28, 2010

The four Charter Revision Questions are listed below. They are ready to be submitted to the Town Council at their meeting on August 9th. Any questions please let me know.

#1 "Shall Sections 208 and 210 of the Southington Town Charter be amended to allow vacancies in elective offices to be filled by the board or commission with such vacancy and limit elected officials to serving on only one board or commission?"

#2 "Shall Section 402 of the Southington Town Charter amend the powers and duties of the town manager by requiring written policies and procedures be presented to the town council for review not less than once a year?"

#3 "Shall Sections 723, 725 and 728 of the Southington Town Charter be amended to modify the annual town budget timeline?"

#4 "Shall Section 1107 of the Southington Town Charter be replaced substantially with the wording of Section 2-204, the Conflicts of Interest ordinance; provisions of this section shall apply to all town officers and employees whether elected or appointed?"

TOWN OF SOUTHLINGTON REFERENDUM
NOVEMBER 2, 2010

PROPOSED CHARTER AMENDMENTS

The following proposed amendments to the Southington Town Charter were approved by the Town Council on April 12, 2010. Electors will have an opportunity to vote on the proposed amendments at a town wide referendum to be held at the general election on November 2, 2010.

Bold: **New language**
Underline: Language to be deleted

Section 208. Vacancies in elective offices

Vacancies in elective offices, except on the town council, board of education, the planning and zoning commission, the board of finance and the library water board, from whatever cause arising, shall be filled by the **council board or commission with such vacancy** for a period until the next town election. Vacancies in the board of education shall be filled by the board of education for a period until the next town election. Vacancies in the planning and zoning commission shall be filled by the planning and zoning commission for the period until the next town election. Vacancies in the library board and the board of finance shall be filled by the council for the unexpired portion of the term. In filling any vacancy, the council, board of education or the planning and zoning commission **the board or commission** shall select a person of the same political party as that of the former incumbent, unless said incumbent was not an enrolled member of a political party, in which case his successor shall not be an enrolled member of a political party. A member elected at a town election to fill a vacancy shall serve for the remaining unexpired portion of the term of the former incumbent.

Section 210: Eligibility.

No person shall be eligible for election to any town office who is not at time of election a qualified voter of the town.

No person serving on an elected board shall serve on any other board, elected or appointed, unless it is a sub committee of the board they serve on or a sub committee of the town council, where the members of another board's presence is required by the town council on that sub committee. This section shall not apply to persons serving on a building committee, charter revision commission or where membership is required by the Connecticut General Statutes.

Section 402. Powers and duties.

The manager shall be the chief executive of the town and shall have the powers and duties conferred upon the chief executive officers of towns by the General Statutes, and which are not otherwise expressly provided for in this charter. He shall be directly responsible to the council for the supervision and administration of all commissions, boards, departments, offices and agencies of the town except those elected by the people, appointed by the council, or appointed by a regional, state or federal authority. He shall be responsible for the faithful execution of all laws and ordinances governing the town; **he shall promulgate written policies and procedures for his enumerated duties including but not limited to personnel and shall periodically, not less than once a year, present these procedures for review and input from the town council,** shall make periodic reports to the council and shall attend its meetings with full right of participation in its discussion but without the right to vote; shall prepare and cause to be printed, as soon as possible after the close of the fiscal year, an annual town report; shall

recommend to the council such measures as he may deem necessary or expedient; shall keep the council fully advised as to the financial condition of the town; shall prepare and submit to the board of finance and the council an annual budget and shall exercise such other powers and perform such other duties as may be required of him by ordinance, resolution or vote of the council, not inconsistent with this charter. The town manager shall be director of civil defense, and shall be empowered to appoint deputy directors of civil defense.

Section 723 Annual Town Budget

It shall be the duty of the manager to present to the board of finance not later than the **eighteenth** ~~twenty-fifth~~ day of February in each year the budget for the ensuing fiscal year. The budget shall contain:

- (a) An estimate of the probable cash deficit or unencumbered cash surplus, as the case may be, at the end of the current fiscal year;
- (b) Estimates of the revenue cash receipts of the ensuing year other than from property taxes;
- (c) Estimates of the expenditures for the ensuing fiscal year; and
- (d) An estimate of the sum necessary to be raised by taxation to balance the budget, taking into consideration the cash surplus or cash deficit for the current fiscal year as provided in (a) above.

The estimates of receipts shall be detailed by sources and the estimates of expenditures by departments and the principal subdivisions thereof, offices, boards, commissions and agencies of the town, and shall show for each such unit the estimated expenditures, broken down by personal service, contractual service, materials and supplies, fixed charges, and capital outlays. The budget shall also contain in parallel columns the receipts and expenditures for each item for the last complete fiscal year, the receipts and expenditures for the first six (6) months of the current fiscal year, the estimated receipts and expenditures for the ensuing fiscal year as presented to the manager in respect of the several departments, offices, boards, commissions and agencies and the recommendations of the manager, together with such other data as the board of finance may prescribe. The budget shall be printed or otherwise reproduced in a sufficient number of copies to furnish one to each citizen who shall request the same and shall be available for such distribution not later than the last Monday in March. A condensed annual town budget shall also be published in two (2) newspapers having major circulation in the town no later than the last Monday in March.

Section 725. Budget hearing

There shall be a public hearing at eight o'clock pm **no later than the third Monday in March** ~~on the first Monday in April~~ at a place to be determined by the board of finance at least seven days' notice of which shall be given by publication in two (2) newspapers having major circulation in the town and by posting on the town bulletin board. At such hearing any citizen or property owner who desires it shall be entitled to be heard by the board of finance on the town and school budget and the hearing shall be continued from day to day until all such persons have been heard. Budget summary: At the head of the budget there shall appear a summary of the budget, which need not be itemized further than by principal sources of anticipated revenue, stating separately the amount to be raised by property tax, and by departments and kinds of expenditures in such a manner as to present to taxpayers a simple and clear summary of the detailed estimates of the budget.

Section 728. Vote required for budget adoption by board of finance

The budget shall be recommended by the favorable vote of at least four (4) members of the board of finance. Not later than the **first** third Monday in April the board of finance shall transmit to the town council its budget recommendations for the next fiscal year.

Section 1107 Conflicts of Interest (Replaces current Section 1107)

(a) Private business or professional enterprise. A conflict of interest exists if the officer, official, employee, member of any town agency or member of his or her household, including a domestic partner, spouse or minor dependent has a private, financial or personal interest in the outcome or is the owner, shareholder, member, partner, officer, employee or other participant of, or in, a private business or professional enterprise that will be affected by the outcome of any matter under consideration before him/her.

(b) Speculative or investment activities. A conflict of interest exists if the officer, official or employee, or any member of any town agency has such interest in any matter as it relates to investment activities that shall benefit from use of confidential information gained from such officer, official or employee, or member of any town agency.

(c) Town employees (full time, part time). All full-time employees of the town shall devote all their time and effort in the fulfillment of their assigned duties during those hours when it is customary for the town to conduct business, such hours to include meetings held outside customary business hours where the employee's presence is necessary to facilitate town business and is job-related. All part-time employees of the town shall be available to fulfill their duties to facilitate town business during hours in which town business is customarily conducted. No full-time employee shall engage in any activities other than town business during hours in which the town customarily conducts its business, unless such activity conforms with established town policies set by any board, commission or agency, the deputy town manager, or the town manager. The town planner, assistant town planner, town engineer or assistant town engineer, building inspector or zoning enforcement officer are specifically prohibited from engaging in any activity (in which they have a personal interest or private financial interest as herein defined) relating to the purchase and sale, or development of land or buildings (other than their personal residences).

(d) Duty to disclose and abstain. Any town official, member of a board, commission or agency or employee who has a personal financial or private interest in any action, legislative or otherwise, by any town agency and who is a member of, participates in discussion with, or gives an official opinion to such town agency, shall disclose on the written records of such agency the true nature and extent of such interest and refrain from any comment or vote on the matter and remove himself/herself from the panel until the matter has been dispensed. The failure of any officer, official, or employee or member of any appointed or elected board or town agency to disqualify himself or herself from action if any situation where a conflict of interest exists shall constitute a violation of this article. This section shall not apply to:

- (1) Contracts awarded to the lowest bidder after public advertisement;**
- (2) Unpaid appointed officials during a declared state of emergency;**
- (3) Matters requiring disclosure to, or approval by, a court;**

(e) Litigation. No town official, member of a board, commission or agency or employee of the town shall appear on behalf of a private interest before any agency of the town nor shall he/she represent private interests in any action or

proceeding against the town in any litigation when such appearance or representation would be in conflict with or would tend to impair his/her independence of judgment and action in the performance of his/her official duties as such town official, member of a board, commission or agency, or employee. An elected town official shall not appear before a town agency (except on behalf of constituents in the course of performing his/her duties as a representative of the electorate) when such appearance or representation would be in conflict with or would tend to impair his/her independence of judgment and action in the performance of his/her official duties as such town official. Any town official, member of a board, commission or agency or employee may appear before a town agency in the performance of official, public or civic obligations.

(f) The provisions of this section may be supplemented or enlarged by the town council by means of an ordinance.

**NOTICE OF PASSAGE OF ORDINANCE
TOWN OF SOUTHINGTON**

The following ordinance was passed at a meeting of the Town Council of the Town of Southington on August 9, 2010:

ORDINANCE QUALIFICATION OF BIDDERS

Section 1. Purpose - The Town Council for the Town of Southington is hereby establishing under the provision of Connecticut General Statute 7-148(v) to develop a procedure to be used by all Boards, Departments and Board of Education for the Town of Southington for qualification of bidders under certain criteria.

Section 2: It shall be required by all Boards, Departments and Board of Education of the Town of Southington that when it is determined that a project requires specific criteria primarily influenced by past experiences in similar and related projects, and if the Public Works Committee determines the project is valued at One Million and no/100 (\$1,000,000) Dollars or more, or less, if determined by the Public Works Committee to be in the Town's best interest, all bidders must be qualified.

Section 3: If a Department Head or a Board concludes that a project falls under Section 2, a written notification shall be sent to the Town Manager, Town Engineer and Chairman of the Public Works Committee and if a sewer project, to the Chairman of the Sewer Committee.

Section 4: The Town Engineer or his designee in consultation with the Town Attorney, the Town Manager, the Town Council and the Department Head most closely associated with the project shall establish the criteria and requirements necessary for the qualification of all bidders. These criteria shall include but not be limited to past experiences, available manpower and financial ability.

Section 5: To solicit prospective bidders through qualification process, the Town Engineer, or his designee, shall notify said prospective bidders by publishing the qualification requirements as set forth in this Ordinance.

Section 6: The Town Engineer or his designee in consultation with the Town Attorney, the Town Manager, the Town Council and the Department Head most closely associated with the project shall review the qualifications of the three lowest bids submitted and shall interview the three bidders who meet these qualifications. If the three lowest submitted do not qualify, then the next lowest responsible bidders, in order, shall be reviewed. If the contractor is previously qualified by the State of Connecticut on its project list for similar projects, the contractor is deemed qualified under this Ordinance.

Section 7: The final bid package for a project under this Ordinance shall be exclusively directed to the proposed bidder deemed qualified under this Ordinance.

This ordinance shall be effective twenty days following approval.

Dated at Southington, Connecticut on August 10, 2010.

TOWN OF SOUTHINGTON

John Weichsel, Town Manager

TO WHOM IT MAY CONCERN:

On August 10, 2010, I caused a copy of the foregoing notice to be published in the Meriden Record Journal and in the New Britain Herald in their respective issues of August 12, 2010, said newspapers having circulation in the Town of Southington; and on said August 10, 2010, I caused a copy of said notice to be posted on the public signpost in said Southington.

John Weichsel, Town Manager

List of Requests for Abatement or Refunds of Taxes - Town Council Meeting of August 9, 2010

<u>Taxpayer's Name</u>	<u>Reason for Refund</u>	<u>Amount of Refund</u>
Bligh, Margaret or James G	Assessor C/C List #21832 M 2009	\$72.06
Cab East LLC	Assessor C/C List #30021, 30034, 30039, 30060 & 30066 M 2008	\$916.09
CoreLogic	Overpayment List #6610 R 2008	\$69.60
Dangelo, Fred	Assessor C/C List #40290 M 2009	\$62.19
DCFS Trust	Assessor C/C List #40591 M 2008	\$240.26
Honda Lease Trust	Assessor C/C List #81255, 81372 & 81349 M 2009	\$546.49
Pack, Karen	Assessor C/C List #9292 R 2007 and 2008	\$884.62
Pastor, Thomas	Assessor C/C List #160611 M 2009	\$198.88