

**Windsor Town Council  
Council Chambers – Town Hall  
February 16, 2010  
Approved Minutes**

**Regular Council Meeting**

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

1. Roll Call – Present: Mayor Trinks, Deputy Mayor Simon, Councilor Eleveld, Councilor Herzfeld, Councilor Jepsen, Councilor Jubrey, Councilor Marci, Councilor McDonald and Councilor McKenney
2. Prayer – Councilor McDonald
3. Pledge of Allegiance – Councilor McDonald
4. Proclamations/Awards

None

5. Public Communications and Petitions

Dagmar Kossack, 77 Prospect Hill Road, is against the Prospect Hill Road project. Where are the people going to walk to? Many of her neighbors have not even been to these meetings. You should send notes to them and ask them for their opinions. Her home is very close to the road and a bike path would be very close to her well and her living room. She thinks the money could be better spent on something else.

Ms. Bonnie Debelius, 21 Broadleaf Circle, is in favor of the Prospect Hill Road project. She walks and rides her bike as much as she can. She is in favor of it because of the safety. She would be more comfortable walking to and from the bus if there were a sidewalk. There have been times when she is coming home at night or at dusk in her car and it has been a close call with walkers.

Mr. Elliot Sirota, 26 Ethan Drive, is in favor of the Prospect Hill Road project. He frequently likes to take walks with his children and pets and right now it is not safe. It would be a great improvement. With the additional traffic flow in the mornings and evenings, it is very hard to maneuver if you are walking. Placing sidewalks in this area will improve the value of the homes in the neighborhood. Most of the homes were built years ago before the feeder streets were there. People want to get out in the spring and summer to walk and the sidewalk will be nice.

Mr. Bill Corcoran, 21 Broadleaf Circle, is in favor of the Prospect Hill Road reconstruction. He has used the road off and on for 48 years. He has seen it go from a small country road with tobacco traffic to what it is now – a major thoroughfare. He is very concerned about safety. While driving, he has had to swerve on several occasions to avoid a bicyclist or pedestrian on the road. Prospect Hill Road is really the gateway to Northwest Park, the flagship park in town. He would like to see the reconstruction go through.

6. Report of Appointed Boards and Commissions

A. Public Building Commission

Town Manager Souza reported that the Public Building Commission is meeting this evening and that he would be giving the report. There are currently 21 bidders for the Hayden Station Firehouse project. They hope to award a contract shortly with construction starting in March.

7. Town Manager's Report

**Volunteer Fire Department Receives Grant**

The Fire Department has received notification from the Department of Homeland Security that they have been awarded a grant in the amount of \$18,900. This *Aid to Firefighters* grant will assist in the purchase of equipment needed to clean and dry firefighting gear that the firefighters wear. This is the fourth grant received from Homeland Security with previous grant awards offsetting costs related to the purchase of self-contained breathing apparatus, an accountability system and the length of service awards program that is currently being reviewed for implementation. The cleaning equipment from this grant will be housed at the newly renovated Hayden Station Firehouse.

**Wilson Branch Library Renovations**

A contract has been executed for the proposed renovations to the Wilson Branch Library. A pre-construction meeting was held on February 11, 2010. The general contractor is T&T Electrical Contractors. The contractor intends to mobilize by the end of the month. The well driller expects to start drilling by the end of February, early March. The vestibule will be constructed in April and the storefront systems (i.e. windows) will be installed during April school vacation.

**Mechanic Street Redevelopment Update**

The Windsor Redevelopment Agency has started the process for selecting a developer for the redevelopment of the town's parks garage site. The agency issued a request for developer qualifications as the first of two steps in this process. The objective of this request for qualifications is to ask prospective developers to submit sufficient information regarding their expertise to enable the agency to select a short list of finalists. The short-listed developers will then be invited to respond to a detailed request for proposals.

A pre-submission conference and site tour for interested developers is scheduled to take place on February 26, 2010. Responses are due by March 12. The agency intends to identify the short list of developers and issue the request for proposals by March 26, 2010. A recommendation for a preferred developer should be presented to the Town Council in August.

The request for developer qualifications documents for the 55-69 Mechanic Street redevelopment project can be found on the town's website at [www.townofwindsorct.com](http://www.townofwindsorct.com).

**H1N1 Vaccination Clinics Update**

A total of 2,270 H1N1 vaccinations have been administered by MDA #31.

In addition to the six public clinics, a number of additional vaccination sessions were held for initial priority groups as established by the CDC -- emergency medical providers, school nurses and primary care physicians & staff which accounted for 138 vaccinations. The six clinics were staffed by over 100 MDA #31 medical and non-medical volunteers and by many South Windsor and Windsor governmental employees.

Additional vaccinations were also provided to residents unable to attend one of the clinic sessions and for Windsor employees -- accounting for 41 vaccinations.

There are currently no plans to conduct any additional clinics since there is sufficient H1N1 vaccine available in the private sector. There are a number of public clinics being conducted at various locations in the area and the request for vaccinations by the public is minimal. The decision to resume public clinics is constantly being evaluated and would be influenced by an increase in the incidence of H1N1 flu should a 3<sup>rd</sup> wave occur.

### **1040EZ Run to Benefit Police Explorers**

A 5k road race to benefit the Windsor Police Explorers will be held on Saturday, April 17, 2010 starting at the Oliver Ellsworth School located at 730 Kennedy Road. Registration will be held from 8:30 a.m. to 10:30 a.m. and the race begins at 10:40 a.m. rain or shine.

Register online at [www.thelastmileracing.com](http://www.thelastmileracing.com) or via email at [1040EZRun@gmail.com](mailto:1040EZRun@gmail.com). Pre-register for \$20. Registration fee after April 10<sup>th</sup> is \$25. First 100 to register receive a free t-shirt.

Mr. Brian Funk, Director of Public Works, and Mr. Mark Goossens, Solid Waste Manager, gave an overview on the landfill.

Deputy Mayor Simon asked how we are slightly over on MSW tons but not on revenues. Mr. Goossens explained that revenues are received at varying tonnage fees and some tonnage's revenue shows up as permit fees for utilization of the transfer station.

Councilor Herzfeld asked if the closure process will begin when the bulky waste area reaches capacity in April. He also asked if clay will still be used as a capping material. Mr. Funk said that the town is waiting for something in writing from the Department of Environmental Protection (DEP) before we begin closure on the areas that are full. We will be working with our engineers on deciding which cells we will be capping first. Our goal is to use the clay as a capping material.

Town Manager Souza added that we are continuing to work with the DEP on a variety of permitting issues. They are asking us to consider a new type of permit, which is called a stewardship permit. We are trying to evaluate the timing of applying for this permit. We could potentially apply this spring or delay it for a year. We were told the capping material decision would not be delayed if we apply for the stewardship permit.

## 8. Communication from Council Members

Councilor Jubrey – encouraged residents to attend or watch next week's Board of Education meeting regarding the location of graduation.

Councilor Eleveld – echoed the comments of Councilor Jubrey. A change of venue in the graduation is going to cost double the cost of the Cathedral. The ACLU is an important group that protects our rights, but he feels that they may be overstepping our rights here.

Councilor McKenney – None

Councilor McDonald – None

Councilor Marci – thanked Loomis Chaffee for the recycling presentation that was given last Thursday evening. He thanked everyone involved in the town and the students at Loomis.

Councilor Herzfeld – None

Councilor Jepsen – None

Deputy Mayor Simon – None

Mayor Trinks – None

9. Reports of Standing Committees

Finance – None

Special Projects – None

Town Improvements – met on February 8<sup>th</sup> at Northwest Park to discuss a number of items on the agenda this evening. There were 50 people in attendance and there was good dialogue with citizens concerning the Prospect Hill Road reconstruction project.

Health and Safety – None

10. Ordinances

None

11. Unfinished Business

A. Approve proposed Fiscal Year 2011-2016 Capital Improvements Plan

Moved by Councilor Herzfeld, seconded by Councilor Marci, to approve the Fiscal Year 2011-2016 Capital Improvements Plan.

Town Manager Souza said that this is a six-year Capital Improvements Plan (CIP) that gets reviewed and approved every year. He summarized the projects and changes made by the Capital Improvements Committee and the Public Building Commission. The Town Planning and Zoning Commission reviewed and approved the proposed CIP on February 9, 2010.

Councilor Herzfeld said the Town Improvements Committee focused its review on years 2011-2012.

Councilor Eleveld added there was a concern that in this CIP there are some expenses that in the past were in the Public Works Department. This will make the budget more transparent.

Deputy Mayor Simon said that it seems like there will be lots of borrowing and it seems pretty aggressive to him.

Councilor Jepsen agrees with Deputy Mayor Simon. He asked if the aggregate cost of the Poquonock School projects would require a town meeting. He suggested holding the town meeting and splitting up the bonding later. Councilor Jepsen said that this CIP should be for one-time expenditures or big ticket items. Painting lines on roads is an annual expense and it should be in the department budget. For that reason, he will be voting against this.

Motion Passed 7-2-0 (Councilors Jepsen and Jubrey opposed)

## 12. New Business

### A. Discussion of 2010 bond issue

Town Manager Souza discussed the 2010 bond issue for the planned borrowing in March. The current borrowing environment causes challenges and opportunities at the same time. There is an extremely low interest rate environment. The low interest rates provide the opportunity for the town to continue to invest in capital improvement projects. The town's available debt capacity is very good. Existing debt service levels are declining each year due to refinancing and the retirement of existing debt. We do need to manage the long-term debt service. The non-tax revenue is not easily forecasted for the next few years. In FY 2012, the state's education cost sharing grant may be affected when federal stimulus dollars are not available. The town is projecting limited and slow grand list growth for the next few years. The General Fund undesignated unreserved fund balance (opening cash) is fairly healthy but continued reliance on this funding source for day-to-day operations may become difficult in the near future. He is suggesting that we could borrow \$500,000 to go towards the pay down of the International Drive improvements without negatively impacting the town's debt service costs.

Councilor Jepsen asked if this is something we want to include in the bonding issue this April or May. He wondered, to change this now, when that was the selling point of the town meeting, is it the right thing to do? Town Manager Souza replied that we plan on issuing the bonds in March or April depending on what the market conditions are.

Deputy Mayor Simon is pleased with the direction the Town Manager is taking. It is an indication of his concern over revenues for the next couple of years.

Councilor Eleveld understands the concept, but is concerned that when we sold the resolution for the bonding to the residents, it was presented as a short-term expense, but now we are proposing it to be over a ten-year span. This is a slippery slope when we say we are financing this way and then saying we are changing it to longer terms. He appreciates the comments that we may not be hearing regarding future state funding.

Mayor Trinks thinks it is the time to borrow money as it is fairly cheap right now. A project of this scope and size is appropriate for this type of borrowing.

Councilor Herzfeld said when this was originally reviewed (prior to the recession we are in now) there was a strong grand list and it was anticipated that the grand list growth would continue. Now bonding is at an all time low. A plan is good to have, but circumstances have changed because of the bond rates.

Mayor Trinks referred this item to the Finance Committee for additional discussion.

- B. Introduce a bond ordinance entitled "AN ORDINANCE APPROPRIATING \$700,000 FOR HEATING SYSTEM IMPROVEMENTS TO POQUONOCK ELEMENTARY SCHOOL, AND AUTHORIZING THE ISSUE OF \$700,000 BONDS AND NOTES TO FINANCE THE PROJECT."

Resolved by Councilor Jepsen, seconded by Councilor McDonald, that the reading into the minutes of the text of the ordinance entitled "AN ORDINANCE APPROPRIATING \$700,000 FOR HEATING SYSTEM IMPROVEMENTS TO POQUONOCK ELEMENTARY SCHOOL, AND AUTHORIZING THE ISSUE OF \$700,000 BONDS AND NOTES TO FINANCE THE PROJECT" is hereby waived, the full text of the ordinance having been distributed to each member of the council and copies made available to those persons attending this meeting; and the full text of the ordinance be recorded with the minutes of this meeting.

Motion Passed 9-0-0

Moved by Councilor Jepsen, seconded by Councilor McDonald, that an ordinance entitled "AN ORDINANCE APPROPRIATING \$700,000 FOR HEATING SYSTEM IMPROVEMENTS TO POQUONOCK ELEMENTARY SCHOOL, AND AUTHORIZING THE ISSUE OF \$700,000 BONDS AND NOTES TO FINANCE THE PROJECT" be introduced.

Councilor Jepsen asked what the threshold is for requiring a public meeting (2% of the current levy). Town Manager Souza explained the threshold and stated that when combining the two phases of the projects, they are still under the threshold for a town meeting.

Motion Passed 9-0-0

- C. Set a Public Hearing for March 1, 2010 at 7:15 p.m. to hear a bond ordinance entitled "AN ORDINANCE APPROPRIATING \$700,000 FOR HEATING SYSTEM IMPROVEMENTS TO POQUONOCK ELEMENTARY SCHOOL, AND AUTHORIZING THE ISSUE OF \$700,000 BONDS AND NOTES TO FINANCE THE PROJECT."

Resolved by Councilor Jepsen, seconded by Councilor McDonald, that a Public Hearing be held at the Windsor Town Hall on March 1, 2010 at 7:15 p.m. (prevailing time) on the following ordinance entitled "AN ORDINANCE APPROPRIATING \$700,000 FOR HEATING SYSTEM IMPROVEMENTS TO POQUONOCK ELEMENTARY SCHOOL, AND AUTHORIZING THE ISSUE OF \$700,000 BONDS AND NOTES TO FINANCE THE PROJECT" and be it further resolved that the Town Clerk is authorized and directed to post and publish notice of said Public Hearing.

Motion Passed 9-0-0

D. Approve resolution endorsing Prospect Hill Road reconstruction project

Resolved by Councilor Herzfeld, seconded by Councilor Marci, to approve the following resolution endorsing the Prospect Hill Road reconstruction project.

## RESOLUTION

### **Reconstruction of Prospect Hill Road from Poquonock Avenue to approximately 150 feet west of West Street**

WHEREAS, the Town of Windsor has published a legal notice display ad, mailed a news release to a number of officials and agencies and mailed a formal letter to abutting property owners announcing a public informational meeting to be held on July 7, 2009 on the proposed STP Urban Transportation project known as Prospect Hill Road Reconstruction; and

WHEREAS, the publicized public informational meeting was held on July 7, 2009 at Town Hall, Windsor, CT at 6:00 PM and subsequent opportunities were provided to abutting property owners to which residents and meeting attendees had an opportunity to voice their concerns; and

WHEREAS, the Capitol Region Council of Governments has selected this project as a regional priority and has agreed to utilize federal funds for right-of-way and construction activities; and

WHEREAS, the project is located on a municipally owned road, the preliminary engineering and right of way phase will be performed by the Town of Windsor or its consultant, utilizing 80% federal funds, 10% state funds, and 10% Town of Windsor funds. The construction phase will utilize 80% federal funds, 10% state funds, and 10% Town of Windsor funds; and

WHEREAS, the Town Council has considered the concerns of the residents from the public informational meetings and finds that the proposed Prospect Hill Road Reconstruction Project is in the best interest of the Town of Windsor and will promote the health, safety and general welfare of its residents and provide for convenience and safety of the public;

THEREFORE, the Town of Windsor, based on the above information, and by virtue of this resolution, hereby fully supports the proposed project.

Mr. Tom Lenehan, Town Engineer, and Ms. Victoria Houle, Project Engineer, gave a slide presentation on the project.

Councilor Eleveld said residents who came to the meeting were slightly more in favor than those against. It's a dark road. The town staff will be meeting with direct abutters to address their concerns. The vast majority of vehicles travelling down Prospect Hill Road onto Day Hill Road are coming from the north, so the I-91 flyover will not address that problem. There is a property on this road that will in the future consist of 60 units, adding another 120 or so cars during rush hour on an already congested road in the next five years. He is in favor that we move forward on the design phase. There are hundreds of vehicles that traverse that road that belong to people who live in the neighborhood.

Deputy Mayor Simon said when this project first came forward last year, he was surprised at the estimate and it seemed to be much more than we usually see in this type of project. Now the town's portion will be more than \$1 million less. We just approved the Capital Improvements Plan, which included a higher estimate of costs. He wanted some discussion about the facts that caused the estimate revisions and what we expect to be borrowing.

Town Manager Souza said we presented the revised estimate in the agenda item summary to provide Council with updated assumptions based on our most recent cost experiences, not DOT's figures. We were required to use Department of Transportation (DOT) price factors in our application. We also feel that the DOT price factors are high. From a financial planning perspective in the CIP, we chose to use the higher figure. The major issue that changed the estimate is the fact that we are using recent bids on Lang Road and Day Hill Road versus the DOT amount. The DOT estimated the Day Hill Road project at coming in close to \$2 million and it came in under \$1 million. Mr. Lenehan added that asphalt prices have lowered and that the DOT reduced their estimates a bit as well. Many forecasts will vary, depending on unit prices at the time and what design elements we include in the project.

Town Manager Souza stated that the amount the town would borrow will be determined when we are through 70-80% of the design completion stage. We are presently at the very beginning of the design stage. We still have to go through design and get in the queue for federal funding. He noted that the Federal Transportation Funding Program has not been reauthorized. There has to be a major effort by Congress in the next year to 18 months to fund this program.

Councilor Jubrey asked how many streets off Prospect Hill Road have sidewalks and how wide is the street. He also addressed the issue of eminent domain and what the financial impact of it would be on the project. Mr. Lenehan pointed out the areas with sidewalks. The width varies from 23-27 feet and it is proposed to go up to 32 feet. Mr. Lenehan said that there may be a need to acquire three small strips, but that would be a worse case scenario. The town would try to work around these areas. We have allocated \$60,000 for rights-of-way.

Councilor Jepsen asked about the property with a well and if there is Metropolitan District Commission (MDC) sewer and water. Ms. Houle replied that there is water and we have spoken to residents about sewer connections. Some people may be able to tie into the existing side streets. It doesn't necessarily mean a sewer line will be run down the whole street, but depending on the residential interest, the best determination would be made by the MDC. Town Manager Souza further added that a decision would go through the MDC and implementation would be through an assessment process.

Councilor Jepsen is concerned about the note that this is Day Hill Road related. Town Manager Souza responded that there is no doubt that this road serves the entire section of neighborhoods and businesses between Poquonock and Day Hill Road. There is strong residential traffic and people are using this to get to Day Hill Road and to get to Northwest Park. It is not being built to serve additional future development on Day Hill Road and it is not being built as a relief valve for Day Hill Road.

Councilor McDonald appreciates the residents' comments. He thinks it's a nice improvement to the neighborhood; it will boost resale and make the area safer and more attractive. He grew up on that section of Prospect Hill Road and had more than a few close calls on the road.

Councilor Herzfeld drives on this road and realizes it's impossible to pull over unless you go onto someone's lawn. During the evening hours, the lighting is poor and the geometrics of the road don't offer a good line sight of what is ahead. It's a very oddly pitched road and is hazardous to bicyclists. You can't walk on that road. Some residents say the proposed sidewalk doesn't currently connect to anything. Phase II will connect it to Lang Road and to other areas in the future. You have to start somewhere and continue connecting. He is supporting the project. It's important to make the roads safe for residents and drivers.

Councilor Jubrey asked what the possibility is of moving forward with this project with the federal funds not being available and is there a contingency plan for that. Town Manager Souza said he can't predict what the government will do, but this project has ranked well within the region. He believes the federal government will reauthorize the Transportation Bill. The question is more about the timing of it. Mr. Lenehan said we would still get the reimbursement, but the timing of it could push it out further. Town Manager Souza said there are numerous steps along the way when this will be brought back to the Council.

Mayor Trinks thanked residents for coming out to speak for and against the project. He has switched over to seeing this as a safety issue. He asked if the bus shelter would be relocated. Mr. Lenehan confirmed that it would be relocated.

Motion Passed 8-1-0 (Councilor Jepsen opposed)

13. Resignations and Appointments

None

14. Minutes of Preceding Meetings

A. Minutes of the February 1, 2010 Public Hearing (budget requests)

Moved by Councilor Jepsen, seconded by Councilor Eleveld, to approve the minutes of the February 1, 2010 Public Hearing (budget requests). Corrections: None

Motion Passed 9-0-0

B. Minutes of the February 1, 2010 Regular Town Council Meeting

Moved by Councilor Jepsen, seconded by Councilor Eleveld, to incorporate the Executive Session meeting minutes into the Regular Town Council meeting minutes and approve the minutes of the February 1, 2010 Regular Town Council Meeting. Corrections: page 7 Deputy Mayor Simon asked staff to delete the extra "T" in ATT&T.

Motion Passed 9-0-0

C. Minutes of the February 1, 2010 Executive Session

No action taken. Incorporated into the regular meeting minutes. See above.

15. Public Communications and Petitions

None

Moved by Councilor Jepsen, seconded by Councilor McDonald, to enter into Executive Session at 9:29 p.m. for the purpose of:

- A. Strategy and negotiations with respect to pending claims and litigation (Medonis vs. Town of Windsor)

Motion Passed 9-0-0

16. Executive Session

Present: Mayor Trinks, Councilor Eleveld, Councilor Herzfeld, Councilor Jepsen, Councilor Jubrey, Councilor Marci, Councilor McDonald and Councilor McKenney

Staff: Town Manager, Peter Souza; Assistant Town Manager, Emily Moon; Chief of Police, Kevin Searles; Risk Manager, Marty Maynard

Guests: Ms. Melissa Federico, Worker's Compensation Attorney, Howd & Ludorff

Moved by Councilor Marci, seconded by Councilor Jubrey, to exit from Executive Session and return to the regular meeting at 9:53 p.m.

Motion Passed 8-0-0 (Deputy Mayor Simon absent)

17. Adjournment

Moved by Councilor Marci, seconded by Councilor Eleveld, to adjourn the meeting at 9:54 p.m.

Motion Passed 8-0-0 (Deputy Mayor Simon absent)

Respectfully submitted,

Kristin Countryman  
Clerk of the Windsor Town Council

cc: Town Clerk, Main Library, Wilson Branch