

**Windsor Town Council
Council Chambers – Town Hall
April 6, 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, and Councilor McDonald

Absent – Councilor McKenney

2. Prayer – Councilor Jepsen
3. Pledge of Allegiance – Councilor Jepsen
4. Proclamations/Awards
 - A. Proclamation declaring April 2010 as Fair Housing Awareness Month

Councilor read the proclamation declaring April 2010 as Fair Housing Awareness Month.

5. Public Communications and Petitions

Mr. Bradshaw Smith, 23 Ludlow Road, addressed the Council regarding the consideration of accepting a partial grant for the construction of a so-called river walk in the south end of town. In the perfect world this would be a great idea. There are a number of factors, principally financial, which strongly indicate that this grant should be declined. The application was submitted prior to and without any consultation with the Council, never mind the public. The Director of Public Works is on the record as saying the existing river walk – cost \$750,000 – is very much in need of work. The Town Manager is also on the record as indicating he does not know when that work will be commenced. Our existing parks and other open spaces are in appalling condition. There have been two vacancies in the Public Works (approximately \$40,000 each) and the funding was transferred to the Town Manager's office so that he could procure an Assistant Town Manager. The resulting backlog is tremendous. If we can't afford to maintain our existing infrastructure how can we afford to maintain more. Further, there is no indication why in the past three years the cost of this project has jumped from \$400,000 to a minimum of \$650,000 and probably \$900,000. Mr. Smith is all in favor of trails but when we cannot fill the cracks and potholes in our streets, cannot open our libraries a reasonable number of hours, cannot afford to take care of our seniors, how can we justify this trail.

Mr. David Raney, 273 Palisado Avenue, addressed the Council about the extended river trail on East Barber Street. How great it would be for people in Windsor to be able to walk up and down the river. This would be great, but right now we are in one of the worst economies since the 1930's. He would love to have this but it's not the time to spend the money.

6. Report of Appointed Boards and Commissions

A. Board of Education

Mr. Christopher McAuliffe, Vice President, Board of Education, reported to the Council the following:

- On March 30th there was a training workshop session for the Board of Education. It was "Committing to High Expectations and Improvements for All Students."
- Tomorrow evening (4/7/10) the Board is presenting their budget to the Council.
- The Board's next meeting is scheduled for April 13th. We will be discussing scientific based instruction. There will also be a report on Project Open Doors, a large grant Windsor received last year to encourage more high school students to take AP Courses.
- The Elementary School Task Force will meet on April 14th. They will report to the Board on April 27th at a special meeting.
- The Long Range Planning Committee is in the midst of determining what the next big effort will be.
- Another Board of Education training workshop is scheduled to take place on May 4th.

Councilor Jepsen inquired about the notice concerning the possibility of issuing swearing tickets on April 11th's early release day and the need to have permission slips to go to the public library. Mr. McAuliffe said the students are responsible for paying the swearing tickets. He will look into the permission slips to go to the public library.

Councilor Herzfeld asked if Principal Sills has given any report on the swearing tickets. Mr. McAuliffe said in the first week, no tickets have been handed out. The Chivalry Program was running at the same time, rewarding good behavior instead of punishing bad behavior.

B. Public Building Commission

None

C. Conservation Commission

Mr. Frank Davis, member of the Conservation Commission, reported the following to the Council:

- He discussed the public education and outreach program, the upcoming open space dedication and the lower Farmington River Wild and Scenic designation.

- The first annual Green Summit was held at Northwest Park last year. They run a Windsor's Open Space and Windsor Wildlife DVD on WGTV.
- He discussed Stanley Works and the lower Farmington River Wild and Scenic designation. His recommendation is that they accept their proposal and continue with Wild and Scenic designation. We would still end up with 6.6 miles of wild and scenic designation.

Mr. Davis thanked the town for the efforts on Three Rod Road, which is permanently preserved open space now and part of Matianuck State Park. He specifically thanked the Windsor Public Works Department for removing that home and restoring it. In 2003 the open space fund was created. The \$300 initial fund is now \$694,000. They have been happy with the bipartisan support they receive from the Council.

7. Town Manager's Report

Finding the Budget Information You Need

The town's website is a great resource for budget information. A link to "Town Budget" located on the homepage includes the proposed budget document in its entirety, the Budget in Brief publication, the budget calendar and our online tax calculator.

The budget calendar has been improved this year to include links to departmental overviews describing the programs and services provided by individual departments.

Additional information will continue to be posted to the "Town Budget" link as we progress through the budget season and updated information becomes available.

Community Development Block Grant Public Hearing

The Town of Windsor, acting through its Office of Community Development, will be holding a hearing on Wednesday, April 14, 2009 at 7:00 p.m., in the Ludlow Room of the Windsor Town Hall. This is an opportunity for the public to:

- 1) Comment on the town's ongoing community development initiatives and the needs of local residents, particularly those of low/moderate income;
- 2) Suggest activities and/or projects the town may wish to seek funding for under the current application round for Community Development Block Grant (CDBG) - Small Cities funds;
- 3) Comment on the use of any program income that may be derived activities funded through a CDBG; and
- 4) Suggest potential projects/activities for CDBG – Small Cities funds being made available through the federal economic stimulus initiative.

The Town of Windsor's Office of Community Development anticipates applying for \$390,000 for public housing modernization for improvements at Fitch Court Apartments, although suggestions for other eligible activities will be considered. Interested persons

may speak at the hearing or submit written comment. For more information contact the Office of Community Development at 285-1985.

Police and Youth Program Grant

The Windsor Police and the Youth Services Bureau have applied for funding through the State of CT Office of Policy and Management and the Juvenile Justice Advisory Committee for a police and youth program grant. The goal of the grant is to promote positive youth development and to increase the numbers of police officers who are experienced and comfortable working and interacting with youth. Staff will collaborate on designing a series of new enrichment workshops, community-wide recreational events and map resources available to Windsor youth and families. It is expected that 10 to 15 grants will be awarded. Local public agencies may receive a one-time grant of up to \$10,000. The grant deadline was March 31, 2010 and we anticipate hearing about the award within the next few months.

Social Services Provides Support to Operation Fuel

Operation Fuel, a non-profit agency that provides funding for energy assistance to low-income families, is in the process of forming a public affairs task force. This committee will be responsible for examining the concerns of low-income households in obtaining energy assistance. The committee will be working to bring the most important issues to the attention of our legislators and local government. The Town of Windsor Social Services and its fuel bank will be participating on this task force as a standing member of the committee.

On another Operation Fuel related topic, Kristen Formanek the town's social services coordinator is currently appearing in public service announcements promoting Operation Fuel that have been airing on local television networks and will continue to run through April.

Environmental Merit Award Recognition

The Town of Windsor has achieved Silver-level State Electronic Challenge status and been nominated for a regional U.S. EPA Region 1 Environmental Merit Award. Windsor joined the voluntary State Electronic Challenge in 2008. The challenge is to decrease electric use for electronic equipment such as computers, copiers, printers, etc. through careful purchasing, management during use, extending the life of the devices and responsible recycling when they are no longer usable. To achieve the silver-level, we have updated our purchasing requirements and began electronic recycling in July 2009. By enacting these two criteria, Windsor has reduced its greenhouse gas emissions equal to removing 50 cars from the roads and enough energy saving to power 34 homes. Our electronic recycling program reduced our hazardous waste by 1,200 pounds for town facilities.

1040EZ Run to Benefit Police Cadets

A 5k road race to benefit the Windsor Police Cadets will be held on Saturday, April 17, 2010 starting at the Oliver Ellsworth School, 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 or email at 1040EZRun@gmail.com. Pre-register for \$20. Registration fee after April 10th is \$25.00. First 100 to register receive a free t-shirt.

Book Features Windsor Tale

Connecticut author Mr. William Phelps will be at the Windsor Public Library on Thursday, May 13th at 7:00 p.m. to offer a book talk, sale & signing featuring his new book, "The Devil's Rooming House: The True Story of America's Deadliest Female Serial Killer," Amy Archer-Gilligan. The program is free and sponsored by the Windsor Library Association. This should be a very popular event so pre-registration is required. Call the library reference desk at 860-285-1918 to reserve your seat.

8. Communication from Council Members

Councilor Eleveld – stated a Happy Passover to everyone. He reminded everyone to be watchful of children riding bikes and playing. He wished his daughter happy birthday tomorrow.

Councilor McKenney – Absent

Councilor McDonald – stated that April 9th is the 26th Windsor Chamber Cares Auction at Maneeleys Banquet and Catering in South Windsor.

Councilor Marci – None

Councilor Jubrey – None

Councilor Herzfeld – stated that unfortunately the public hearing on the proposed budget this evening wasn't well attended. Yesterday, Avon had a very active public hearing in support of a 6.9% Board of Education budget increase. It's unfortunate that we have less than 1% of participation here.

Councilor Jepsen – None

Deputy Mayor Simon – None

Mayor Trinks – None

9. Reports of Standing Committees

Finance – met last week on the overview of the budget.

Special Projects – None

Town Improvements – None

Health and Safety – None

10. Ordinances

None

11. Unfinished Business

None

12. New Business

A. Presentation of proposed FY 2011 Operating Budget

Town Manager Peter Souza presented the proposed FY 2011 Operating Budget and stated the following:

- The FY 2011 proposed budget for the Board of Education comes to \$60,724,650, a 0.00% change.
- The proposed debt service will remain the same at \$5,888,150.
- The Town Operating Budget is proposed to be \$26,543,630, an \$884,820 or 3.45% increase from FY 2010.
- The Metropolitan District Commission sewer service is proposed to be \$2,798,500, a \$140 or 0.01% increase over last year.
- Capital projects are proposed to be \$314,600, a \$314,600 or 100% increase over last year's budget of \$0.
- The total budget is increasing 1.26%
- The budget related tax impact (without revaluation) will be 2.6%
- Of that 2.6% increase, 0.75% is related to having less revenues, 0.24% is related to using less of the town's fund balance for ongoing operations, 1.19% is related to expenditures and 0.42% is related to including some capital infrastructure funding.
- Tax changes due to revaluation phase-in will vary from property to property: approximately 37% of all properties will see a 3-4% change, approximately 23% of all properties will see a 4-5% change. The town's tax calculator is on the website for people to look up their total tax impact.

B. Authorize the Town Manager to enter into an agreement with the Department of Environmental Protection for the River Walk Trail Extension Project

Mr. Tom Lenehan, Town Engineer, discussed the project.

The intent of this project is to construct the River Trail that will eventually connect with the City of Hartford Riverwalk trail system. The completed River Trail will be an integral part of a trail system that crosses the Connecticut River and connects the Charter Oak Greenway to South Windsor, Vernon, East Hartford, Manchester and the East Coast Greenway. Riverfront Recapture, Inc. has endorsed this project as a link to their Riverwalk trail system.

The proposed trail will begin in the north at the DEP Boat Launch Area on East Barber Street and continue south approximately 3,200 feet ending at Meadow Road. The trail will be a 10-foot wide bituminous concrete path and will include a 10-foot wide prefabricated pedestrian bridge approximately 80 feet in length crossing Decker's Brook.

The land is owned by the State of Connecticut, Department of Environmental Protection. The Town of Windsor will be responsible for the maintenance of this trail.

The town is in the process of selecting a consultant to design the project and to prepare the numerous and voluminous permits. The costs for the permitting and design will be dependent upon the location of wetlands, floodplain and the trail location. Additional design and permitting funds may be requested in May 2010 once negotiations are completed with the selected consultant. The schedule for construction is most dependent upon the review time for the permitting. Staff anticipates being ready for construction in the 2011 construction season.

The attached agreement requires that the town advertise, award, administer, inspect and assume responsibility and liability for the improvements. The state agrees to reimburse 80% of the eligible project costs, up to \$377,240. This is the highest amount of reimbursement ever offered to a municipality in the state under this trails program. The project cost is estimated at \$645,897, which has been refined from the previous estimated of \$895,167 after further consultation with the DEP. The Town Council appropriated \$75,000 for survey and design services in December 2009.

Deputy Mayor Simon recommended referring this project to the Finance Committee.

Councilor Eleveld is concerned about the cost of maintaining this and the cost of future extensions of this.

Mayor Trinks thinks that this is a good idea. He sees many people utilizing the existing river walk.

Councilor Herzfeld asked if the town would do any work on this or would it be contracted out. He is in favor of the project. Mr. Lenehan said estimates are based on using a contractor.

Councilor Jubrey asked if any survey was completed in the neighborhood to see if the residents are interested in this. Mr. Lenehan said the Wilson/Deerfield Committee was advised of the project at one time.

Councilor Eleveld asked about the time frame of the project. Mr. Lenehan responded that the town will let the Department of Environmental Protection know we are going to bring this item up for Committee review.

Town Manager Peter Souza stated that there are over 1,700 residents in the immediate proximity of the proposed trail.

Mayor Trinks referred this item to the Finance Committee.

Moved by Councilor Jepsen, seconded by Councilor Marci to amend the agenda to move Items 12. C. and 12. D. following Item 16. Executive Session.

Motion Passed 8-0-0 (Councilor McKenney absent)

13. Resignations and Appointments

None

Motion Passed 8-0-0 (Councilor McKenney absent)

14. Minutes of Preceding Meetings

A. Minutes of the March 15, 2010 Regular Town Council Meeting

Moved by Councilor Jepsen, seconded by Councilor Eleveld, to approve the minutes of the March 15, 2010 Regular Town Council Meeting. Corrections: None.

Motion Passed 8-0-0 (Councilor McKenney absent)

15. Public Communications and Petitions

Mr. David Raney, 273 Palisado Avenue, applauded the decision to bring the project back. He also appreciated Councilor Herzfeld's comments about lack of public participation. He noted how difficult it is to get information out and receive input from the public.

Mr. Bradshaw Smith, 23 Ludlow Road, noted that taxes have gone up and services have gone down over the last ten years. Where did all the money go? Several departments are down positions, library hours are down, there are more potholes there have ever been in the town history. Ten years ago, the Town Manager's office had a Town Manager and a confidential secretary. Now there is a Town Manager, Assistant Town Manager, confidential secretary and part time clerical. Ten years ago, the trains in Windsor ran on time, now they don't and they are on the wrong track and wrong direction. He rephrased a famous quote and said "give me services or give me lower taxes."

Moved by Councilor Jepsen, seconded by Councilor Marci, to enter into Executive Session at 8:45 p.m. for the purpose of:

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

Motion Passed 8-0-0 (Councilor McKenney absent)

16. Executive Session

Present: Deputy Mayor Simon, Councilor Eleveld, Councilor Herzfeld, Councilor Jepsen, Councilor Jubrey, Councilor Marci, and Councilor McDonald

Mayor Trinks recused himself from Item B (Genesis Health Ventures vs Town of Windsor)

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

Guests: Vincent Oswecki, Town Attorney; Attorney Collette Griffin, Howd & Ludorf LLC

Attorney Vincent Oswecki entered executive session at 8:48 p.m.

Mr. Steve Kosofsky exited executive session at 8:55 p.m.

Mr. Kevin Searles, Mr. Marty Maynard and Attorney Collette Griffin entered executive session at 8:57 p.m.

Mayor Donald Trinks entered executive session at 8:59 p.m. after Item B was discussed (Genesis Health Ventures vs Town of Windsor).

Moved by Councilor Jepsen, seconded by Deputy Mayor Simon to exit Executive Session and return to the Regular Meeting at 9:06 p.m.

Motion Passed 8-0-0 (Councilor McKenney absent)

C. Approve settlement of T. Medonis vs. Town of Windsor and authorize the Town Manager to take action to execute final agreement

Moved by Councilor Jepsen, seconded by Councilor Marci, to approve a settlement of T. Medonis vs. Town of Windsor and authorize the Town Manager and the Town Attorney to take action to execute final agreement as discussed during Executive Session.

Motion Passed 8-0-0 (Councilor McKenney absent)

D. Approve settlement of Genesis Health Ventures vs. Town of Windsor and authorize the Town Manager to take action to execute final agreement

Moved by Councilor Jepsen, seconded by Councilor Marci, to approve an assessment settlement of Genesis Health Ventures vs. Town of Windsor and authorize the Town

Manager and the Town Attorney to take action to execute the final agreement as discussed during Executive Session.

Motion Passed 7-0-1 (Councilor McKenney absent, Mayor Trinks abstained)

17. Adjournment

Moved by Deputy Mayor Simon, seconded by Councilor McDonald, to adjourn the meeting at 9:07 p.m.

Motion Passed 8-0-0 (Councilor McKenney absent)

Respectfully submitted,

Kristin Countryman
Clerk of the Windsor Town Council

cc: Town Clerk, Main Library, Wilson Branch