

**MINUTES OF WEST HARTFORD TOWN COUNCIL MEETING
APRIL 14, 2009 LEGISLATIVE CHAMBER AGENDA No. 30**

President Scott Slifka called the meeting to order at 7:35 p.m.

President Slifka: We're going to call the Council Meeting to order and begin with the Pledge of Allegiance.

ITEM #2: PLEDGE OF ALLEGIANCE

President Slifka: Good evening. May I have a roll call, please, Ms. Labrot?

ITEM #3: ROLL CALL

Present were Councilors Steven Adler, Tim Brennan, Chuck Coursey, Leon Davidoff, Scott Slifka, Carolyn Thornberry, Joe Verrengia, and Joe Visconti.

Councilor Shari Cantor was absent.

President Slifka: Thank you. I'd like to entertain a motion to suspend the rules for the purposes of presenting a proclamation.

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: A motion is made and seconded. Any discussion? There being none, all those in favor? Those opposed? Motion carries and I'd like to welcome Noreen Simmons up to the podium. Noreen and family.

Ms. Simmons: Yeah.

President Slifka: Welcome back everybody.

Ms. Simmons: Thank you.

President Slifka: So I will read the proclamation and then we will turn it over to you.

Ms. Simmons: Okay.

President Slifka:

WHEREAS, Autism is a severely incapacitating, lifelong developmental disability, typically appearing during the first three years of life and resulting in significant

impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal, nonverbal, and reciprocal communication; and

WHEREAS, Autism is the result of a neurological disorder affecting the functioning of the brain, but few members of the general public understand this complex syndrome; and

WHEREAS, Autism and its associated behaviors have been estimated to occur in as many as one in one hundred sixty-six individuals; and

WHEREAS, Autism is four times more prevalent in boys than girls and knows no racial, ethnic, or social boundaries nor do family income, lifestyle, and educational levels affect the chance of Autism's occurrence; and

WHEREAS, although a cure for Autism has not been found, persons with Autism can be helped to reach their greatest potential. Accurate, early diagnosis and the resulting appropriate education and intervention are vital to the future growth and development of the individual; and

WHEREAS, support groups such as the Autism Society of Connecticut, a Chapter of the Autism Society of America, have dedicated years of service in their ongoing efforts to advocate for the rights, humane treatment, and appropriate education of all persons with Autism; and

WHEREAS, these groups remain committed to their cause and to educating families, professionals, and the general public to better understand this lifelong disability; and

WHEREAS, Autism is a complex disability that requires increased research to one day find a cure and prevention; and greater recognition and understanding is needed to ensure that individuals with Autism living in Connecticut and across the United States are accurately diagnosed and appropriately treated throughout their lives;

NOW, THEREFORE, BE IT PROCLAIMED that, I, R. Scott Slifka, Mayor of the Town of West Hartford, do hereby proclaim the month of April 2009 to be AUTISM AWARENESS MONTH in West Hartford.

And Noreen, as with last year you brought this to our attention. Your family obviously is affected by this and we'd like to hear from you.

Ms. Simmons: Thank you very much.

President Slifka: Thank you.

Ms. Simmons: Thank you. Good evening everybody. I'm just really honored to be here tonight and amazed that my family made it and was quiet through that whole thing but as you... I'm sure you all know we have a lot of families in West Hartford with kids with autism and adults with autism. It's a pretty tough thing. Our son's doing very well. We

have some families around that really have it a lot tougher but I think many of the families in West Hartford really feel fortunate that we are in West Hartford. The schools are great. My son's at Whiting Lane and really thriving there. Many of the other schools are very good. There's a lot of awareness in the schools. There's a lot of sensitivity and there's a lot of support throughout the town so I really appreciate the mayor doing the proclamation this month and helping to raise awareness and I'm very happy to be here, so thank you very much. Thank you.

President Slifka: Thank you.

Ms. Simmons: Thank you.

President Slifka: They were very well behaved. Okay, thank you again to Noreen Simmons and her family and with that we move to #4, Mr. Coursey.

ITEM #4: APPROVAL OF MINUTES: TOWN COUNCIL MEETINGS 3-10-09 AND 3-24-09; PUBLIC HEARING ON 3-10-09 ON 309 NORTH MAIN STREET; PUBLIC HEARING ON 3-26-09 ON PROPOSED FISCAL YEAR 2009-2010 BUDGET

RECEIVED

Vice President Coursey: I move that we receive.

Councilor Brennan: Second.

President Slifka: The motion has been made and seconded. Is there any discussion? Seeing none, all those in favor? Those opposed? Motion carries. We're up to the Public Forum.

ITEM #5: PUBLIC FORUM

President Slifka: The Public Forum section of the Town Council meeting provides our citizens with the opportunity to address items on the Town Council Agenda, those items that we will act upon at tonight's meeting. To ensure that everybody has an opportunity to be heard and the Council can efficiently administer its business, certain rules have been traditionally followed by the Council over the years. They're fairly simple. If you are to speak at the Public Forum, first please state your name and address for the record. In the event that you're not from West Hartford, if you're not a taxpayer or a resident, please let us know. We may entertain a motion to suspend the rules to allow you to speak. You have up to 3 minutes to speak and you are allowed to speak to any item that is on the agenda which is not the subject of a Public Hearing. Mr. Alair, the sign-up sheet please? Mr. Alair has indicated it is blank. Is there anyone who did not sign up who wished to testify to an item on the agenda this evening? Okay. Number 6, Mr. Coursey. The Report of the Town Manager. I'll take that one.

Vice President Coursey: I'll give that one.

President Slifka: Mr. Van Winkle.

ITEM #6: REPORTS OF THE TOWN MANAGER

Mr. Van Winkle: Good evening. Thank you. I have a few things to note. Eva Espinosa, our Zoning Officer, she has worked for the town for 30 years, is retiring this month. Eva has been a stalwart person in ensuring that our zoning codes...our properties are kept in compliance. She has made a few people unhappy and many people happy. We're going to miss her when she retires.

The 2010 census is coming up and you will see around the town census workers canvassing neighborhoods. We've been working with the census for many months making sure they have all the right addresses for homeowners and property and residents of the Town of West Hartford and so census workers are going around West Hartford right now making sure they have all the correct addresses as they go around the community so you may see someone walking through your neighborhood and you wonder what they're doing. They will have an I.D. and they are working for the Census Bureau to canvas addresses.

Please, please, please recycle your phone books. Those big fat phone books we get...we get the new ones all the time and you wonder what to do with them all. If you throw them in your trash we pay \$62 for every ton and there are tons of phone books being thrown out. If you put them in our recycling bin we can't recycle them but the phone company has put recycling bins at Eisenhower, Fernridge, Beachland, at our Brixton Street Public Works Yard and the SBC building on the corner of South Main and Sedgwick so you can bring your phone book and put it in there and they will recycle them.

If you haven't gotten one already you should go to our facilities and get a Parxmart Card, a Parxmart Card with beautiful art and says the Town of West Hartford. You can use this card in our meters. Instead of that ashtray that you have in your car full of quarters you would just pull this out of your wallet. It's a debit card. You place it in the meter and pull it out and then put in the amount of time you want and it'll take it off of that card. Hey! Someone's stealing my card over there! So it's a brand new thing. You can buy them at our North Garage in Blue Back Square, at Harvey & Lewis in Bishops Corner, at the Toy Chest and at Parfums du Jour at this time. You can also go to our website, www.westhartfordcard.net and purchase that card. We've just started this program and it's working really well for us and should make parking in West Hartford even easier and, in fact, you can even use this card in New Haven because they have Parxmart and in cities around the nation that use this same card. Today we had an unusual...

President Slifka: Mr. Van Winkle, maybe...

Mr. Van Winkle: Yeah.

President Slifka: ...a couple of things. One - I did get mine and I ordered it through the internet as Mrs. Cantor did and it got here in two days so they're very efficient in the turnaround. It might be worth a quick explanation on how it works with the meters.

Mr. Van Winkle: Go right ahead.

President Slifka: Well, okay. So apparently you take the... I did not think I was doing this now. You take the card, I believe it's the side with the chip in it goes in first. You slide it right into the meter. You hold it for a second. It will start to flash and it will...I think it flashes in increasing increments of time and you just pull it out when you hit the amount of time that you want. Obviously it maxes out I think at the 2 hour mark so it won't go over that but it's as simple as that. Pull it in, wait till it hits the number you want, pull it out and you're done.

Mr. Van Winkle: You did a very good job on that.

President Slifka: We'll see how I do when I park.

Mr. Van Winkle: We had an unusual event in Town Hall today. We had a spring food distribution. In our Town Hall in our Auditorium we had 160 families come to get food from us. This is a very difficult time for a number of families and we usually do a food distribution at the Thanksgiving/Christmas time. West Hartford residents have been fabulous. They have brought food into us in enormous amounts. They are enormously generous and because of that we were able to do another food distribution today for families in Town Hall and we thank the citizens for doing that and we're very happy to help those citizens.

FEMA. We have...last summer, and you may remember us talking about this last summer, FEMA sent us new maps that said we've recalculated the way flood plains look in West Hartford and they moved lines all over and they gave us these maps and even our engineers couldn't read them because they were so general in nature. We actually went out and hired a company to plot our existing maps with your property lines and your houses on it and with these new FEMA maps on them so that we could read these maps and see what houses were going to be affected and we found 268 homes in West Hartford which weren't in the flood plain before but were in with these new regulations. Well those homes had to go buy flood insurance quickly because they only had like 30 days to buy flood insurance at a substantially reduced cost. We sent out a letter to all those homes directly, each home that was new into the flood plain. It went out. We did a TV... Channel 3 did a news program on it and we put something in the newspaper about it so residents would know. What surprised us this spring was all the residents who came in to complain. Residents who were already in a flood plain but did not have flood insurance because that line wasn't close enough to their home or the bank or the insurance company was not paying attention to it, they are now being called up by their banks and saying you need flood insurance. Now flood insurance could be \$2500 a year and not having done it before and so we have a number of residents who have come into our Planning Department, 100 at this moment in time, who are angry with us because we didn't notify them of this. This is a federal program. We asked FEMA to do it. We

asked DEP to do it. I believe we're the only community in the State of Connecticut that actually mapped it and found the new homes going in. We didn't realize that the banks and insurance companies would reach out when they saw these new maps to existing home owners that already had a flood plain on their property and require them to buy insurance so it's something that is a real problem for us. It's a federal program and it's hard for us to interact with it. Mr. Mayor, I think you've been talking...

President Slifka: Yeah. We got some emails on this I think over the course of the weekend and I've been talking to Congressman Larson's office over the course of the last couple of days and they had heard about it. This thing has actually happened in the congressman's hometown of East Hartford and other places in the district. What they're going to do is they have a meeting with the local FEMA representative tomorrow to see what options are available for these homeowners and we're going to be notifying the hundred or so here in West Hartford but ultimately what it looks like we're going to try to do in the next couple of weeks is pull together a meeting where...essentially a town hall for all of those folks to be invited, come and meet with the FEMA folks directly and discuss what options are going to be available. I can't say what they are exactly at this time but everybody does seem to recognize that the banks appear to be taking severe advantage of the situation and that's wrong so we're doing what we can. It's hard to get to all hundred of the folks that have been affected yet but if any of them are watching we will be in touch with you very shortly. We're doing what we can.

Mr. Van Winkle: Good news. You know we've made application to the Connecticut Clean Energy Fund for grants for solar insulations on our buildings. We've received final approval for solar installation on Bristow Middle School and we are waiting for approval for solar installations on Public Works, Smith School and Bishop's Corner Library. These will put solar panels on the roofs of those buildings and will save us energy costs and be green. We won't be burning natural gas, fuel oil or anything to create this energy. We'll be taking it from the sun. We're one of the first communities to take such an aggressive stance on this. We have solar on this building in a demonstration and we'll begin to see solar on these other buildings.

President Slifka: Mr. Brennan.

Councilor Brennan: I just wanted to say that, you know, we've been following this issue pretty closely since we passed the resolution and that the town did a wonderful job both negotiating the terms of the contract with the two vendors but also sort of negotiating with the state's Clean Energy Fund. It wasn't an easy process. There's a lot of work that went into it and you all deserve to be noted for that.

Mr. Van Winkle: Thank you. Another energy issue – you may have noticed I sent you something this week. Northeast Utilities is making plans for the electric cars that will be coming to Connecticut late in 2010 prospectively. In order to fuel up those electric cars you're going to need a fueling station in some places, a place to plug your car in if the battery is low and you want to rejuvenate or re-energize it. West Hartford is one of the communities that they approached and we're going to be working with them to create

some places in West Hartford where you can plug in your new electric car in West Hartford. We look forward to doing that.

El Harp, longtime resident and active in many local organizations in West Hartford, purchased 20 trees, 20 elm trees for each of our schools and our parks. They are good-sized elm trees and we have received those and will be installing those this spring so if you see us out planting trees it's because a resident, El Harp, gave them to us in commemoration of Arbor Day this year.

And the last thing I have on my agenda is that the first two weeks of May is spring cleanup in West Hartford so if you tie up those bundles of sticks in 4 foot lengths and put them at the curbside, if you take that garden that you've been cleaning up hopefully over the last few weeks, put them into a recyclable bag, we'll come along and pick those up the first two weeks of May so we do two pickups at each home. Don't put any plastic around them. Don't put any wire around them because we're going to put them in a machine, grind them up and turn them back into earth so if you tie them up with string or something, that's fine, but no plastic or wire. The first two weeks of May – spring cleanup in West Hartford. That's my report.

President Slifka: Thank you Mr. Van Winkle. Are there any questions for Mr. Van Winkle? Mr. Adler.

Councilor Adler: Thank you, Mr. Mayor. Mr. Van Winkle, your team, Chris Johnson, had sent us a very interesting report from Moody's on the municipal industry or municipal sector, excuse me, and it kind of gave a 12-18 month view as to how we're going to be looking which is probably no surprise so we're talking about decreased property values and not just in West Hartford but throughout the country. Moody's is directly involved with our rating, not just with our municipality but many other municipalities throughout the country and this report also talked about consumer spending, which is a direct reflection on consumer price index and the GDP and unemployment rates and so forth. I'm just wondering if you have any additional comments you want to make to this. This was a very helpful report and, you know, this again goes with the quality reporting and the information that you provide us on an ongoing basis which I appreciate. But if you can maybe provide some additional comments if you have anything. Also, any potential optimism, you know, even if it's fiction that would be, you know, that would be great too. No, I'm just joking, but if there's anything else that you want to add to that but this was a great report for all intent and purposes.

Mr. Van Winkle: Through you, Mr. Mayor. Thank you, Mr. Adler. Moody's and Standard & Poors are the two companies that rate our bonds when we go to sell them and we are a triple-A rated town. We are one of a handful of triple-A rated towns that are rated triple-A by both Moody's and Standard & Poors nationwide. There is no question that this is a difficult recession and much more difficult in some areas than in West Hartford. It is without question already the longest recession since the Great Depression and it is likely to be the deepest recession since the Great Depression. There are some maybe signs of spring in the economy, shoots coming through the ground that we've seen recently. Hopefully those stay. We'll see. Moody's did a report that was the first they've

ever done which was they questioned the quality of municipal debt across the nation, all local governments, all county governments. They said, you know, that the economy is in such poor shape we need to really take a careful look at those local economies when we issue it. Now this report also said that the great majority of those communities out there are not affected, are not going to be affected by something but you can well-imagine a southern California, an Arizona, a Florida community might be in enormous distress right now. A Detroit area community, a Midwest community are seeing economic problems that we can't even think about, you know? And when I looked at the most recent home price of a home in West Hartford it hadn't changed in the last two years for the month of February. We're really holding together pretty well. When we did our tax collections, our second tax collection, our numbers were really good. Our residents paid their taxes and we expected to see more distress in the community. We're not really seeing it. West Hartford is somewhat of a unique triple-A. You can image why Greenwich is rated triple-A. We're not Greenwich. We're a community of diverse housing. We're a community of diverse people, of incomes, and we are rated triple-A because of the quality of the leadership in the community. That's what Moody's and Standard & Poors talks about – the quality of your decisions. The quality of the way we administer the town is what gets us a triple-A and we should all be proud of that. We are very conservative and cautious as we go forward and part of this report talks about fund balances and that's your savings account and the idea that you really shouldn't be spending down your fund balance except in extreme emergencies or a one-time sudden occurrence. It's there as a savings account. It should be used when you need it but a planned use is appropriate. An unplanned use or sudden change in that. We're seeing that go on in some communities in West Hartford so it's an excellent report. It just highlights the issues that we are concerned about. We were going to the markets to sell bonds and last December the markets were in disarray. We were able to postpone that until July of this year, which is that ordinance we talked about tonight to sell bonds. We expect to do well this summer and, in fact, one of the things that we're going to be suggesting to you in the budget is that we're able to reduce the interest rate that we were expecting to get on the bonds that we'll see in July, because the community is still in good shape.

President Slifka: Thank you. Oh, sorry, Mr. Adler. Go ahead.

Councilor Adler: Yeah. I just wanted to comment again, Mr. Van Winkle. Thank you for providing the information. I think it's important to know that the things that you talk about in the climate we're in is a direct reflection or I should say is very accurate to what Moody's is reporting so I think we're right on spot with, you know, our cautious optimistic approach to the budget but I just want to say thank you again for providing this information. Thanks.

President Slifka: Okay. Anyone else? Mr. Verrengia.

Councilor Verrengia: Yes, Mr. Van Winkle. I just want to get back to that flood plan for a minute. Was there any particular area in town that was affected more than others or was it kind of scattered throughout?

Mr. Van Winkle: It was scattered. Obviously you need to be near a stream or a brook, right? That's the first piece of it. In the Elmwood section there are two dikes that are built that takes Trout Brook from Quaker to New Park. Those two dikes were built after the 1950 floods in Hartford to hold the water in case of a hundred year flood. They didn't recognize those dikes. They said those dikes don't exist. We don't have any record of them and we said well, that's funny because the federal government built them so we were lucky to find a retired Soil and Conservation Service employee who remembered that project and was able to find the documents so we could show it to FEMA to say here it is and so they accepted those dikes exist so there were going to be a whole bunch of properties in that area but as you go around town they're scattered around town all over the place. If you've got a brook in the backyard and that floods somewhat onto your property then you're in a flood plain and most places you can see it. Now if you've lived in your home for 30 years, and for most of us it wouldn't be much longer than that, you haven't seen a flood. You'd have to go back to the 50s to really see anything of some significance in West Hartford so most people are scratching their head going I don't even understand why this is going on but it is scattered around town. It isn't in one specific spot.

Councilor Verrengia: Just one followup. As bad as the economy is we're seeing some good things happening, especially in the southern part of town. I drove by Home Depot the other day and it looks like Aldi's is starting their construction and I know in Community Planning we talked a little bit about the old industrial safety site and I believe that doesn't have to come to the Council for any approvals other than maybe abandoning a section of the road. To the extent that you can comment on it, do you know what's going on down there?

Mr. Van Winkle: Sure. You know, particularly in the south end of town let me start with Channel 30. Channel 30 is building a beautiful new studio on their site. Now they have talked to us about that studio for a decade and they have threatened to go to another community because they could find...another community would give them money to come. They've decided to stay in West Hartford. The quality of the community, the location of this community and their relationship to the town. They're building a beautiful new studio which should open in the next few months and they'll then tear down that studio that's been there. I went to see Howdy Doody in that studio when I was a little kid so that's been there a long time.

Aldi's is a food store that's being built in front of Home Depot. They're building stores all over Connecticut and it is a food store that has a very economical price structure and so they expect to do really well in this economy.

We also have Industrial Safety Supply which was a substantially polluted site that is polluted today. It is before the Zoning Commission for a wetland's permit so that they can go forward. It's a commercially zoned site so they can tear down the old Industrial Safety, clean the site of the pollution and build a new food store in that area. It's going back to something that I think we all would like to go back to. Instead of building a 60,000 or 80,000 square foot food store where the milk is always in the farthest corner of the store purposefully, they're building a 40,000 square foot so it's new model. They're

finding consumers actually want to go and buy some food and get out. They don't want to spend their whole afternoon there so we're getting back to that smaller size food store and there's going to be another couple of retail enterprises. For those that shop at Crazy Eddie's the Crazy Eddie's store... I'm sorry, Crazy Bruce. Yeah, yeah. The Crazy Bruce store comes down and will move into this plaza in the back. Again, you know, this has been a good year for the Elmwood section in particular with new restaurants opening and being really busy down there. We're really pleased to see the work that we've been doing in Elmwood for a number of years really taking hold and seeing this construction.

Councilor Verrengia: And then just one last comment. And then as far as the New Britain Avenue improvements as well, I believe that got pushed up to 2010 but that will be pretty exciting when that's completed as well.

Mr. Van Winkle: Yes, we were disappointed when the President said shovel-ready. We thought, well, Lieutenant Governor Sullivan, I think he was Lieutenant Governor then, he might have been President of the Senate, helped us get funding for that project. It's now maybe five or eight years later and the project's still not in construction. Apparently we're still not even shovel-ready cause that couldn't go on the shovel-ready list so we're looking at a 2010 date. Hopefully that street will get reconstructed. Trees, lights, islands on that street. Most of what we've been sharing with the community about it hasn't changed at all. It's just been a very slow process with the DOT.

Councilor Verrengia: Thank you.

President Slifka: Thank you. Mr. Visconti?

Councilor Visconti: Thank you. I'd like to make a couple notes here on this Moody report. Will this be online? Will we be able to put this...or is it copy-ready?

Mr. Van Winkle: I think you... No, we can put that online and I think you asked me to do that. I just didn't get to it.

Councilor Visconti: Oh, no, I was just wondering. There's some information here on the at-risk industries which is important. While the turmoil in the financial service industry is affecting issuers in New York, New Jersey and Connecticut, tourism, gaming and manufacturing generally may also be disproportionately affected by the current downturn so Connecticut as a state is definitely in the target of having some at-risk industries and I think this is really good reading here so if we get it online that would be great.

Another idea I have, I'm not sure if it could work or if you're looking into it, is the rechargeable vehicles with Northeast Utilities. Is there a possibility of a portion of our garages being utilized as service stations or will that be in the mix because maybe we can do a partnership somehow where certain decks or areas are converted? I know we had a lot of electricity problems separating utilities at the beginning but I think there's a lot of high power coming into that building and maybe it's a place where people can come charge their cars and go shopping, but anyway, that's another idea.

And the last thing is the residents in Elmwood on Sampson Road have been emailing me a couple of times a month and I'd like to get on our agenda for Community Planning their flood problems. I'm sure they're in the flood plain but they've been very patient for over a year now and we need to address it or look at it or do something with FEMA, Town of Newington, some of the water comes through. We have to give them at least a voice at the Community Planning Meeting. They'd like to show up so I told them I'd speak about that tonight. That's it. Thanks, Ron.

President Slifka: Okay. Thank you very much. We're up to #7, Mr. Coursey.

ITEM #7: CONSIDERATION OF CONSENT CALENDAR: ITEMS 19-21 TO RECEIVE

Vice President Coursey: I move that we place Items 19-21 on the Consent Calendar.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. Any discussion? Seeing none. All those in favor? Those opposed? Motion carries. Number 8, Mr. Coursey.

UNFINISHED BUSINESS:

ITEM #8: APPLICATION ON BEHALF OF BLUE BACK SQUARE, LLC, DEVELOPER OF THE BLUE BACK SQUARE MIXED-USE DEVELOPMENT, FOR AMENDMENT TO SPECIAL DEVELOPMENT DISTRICT APPROVALS IN CONNECTION WITH BLUE BACK SQUARE DEVELOPMENT – 40 SOUTH MAIN STREET, 15 NEW STREET, 65 AND 85 MEMORIAL ROAD, AND 75 ISHAM ROAD – AMENDMENT TO SDD 113 AND APPROVAL OF AMENDED DEVELOPMENT PLAN (PUBLIC HEARING 4-14-09)

TABLED AND CONTINUED PUBLIC HEARING TO MAY 12, 2009 AT 6:15 P.M. IN THE LEGISLATIVE CHAMBER

Vice President Coursey: I move that we continue this to May 12 at 6:15 P.M. in these legislative chambers and order that we...

President Slifka: Just May 12 is fine.

Vice President Coursey: May 12.

President Slifka: Yeah.

Vice President Coursey: Okay.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. This is being done because the Public Hearing remains open because TP&Z has not completed its recommendation yet. All those in favor? Those opposed? This motion carries. Number 9.

ITEM #9: RESOLUTION (SLIFKA) CHANGING THE DATE OF TOWN COUNCIL MEETING REGARDING BUDGET ADOPTION

ADOPTED

WHEREAS the Town Council has previously adopted a schedule of meeting dates for the 2009 calendar year which identifies April 28, 2009 as the date of the Town Council's second meeting in April; and

WHEREAS Rule 1 of the Standing Rules of the West Hartford Town Council for 2007-2009 generally provides that regular meetings of the Town Council are to be held at 7:30 pm on the second and fourth Tuesdays of each month and that the second meeting in April shall be exclusively for budget-related resolutions and ordinances; and

WHEREAS the provisions of West Hartford Charter, Chapter VII, §4 require the Town Council to adopt the 2009-2010 fiscal year budget "not later than sixty-five days before the end of the fiscal year"; and

WHEREAS April 28, 2009 occurs fewer than sixty-three days before the end of the fiscal year;

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the date of the second Town Council meeting in April is hereby moved to Thursday, April 23, 2009; and

BE IT FURTHER RESOLVED THAT the time of said meeting shall be changed from 7:30 pm to 8:00 pm.

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. This speaks for itself. Normally we adopt the budget at the Council's second meeting in April and that meeting is designed only for that purpose. This year, the way that the calendar fell, we ended up with a funny conflict. The second Tuesday is on April 28, which we thought was fine. It turns out Mr. Alair and Mr. O'Brien took a look at the charter and found out that we need to adopt the budget 65 days in advance of the close of the fiscal year and the 28th ends up being a couple of days short so we have to move the date of the adoption up so we will be adopting the budget, if this motion is adopted, on April 21 here in the chamber and I believe we set that meeting to start at 8:00. The 23rd? Oh, I'm sorry. The 21st is a Board of Ed. I apologize. The 23rd at 8:00 P.M. here in the chamber as we normally would and

that would effectively cancel the need to have a meeting on the following Tuesday, the 28th. All those in favor? Those opposed? Motion carries. Number 10, Mr. Coursey.

ITEM #10: RESOLUTION (VAN WINKLE) APPROPRIATING A DONATION FROM THE METROPOLITAN DISTRICT COMMISSION IN SUPPORT OF ELMWOOD COMMUNITY CENTER AND ITS PROGRAMS FOR PERSONS WITH SPECIAL NEEDS

ADOPTED

WHEREAS, the Town of West Hartford realizes the importance of providing recreational programs for people with special needs, and

WHEREAS, The Metropolitan District Commission recognizes the efforts the Department of Human and Leisure Services has made in creating positive opportunities for persons with special needs, and

WHEREAS, The Metropolitan District Commission has previously donated \$1,500 to the Department of Human and Leisure Services in support of the special needs programs offered at the Elmwood Community Center, and

WHEREAS, The Metropolitan District Commission realizes the impact their contribution has made and wishes to continue their support of town programs by contributing an additional \$1,875 to be used for children and teens with special needs, and

WHEREAS, the Town of West Hartford is grateful to the Metropolitan District Commission for their generous and continued support of the Department of Human and Leisure Services Special Needs Programs,

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD, that the Town accepts a donation in the amount of \$1,875 from the Metropolitan District Commission to support the programs for persons with special needs at Elmwood Community Center and that the fiscal year 2008-2009 General Fund Budget is hereby amended as follows:

<u>Increase Estimated Revenue</u>		
01-402200-40208-9340	Contributions	\$1,875
<u>Increase Appropriations</u>		
01-402200-40208-2364	Recreation Supplies	\$875
01-402200-40208-2367	Recreation Contractual	\$1,000

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. Mr. Van Winkle, this came from you.

Mr. Van Winkle: This is a donation that we've gotten over the past few years from the Metropolitan District Commission and this resolution appropriates that donation. It's for \$1,875 to be used for children and teens with special needs for a leisure services program.

President Slifka: Thank you. Is there any further discussion? Seeing none, all those in favor? Those opposed? Motion carries. I'd like to entertain a motion to suspend the rules for the purposes of discussing #11 and #12 together cause you'll see they are related and then we vote on them separately.

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: All those in favor of suspending the rules? Those opposed? Motion carries. Okay then we go to discussion, so Mr. Van Winkle. Again these are from you.

Mr. Van Winkle: These resolutions are to appropriate a grant for a closed loop system. A closed loop system is our traffic light system you see we're building around the community. It is 100% funded with a federal grant. All of the design which we did in-house with our own engineers is paid for. Those engineers are being paid for out of that grant. The public safety people you see out on the street directing traffic around difficult intersections, those are paid out of his federal grant and as we've been working through this project the costs have risen on this and this grant allows us to expand the grant if those costs do rise and so the first resolution is for 14 intersections that we're doing. Those are done in two pieces, two grants. The second resolution is for 18 intersections. Most of the costs on those projects have risen, materials, as we move through it, and this allows us to charge those additional costs back to this grant from the State Department of Transportation. It is zero cost to the Town of West Hartford. It also, I just would add not only is it zero cost, it reduces our electric costs. We pay...two years ago we would have paid \$70,000 to Northeast Utilities to just put our traffic lights on, the red, the green and the yellow - \$70,000 a year for all those. This will drop that cost to \$40,000 a year. They will also reduce the amount of maintenance. When people are working in the street they often cut our lines because there are wires under the streets that actually control them. These are controlled by a video camera that as you pull up to the intersection that video camera sees you. It doesn't take your picture it just sees you, says there's a car there, we need to change the light. That's how the light knows when to change and when not to change. It's no longer underground. That reduces our maintenance cost dramatically into the future with this new technology. We're the first town to really do all of our traffic lights with this new technology and it's working really well and as we get it into place we'll then be able to adjust it and allow traffic to flow better say down Main Street as we can coordinate with those lights.

President Slifka: Thank you, Mr. Van Winkle. Mr. Adler, or, Mr. Verrengia?

Councilor Verrengia: Yeah, just to followup on that Mr. Van Winkle. Again, I know we're talking community planning. We were one of the first communities to do this. It was our engineers who did a stellar job and I thought, and I don't know where it stands, that other communities may use them to offset the cost of our engineers and I was just wondering where that stood. I thought it was a great idea.

Mr. Van Winkle: We were one of the first communities to do this and because we designed it in-house we had developed an incredible knowledge to be able to do this quickly, to be able to do this simply and so we approached another community in the Hartford area that had received a grant of a similar nature and said that if you're interested we'd like to be able to transfer to your staff that knowledge and to work with you and they would cover part of that cost with their grant and that would be applicable under these federal programs. Unfortunately they weren't interested. I know. I thought it was going to be a great idea and they declined to. Yeah.

President Slifka: Mr. Adler?

Councilor Adler: Just a... I have a comment and a question. First of all, we do a great job catching people doing things wrong. We've got to start catching people doing things right. I mean, this is a great grant and I think, you know, there's been a lot of noise about, you know, what about police overtime and what about electricians and, you know, the whole thing. The fact is that this is a great grant so I want to thank you for that, you know? And, again, I mean it's federal tax dollars and etc., but the bottom line is that we're getting this from the federal government, so... Correct?

Mr. Van Winkle: Yes, sir.

Councilor Adler: Okay. So the question I have also is from a camera system, we're doing some testing on the Boulevard. I wondered... I should have asked that during the Manager's Report but, you know, how are we doing there in terms of that beta test with the video camera? Probably not the appropriate... Sorry, Mr. Mayor. And the other thing is are we doing anything from a legislative standpoint in terms of trying to relax some of the rules around, you know, these privacy issues and things like that where, you know, the expectation in public places, you know, who knows? I'm not a lawyer but are we doing anything from our legislature's standpoint in trying to move some of that legislation?

Mr. Van Winkle: There's a bill before the legislature nearly every year to allow intersections to be enforced with a camera enforcement – that if you run the red light the camera will take a picture of your vehicle and license plate and send you a ticket. Studies have shown that it reduces accidents in intersections by 60 percent when you have that camera. People are more attentive to the fact that they're going to get a ticket when they go through. That bill doesn't get very far in the legislature every year and it's not going very far this year again. They are going to do... A bill that did get out of committee was to do a test of this kind of system in the City of New Haven so it may be the first step that we're able to go out and test and show the safety aspects of doing this and if it does,

perhaps the legislature will make a larger change and we'll be back but, you know, all of Texas allows this. Maryland allows this. You know? States all over the nation are beginning to adopt this methodology of enforcement and it improves safety so we have...the administration has been very supportive of this concept.

President Slifka: To just add to that, I mean, the bottom line is it's illegal right now in this state which is why it can't be done. We did work with New Haven a few years ago and particularly through Senator Harris about being a pilot program that would allow the cameras on Avon Mountain and this is particularly in the aftermath of the terrible crash on the Avon side. Ultimately we were told they would allow it to go through if both towns agreed to it and West Hartford agreed to be part of it and Avon rejected it and at that point it died so the Avon Mountain pilot program died at that point. New Haven's remained alive as Mr. Van Winkle indicated. Mr. Davidoff?

Councilor Davidoff: Thank you, Mr. Mayor. Through you. I've noticed, Mr. Van Winkle, that there are signs that say Farmington Avenue, North Main Street, South Main Street attached to the top of the crossbars that go across. Are there plans to install the names of the streets as you get to Fern, Asylum, Boulevard?

Mr. Van Winkle: Yes, sir. There are always people writing new regulations and new regulations are written for people like me who maybe can't see that little sign that we used to have up hidden on the street corner on a pole and so the effort in the community and with new federal regulations is that we put up signs that are larger in letters and much more visible so people can see those and not be in the intersection and trying to figure out which way to go so we're enlarging our signs around town and installing those larger signs where we can on those poles. It will be a multiyear program in the end but, as you can see, it certainly helps. When you get to that intersection you know what street you're crossing right there.

President Slifka: Mr. Davidoff. Mr. Visconti.

Councilor Visconti: Thank you, Mr. Mayor. Also, when you approach you know what lane to get into if you're going to go left or right. A question on the digging of the piers for the contractor that we're putting in. Could you just elaborate a little bit for the public? They've done a great job. I've watched the contractors all winter working through the winter which is unheard of to really dig down below the frost line and whatnot so give a little synopsis quickly if you could on just what it takes to put piers in for the magnitude of these poles, the hurricane-proofness and all that.

Mr. Van Winkle: Well, this project started last year. It replaces our existing traffic light system with a new pole system. We've had a lot of comments about the size of the pole. That pole is dictated by federal regulations. That pole has to meet certain standards and they told us when we looked at the size of the pole if we wanted to do a smaller or different pole you can but it will take you a year to get it approved by the Department of Transportation in Washington as an equal to. We opted not to do that. We weren't even sure how we would do that so these poles are larger in size but they are required by

federal regulation. There is a base that goes into the ground. You know, they drill a hole all the way through the frozen ground into the soft ground underneath during the winter and then pour a base that will hold that pole up and you can see the size of that structure that's up there and the lights that are hanging off that arm. There's a lot of pull on that so those are all carefully engineered and designed to be able to support that. The first thing that we did this winter, we were able to put those bases in all over town and now the poles are going up and you're seeing the lights being attached and in the next few weeks the ones who have lights attached will go on and when we finish putting up all those we're going to come back and take down all the old poles that are at the side of the road that are no longer needed.

President Slifka: Okay. Mr. Coursey, we can have the vote on #11 and #12.

Vice President Coursey: I'll read them together.

President Slifka: Actually, you've got to read them separately.

ITEM # 11: RESOLUTION (VAN WINKLE) AUTHORIZING THE TOWN MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH THE STATE OF CONNECTICUT FOR THE CONSTRUCTION, INSPECTION, AND MAINTENANCE OF THE INSTALLATION OF A CLOSED LOOP SYSTEM

ADOPTED

WHEREAS, the Town of West Hartford has executed an agreement with the State of Connecticut for the construction, inspection and maintenance of a closed loop system at fourteen (14) intersections in West Hartford utilizing federal funds through the State Department of Transportation's Congestion Mitigation Air Quality Program, and

WHEREAS, this project includes the upgrade of traffic signal control equipment at fourteen (14) intersections, said upgrade to address traffic detection, timing sequence, traffic support poles, controllers and pedestrian actuation, and

WHEREAS, the estimated construction cost of this project has risen from \$2,728,000 to \$3,143,500, which will be fully reimbursed to the Town via federal funds,

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD that Acting Town Manager Ronald Van Winkle is hereby authorized to execute the agreement entitled "First Supplemental Agreement to the Original Agreement Dated February 4, 2008 between the State of Connecticut and the Town of West Hartford for the Construction, Inspection, and Maintenance of the Installation of a Closed Loop System at Various Locations in West Hartford utilizing Federal Funds from the Congestion Mitigation and Air Quality Improvement Component of the Service Transportation Program" (State Project No. 155-160 and Federal-Aid Project No. CM-000R (363)) and a certification indicating the Town Council adopts as its

policy to support the nondiscrimination agreements and warranties required under the Connecticut General Statutes,

AND, BE IT FURTHER RESOLVED that the Town Council of the Town of West Hartford does hereby appropriate additional grant funds of \$415,500 for traffic signal modifications in the Capital Projects Fund as follows:

<u>Estimated Revenues</u>		
41-870877-80003-9074	Miscellaneous Grants	\$415,500
<u>Increase Appropriations</u>		
41-870877-80003-3070	Traffic System Improvements	\$415,500

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: All those in favor? Those opposed? Motion carries. Number 12.

ITEM #12: RESOLUTION (VAN WINKLE) AUTHORIZING APPROPRIATION OF GRANT FUNDS IN THE AMOUNT OF \$697,000 IN THE CAPITAL PROJECTS FUND FOR TRAFFIC SIGNAL MODIFICATIONS

ADOPTED

WHEREAS, the Town of West Hartford executed a contract for the upgrade of traffic signal control equipment at eighteen (18) intersections utilizing federal funds through the State Department of Transportation's Congestion Mitigation Air Quality Program (State Project No. 155-161 and Federal-Aid Project No. CM-000R (360)), and

WHEREAS, the Town has also executed a First Supplemental Agreement to this contract dated August 4, 2008 which increased the amount reimbursable to the Town from \$3,565,000 to \$4,262,000, and

WHEREAS, grant funds of \$3,565,000 have previously been appropriated for construction with the balance of \$697,000 now required,

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of West Hartford does hereby appropriate grant funds of \$697,000 for traffic signal modifications in the Capital Projects Fund as follows:

<u>Estimated Revenues</u>		
41-870876-80003-9074	Miscellaneous Grants	\$697,000
<u>Increase Appropriations</u>		
41-870876-80003-3070	Traffic System Improvements	\$697,000

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: All those in favor? Those opposed? Motion carries. Number 13.

**ITEM #13: RESOLUTION (VAN WINKLE) AUTHORIZING THE
ACCEPTANCE OF PAYMENT FROM THE METROPOLITAN DISTRICT
COMMISSION IN LIEU OF COMPLETION OF PAVEMENT RESTORATION**

ADOPTED

WHEREAS, the Metropolitan District Commission (“MDC”) has completed sanitary sewer installation projects on Cliffmore Road and Berwyn Road, and

WHEREAS, said projects required the excavation of portions of Cliffmore Road and Berwyn Road which now require repaving, and

WHEREAS, the Town has planned road improvements to these streets and the most efficient and beneficial approach to the completion of this repair work is for the entirety of the work to be performed by the same contractor at one time, and

WHEREAS, the Town and the MDC are in agreement that the value of the work which it is obliged to perform is \$66,400,

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD THAT the Town Manager is hereby authorized to accept the sum of \$66,400 from the MDC in lieu of requiring the MDC to perform pavement restoration on Cliffmore Road and Berwyn Road and that the fiscal year 2008-2009 Capital Projects Fund Budget is hereby amended as follows:

<u>Increase Estimated Revenue</u>		
41-870930-80003-9361	Miscellaneous Reimbursements	\$66,400
<u>Increase Appropriations</u>		
41-870930-80003-3067	Street Construction	\$66,400

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: A motion is made and seconded. Mr. Van Winkle, this is from you.

Mr. Van Winkle: The Metropolitan District Commission is replacing a sanitary sewer on Cliffmore and Berwyn Road. When they do that they dig a big hole in the street. They put in a brand new pipe and then take out or take away the old one. As a general practice they

would then fill that hole, compact it and then put a patch on the street which might be six or eight feet wide. That leaves the street kind of in disarray and what we do each year each time they do this is we do an estimate of the cost of putting that patch back. They do one. We come to a resolution of the value. They pay us that money. We then will go back in and mill and overlay the entire street. As a general rule we actually are able to nearly overlay that whole street for what it costs them to put back a patch so we really do well with this project and it's a practice we've done over the last dozen or so years with the MDC, taking their money to refinish the street as we go in.

President Slifka: Thank you Mr. Van Winkle. Any further discussion? Seeing none, all those in favor? Those opposed. Motion carries. Number 14, Mr. Coursey.

ITEM #14: RESOLUTION (VAN WINKLE) AUTHORIZING THE TOWN MANAGER TO EXECUTE AN EASEMENT WITH THE STATE OF CONNECTICUT

REFERRED TO TOWN PLAN AND ZONING COMMISSION

Vice President Coursey: I move that we refer to TP&Z.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. Any discussion? Seeing none, all those in favor? Those opposed? Motion carries. We're up to Council Announcements.

ITEM #15: ANNOUNCEMENTS

President Slifka: First a sad one. We had a gentleman who for many, many years was essentially a tenth member of the Council, Domenico Genduso, and he used to come and testify almost every meeting. His wife took ill a number of years ago and he had to care for her and he hadn't been here for awhile. You may recall Mr. Genduso was an immigrant from Italy. He had come here some, I think 50 years ago. I still remember he lived at 48 Blue Ridge Lane I think because I heard that so many times and although I think there was one time, maybe Dr. Thornberry remembers, that he actually agreed with something that we did that was one time. He disagreed with class. He was a bit of a character but I say that in the best sense of the word. He was a gentleman and always dealt with us respectfully. He always ended his statements with a flourish but then a thank you for listening to me and probably a lesson that we wish more people had taken over the years in terms of how you can disagree they say without being disagreeable. Sadly Mr. Genduso passed away today so we've lost an honorary member of the Council, a real great gentleman in town, and I know we're all very sorry to see him go. I know the last couple of years have been hard for him since his wife had passed away and he does not have any family in the area. They're all back in Italy so perhaps he's gone to a better place this evening but sadly we won't have him back here again so I think it would be

appropriate if we would observe a moment of silence for our friend, Mr. Genduso. Thank you Domenico and God bless you.

Now, to our other happier announcements, first a good one we want to give credit for, a number of us attended an event at the Faxon Library I think it was two Saturdays ago. It was hosted by Marsha Lewis, the librarian at Faxon, and it was just kind of a coffee with members of the community. She's done it a few times over the years and it's always been a very good dialogue but for all of us that were there the attendance was spectacular. I think she estimated between 100 and 150 people came through the doors at some point and we took a lot of question, we got a lot of good answers out there and it was just a good event. I think we're all very pleased to have it and thank Marsha and her team for putting it together.

A couple quick announcements that Mr. Van Winkle and his team gave me. The Fox 61 Zip Trips will focus on West Hartford on April 24. It's a segment that focuses on one zip code each Friday and showcases that zip code's great people, places and things so tune in from 5:00 to 9:00 A.M. that morning on Fox because they will be doing their broadcast live from Blue Back Square.

This is National Library Week coming up and as always our library is having some great events. The big event is featured author, Elizabeth McCracken, one of our former librarians, who will be a guest of the Friends of the Library on Tuesday, April 21 at 7:00 P.M. in the Town Hall Auditorium. I believe she is talking about a book that she wrote called An Exact Replica of a Figment of My Imagination: A Memoir.

The Chamber of Commerce's Grow Green Day will be April 22. They have teamed up with Whole Foods to celebrate Earth Day. The event will feature green focus presenters and vendors. It will be held on Earth Day, Wednesday April 22 from 6:30 to 9:00 P.M. here in the Town Hall Auditorium.

Improve your palate at the Noah Webster House April 16 and 23. The Noah Webster House and the West Hartford Historical Society offer a course in wine tasting, the language of wines. It's a two week course taking place on those dates from 7:00 to 8:30 P.M. Just a few more.

Elmwood Senior Center and the West Hartford/Bloomfield Health District are sponsoring a Health and Wellness Fair on Thursday, April 23, 2009 at the Elmwood Senior Center from 9:00 A.M. to noon. This is free. It's a particularly important event for our seniors because you can get screenings but everyone is welcome. Screenings on blood pressure, cholesterol, diabetes, dental, fall prevention, foot health, hearing, height, mood and memory, nutrition, skin cancer check, urinalysis, vision and weight. Also, a free chair massage. I never thought some of these were words I'd say at Council meetings. There's a first time for everything.

Okay, the last two. Try your luck at the Spicebush Swamp Park on Mountain Road. They're having a fishing derby on April 25 from 6:30 A.M. to 9:00 A.M. It's open to the first 200 children ages 5-15 accompanied by an adult.

And the multifamily outdoor tag sale is on April 25, a Saturday, from 9:00 A.M. to 2:00 P.M. in the upper parking lot at Elmwood Community Center. The rain date is that Sunday.

Does anyone else have announcements? Mr. Brennan.

Councilor Brennan: I just wanted to amplify one of your announcements. On the Earth Day...

President Slifka: The screenings, medical?

Councilor Brennan: No the screenings actually. I'll skip that and leave that for you. On the Earth Day celebration it's wonderful to see first of all that the Chamber of Commerce in town is partnering with Whole Foods on this. I think the dynamic of that is great for the purpose of celebrating Earth Day but secondly they are featuring as a guest speaker the Whole Foods Eco-czar which is a term and a title that is interesting to me and this is the national, you know, the person in charge of things ecological for Whole Foods coming into West Hartford and the English lady, just sort of famous regional gardener, yeah, on organic gardening. And the proceeds of this small fundraiser, which I think it's \$10 a head, go to Wolcott School toward their efforts to go off the grid so kind of a neat combination of things happening. I just wanted to amplify that because it sounds like it's fun.

President Slifka: It's great. Thank you. Anyone else? Okay. Thank you. We're up to #16 which is Report of Corporation Counsel. Mr. O'Brien.

(Mr. O'Brien stated the need for Executive Session)

ITEM #16: REPORTS OF CORPORATION COUNSEL:

President Slifka: Any question for Mr. O'Brien not relating to the Executive Session? Okay. Item #17, Appointments. We have one appointment, Mr. Coursey.

ITEM #17: APPOINTMENTS: ALEXANDER BRAWN KIDDER WAS APPOINTED A SUBSTITUTE COUNCIL ZONING ALTERNATIVE FOR THE TERM ENDING DECEMBER 31, 2010

Vice President Coursey: I move that we appoint.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. All those in favor? Those opposed? Motion carries. Okay. I'd like to entertain a motion to enter Executive Session for the purpose of discussing pending litigation.

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: All those in favor? Those opposed? Motion carries.

**ITEM #18: EXECUTIVE SESSION: 8:26 P.M. – 9:25 P.M. TO DISCUSS
PENDING LITIGATION**

President Slifka: Okay, the Council has returned from Executive Session. I'd like to entertain a motion to suspend the rules for purposes of entertaining a resolution.

**SUSPENSE: RESOLUTION AUTHORIZING THE ADMINISTRATION TO
ISSUE OFFER OF JUDGEMENT *Town of West Hartford v. Taubman et al.***

ADOPTED

NOW BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the Administration is hereby authorized to tender an offer of judgment to the defendants in the matter of *Town of West Hartford v. Taubman, et al.* upon terms discussed in executive session.

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. All those in favor? Those opposed? Motion carries. I'd like to entertain a motion to adopt the resolution authorizing the administration to issue offer of judgment in Town of West Hartford vs. Taubman et al. I will read it, as it's brief. Now be it resolved by the Town Council of West Hartford that the administration is hereby authorized to tender an offer of judgment to the defendants in the manner of Town of West Hartford vs. Taubman et al upon terms discussed in Executive Session.

Councilor Brennan: Second.

President Slifka: A motion is made and seconded. All those in favor? Those opposed? Motion carries. We return to the regular agenda. We're on to #22 Mr. Coursey.

ITEM #22: CONSENT CALENDAR: ADOPTED

**ITEM #19: FROM DESIGN REVIEW ADVISORY COMMITTEE RE: 40
SOUTH MAIN STREET, 15 NEW STREET, 65 AND 85 MEMORIAL ROAD AND
75 ISHAM ROAD – RECOMMENDING APPROVAL.**

**ITEM #20: FROM TOWN PLAN AND ZONING COMMISSION RE: CAPITAL
IMPROVEMENT PROGRAM FOR 2010-2021 – RECOMMENDING
APPROVAL.**

**ITEM #21: MINUTES FROM WEST HARTFORD CENTER SPECIAL
SERVICES DISTRICT 3-24-09.**

Vice President Coursey: I move that we adopt the Consent Calendar.

Councilor Brennan: Second.

President Slifka: All those in favor? Those opposed? Motion carries. We're up to communications.

COMMUNICATIONS:

ITEM # 23: FROM RICH GOSHDIGIAN (4-5-09) REQUESTING PERMISSION TO ADDRESS THE TOWN COUNCIL REGARDING THE ISSUE OF REQUESTING AND GETTING INFORMATION FROM TOWN PERSONNEL AND FOLLOW-UP TO SEE THAT ISSUES ARE RESOLVED

RECEIVED

Vice President Coursey: I move that we receive.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. All those in favor? Those opposed? Motion carries. Mr. Goshdigian, you have 5 minutes.

Mr. Goshdigian: For the record, Richard Goshdigian, 887 Farmington Avenue, West Hartford. Oh, this is in Monsters Versus Aliens in 3-D? I'm sorry. It's a great movie. I recommend it if you haven't seen it. I've seen it twice in the last couple days. Okay. I guess I'm going to disappoint those of you who may think I'm coming here to be argumentative or to say I've got you or do any of those kinds of things. I was a big fan of Domenico Genduso so I'd like to conduct myself somewhat in the spirit that he would do it. Contrary to what some of you may think, I wasn't trying to bombard you with emails. I was simply trying to extend the courtesy to allow all of you, if you so chose, to follow the issues that I was trying to get addressed and they basically come down to two things. One is a series of questions that I presented first at the Budget Forum on April 2 and second was a protocol issue that I addressed to Scott and which he in turn rightfully so turned over to Joe and Pat Alair. I'm going to try and focus on the big points first and I know I'm not going to get to everything but basically I do want to say Scott, I am going to request at the end of my remarks that perhaps the Council consider suspending the rules to allow some discussion of my remarks. I understand that, you know, that may or may not happen and that's fine. But basically what I wanted to say this evening was the questions that I have asked to get information for, which I know that I've received communication from Mr. Van Winkle and been told that they are being worked on by staff, they are almost becoming secondary to what I want to talk about this evening. What I want to focus on is two very important points. The first one is informed decision making, okay? And you're talking or you're looking at someone who's made numerous budget presentations, Board of Directors presentations, and very early on in my career I learned that you keep it simple. You get the big points down to a one page summary. You

anticipate what questions are going to be asked. You pack as many of those answers to those questions into that exhibit and whatever else you can't fit into an exhibit you have it readily available, okay? You have it with you so that while you may not be empowered to make the decision it's your job to let the decision makers have as much objective factual material as they possibly can. I did that for a 30 million dollar capital budget from entities around the world. My job was to be the filter for how a project was presented to the Board of Directors and every one of my customers knew that they were going to get their chance at the table and that's the point here. Regardless of where you may come out on the subject matter that I've asked Mr. Van Winkle the questions about, and I don't mean this in an argumentative way, Ron, I would have much rather have had you tell me at the Budget Forum Meeting go to page 50 in the budget book and here's the answers to all your questions, okay? My concern is that the issues that I have raised, the fact that I didn't intend for the town to engage in additional work. In the particular matter that I brought up as it relates to the potential liability for these benefits, as an accountant I know that there's a certain material threshold that is reached at certain points. I realize that fund accounting is slightly different than it is in the private sector but it's my contention that we're looking at somewhere in excess of a million dollar liability here for just a small portion of the population, the director level and non-director level personnel, which is somewhere between... I think the non-union, non-directors are like 47 people and the director level is somewhere between 10 and 12 or whatever. But the point is what's kind of frightening to me is how are we assessing this if we don't have that one page summary that tells us what this liability is? We all know that, you know, I believe the example I used is that if there was a reserve, whether or not the reserve was fully funded, then the payments made to the previous Town Manager who took advantage of the benefits that he accrued, would not be charged to the current year's operating fund and I believe that you stated that somewhere in the magnitude of \$90,000 of those payments are charged to the Town Manager's budget because those benefits and that cost has not been reserved. So I guess... Am I somewhere near the 5 minutes already, Scott?

President Slifka: You're just past.

Mr. Goshdigian: Okay. I guess what I'd like to do is I'm perfectly willing to wait for the responses as they've been outlined. I appreciate your having Pat get back to me and I would simply ask that perhaps you might consider suspending the rules to allow Ron, if he so chooses, to take questions or to comment on the point. I understand it takes time to compile but, I mean, what is the magnitude of this liability? Is any of it reserved? Thank you.

President Slifka: Thank you, Mr. Goshdigian. That gets us to adjournment. I would like to entertain a motion to adjourn.

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: All those in favor? Those opposed? Motion carries. Good night.

Meeting adjourned at 9:32 P.M.

Essie S. Labrot
Town Clerk/Council Clerk

/sab