



**AGENDA  
ENFIELD TOWN COUNCIL  
REGULAR MEETING**

**Monday, April 18, 2016  
7:00 p.m. – Council Chambers**

1. **PRAYER – Greg Stokes**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL.**
4. **FIRE EVACUATION ANNOUNCEMENT.**
5. **MINUTES OF PRECEDING MEETINGS.**
  - **Special Meeting – March 21, 2016**
  - **Regular Meeting – March 21, 2016**
  - **Special Meeting – March 22, 2016**
  - **Special Meeting – March 24, 2016**
  - **Special Meeting – March 28, 2016**
  - **Special Meeting – March 31, 2016**
  - **Special Meeting – April 11, 2016**
6. **SPECIAL GUESTS.**
  - **Enfield Together Coalition – Joan Lawson**
7. **PUBLIC COMMUNICATIONS AND PETITIONS.**
8. **COUNCILOR COMMUNICATIONS AND PETITIONS.**
9. **TOWN MANAGER REPORT AND COMMUNICATIONS.**
10. **TOWN ATTORNEY REPORT AND COMMUNICATIONS.**
11. **REPORT OF SPECIAL COMMITTEES OF THE COUNCIL.**
  - **Enfield High School Renovation Building Committee**
12. **OLD BUSINESS.**
  - A. **Appointment(s) - Town Council Appointed.**
    1. **Ethics Commission (Alternate) – A Vacancy Exist for a Regular Member (R). Replacement Would be Until 10/31//2017.(Tabled 12/06/2010)**
    2. **Ethics Commission (Alternate) – A Vacancy Exist Due to the Regular Appointment of Ben Ide (U). Replacement Would be Until 10/31/2017.(Tabled 12/06/2010)**

3. **Connecticut Water Company Advisory Council Enfield Representatives-** A Vacancy Exist Due to a Resignation (R). Replacement Would be Until 01/01/2018. (Tabled 04/16/2012)
4. **Connecticut River Assembly –** The Term of Office of William Garner, Regular (D) Expired on 01/12/2013. Reappointment or Replacement Would be Until 01/12/2019. (Tabled 02/04/2012)
5. **Area 25 Cable Television Advisory Committee -** The Term of Office of William St. George (I) Expired 06/30/2012. Reappointment or Replacement Would be Until 06/30/16. (Tabled 04/15/2013)
6. **Area 25 Cable Television Advisory Committee-** A Vacancy Exists Due to the Resignation of Stephen Moriarty (U) Expired 6/30/2014. Replacement Would be Until 6/30/2016. (Tabled 09/15/2014)
7. **North Central District Health Department Board of Directors, Enfield Representative –** A Vacancy Exists due to the Resignation of Trish Vayda (D), Expired 06/30/2014. Replacement Would be Until 06/30/2016. (Tabled 05/18/2015)
8. **Enfield High School Building Committee -** A Vacancy Exists Due to the Appointment of Laura Vella (U) to a Regular Member. Replacement is Indefinite. (Tabled 10/05/2015)
9. **Inland Wetland and Watercourse Agency (Alternate) –** A Vacancy Exists Due to the Appointment of Robert Chagnon (R) to a Regular Member. Replacement Would be Until 06/30/2017. (Tabled 10/05/2015)
10. **Clean Energy Committee –** A vacancy Exists Due to the Resignation of Douglas Lombardi (R), Replacement Would be Until 03/17/2016. (Tabled 12/07/2015)
11. **Enfield High School Renovation Building Committee –** A Vacancy Exists Due to the Resignation of Walter Kruzel (R), Replacement Would be Indefinite. (Tabled 12/07/2015)
12. **Enfield High School Renovation Building Committee –** A Vacancy Exists Due to the Resignation of George Rypysc (D), Replacement Would be Indefinite. (Tabled 12/07/2015)
13. **Ethics Commission –** A Vacancy Exists Due to the Resignation of David Lapierre, Secretary, (U). Replacement Would be Until 10/31/2017. (Tabled 12/07/2015)
14. **Clean Energy Committee-** A Vacancy Exists Due to the Resignation of Stephen Moriarty (R). Replacement Would be Until 03/17/2018. (Tabled 12/21/2015)
15. **Loan Review Committee –** The Term of Office of Jason Jones (R), Expires 12/31/2015. Reappointment or Replacement Would be Until 12/31/2017. (Tabled 12/21/2015)

16. **Zoning Board of Appeals (Alternate)** – The Term of Office of Robert Gillespie (R), Expires 12/31/2015. Reappointment or Replacement Would be Until 12/31/2018. (Tabled 12/21/2015)
17. **Connecticut River Assembly (Alternate)** - The Term of Office of Leonard Delorge Expires 01/12/2016. Replacement Would be Until 01/12/2018.(Tabled 01/19/2016)
18. **Ethics Commission** – A Vacancy Exists Due to the Resignation of Mary Scutt (D). Replacement Would be Until 10/31/2017.(02/01/2017)
19. **Planning and Zoning Commission (Alternate)** – A Vacancy Exists due to the Appointment of an Alternate to a Regular Member. Replacement Would be Until 12/31/2017. (02/01/2017)
20. **Clean Energy Committee-** The Term of Office of Suzanne Giwoyna (U) Expires 03/17/2016. Reappointment or Replacement Would be Until 03/17/2020. (Tabled 03/21/2017)

**B. Appointment(s) - Town Manager Appointed/Council Approved.**

1. **Housing Code Appeals Board (Alternate)** - The Term of Office of Constance P. Harmon (R) Expired on 05/01/2001. Replacement Would be Until 05/01/2016. (Tabled 05/07/2001)
2. **Housing Code Appeals Board (Alternate)** - The Term of Office of Lawrence P. Tracey, Jr. (R), Insurance, Expired 05/01/2006. Replacement Would be Until 05/01/2016. (Tabled 05/01/2006)
3. **Building Code Appeals Board** – A Vacancy Exist for Contractor (D), Expired 11/01/2004. Replacement Would be Until 11/01/2016. (Tabled 11/25/2004)
4. **Building Code Appeals Board** - A Vacancy Exists Due to the Resignation of Kenneth J. Bergeron, (D) Chairman, Architect. Replacement Would be Until 11/01/2016. (Tabled 10/16/2006)
5. **Fair Rent Commission** – The Term of Office of Samuel McGill (D), Expired 06/30/2008. Replacement Would be Until 06/30/2016.
6. **Building Code Appeals Board** - A Vacancy Exists Due to the Resignation of Howard Coro, (D). Replacement Would be Until 11/01/2018. (Tabled 02/04/2013)
7. **Building Code Appeals Board-** The Term of Office of Gary Sullivan, Engineer Expired on 11/01/2014. Reappointment of Replacement Would be Until 11/01/2019.(Tabled 11/17/2014)

**C. Discussion:** Establish Community Center Study Committee. (Develop Charge and Appoint Members) (Tabled 01/05/2009)

**D. Discussion:** Higgins Park on the Green (Tabled 11/10/14)

**E. Discussion/Resolution:** Resolution Adopting Amendments to Town Code, Chapter 58, Peddlers and Solicitors.(Tabled 09/21/2015)

- F. **Discussion:** Scantic River Park(Tabled 10/05/2015)
- G. **Discussion:** Energy Performance Special Referendum. (Tabled 12/21/2015)
- H. **Discussion:** Commemorative Partner Program. (Tabled 12/21/2015)

**13. NEW BUSINESS.**

- A. **Consent Agenda – Action.**
- B. **Appointment(s)–Town Council Appointed.**
  - 1. **Inland Wetland and Watercourse Agency (Alternate) –** A Vacancy Exists Due to the Resignation of Joseph Porello (R). Replacement Would be Until 06/30/2017.
- C. **Appointment(s) – Town Manager Appointed/Council Approved.**
- D. **Appointment(s) - P & Z Commission Appointed- Council Approved**
- E. **Discussion/Resolution:** Resolution Establishing the John F. Kennedy Middle School Pre-Referendum Committee.
- F. **Discussion/Resolution:** Resolution Establishing Joint Facilities Committee.

**14. ITEMS FOR DISCUSSION.**

- A. **\*\*Consent Agenda – Review.**
  - 1. **Discussion/Resolution:** Request for Transfer of Funds for Youth Services \$500.
  - 2. **Discussion/Resolution:** Resolution for Transfer of Funds for Social Services Administration \$1,070.
  - 3. **Discussion/Resolution:** Request for Transfer of Funds for Public Communications \$600.
- B. **Appointment(s) – Town Council Appointed.**
  - 1. **Councilor At- Large -** A Vacancy Exists Due to the Resignation of Kathleen Sarno (D). Replacement Would be Until 11/13/2017.
- C. **Appointment(s) – Town Manager Appointed/Council Approved**
- D. **Appointment(s) – P & Z Commission Appointed- Council Approved**
- E. **\*\*Discussion/Resolution:** Resolution Regarding an 8-24 Referral to Acquire Drainage Easement.
- F. **\*\*Discussion/Resolution:** Resolution Approving Lease Renewal for Educational Resources for Children, Inc.

**G. \*\*Discussion/Resolution:** Resolution Appointing Bryan R. H. Chodkowski as Town Manager for the Town of Enfield.

**H. \*\*Discussion/Resolution:** Resolution Authorizing the Town Manager to Sign a Lease Agreement with the Enfield Housing Authority.

**15. MISCELLANEOUS**

**16. PUBLIC COMMUNICATIONS/APPLIES ONLY IF PRIOR TO 11:00 p.m.**

**17. COUNCILOR COMMUNICATIONS.**

**18. ADJOURNMENT.**

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**\* REMOVE FROM AGENDA**  
**\*\* MOVE TO MISCELLANEOUS**  
**\*\*\* WOULD LIKE TO BE CONSIDERED FOR REAPPOINTMENT**

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**ENFIELD TOWN COUNCIL  
MINUTES OF A SPECIAL MEETING  
MONDAY, MARCH 21, 2016**

The Special Meeting of the Enfield Town Council was called to order by Chairman Kaupin in the Enfield Room of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Monday, March 21, 2016 at 5:32 p.m.

**ROLL-CALL** - Present were Councilors Arnone, Bosco, Cekala, Deni, Edgar, Hall, Kaupin, Lee, Sarno, Stokes and Szewczak. Also present were Acting Town Manager Lee Erdmann, Acting Assistant Town Manager – Development Services Peter Bryanton, Town Attorney Christopher Bromson, Acting Director of Finance John Wilcox, Director of Human Resources Steven Bielenda, Director of Public Works Jonathan Bilmes, Deputy Director of Public Works Billy Taylor, Town Engineer John Cabibbo, Roads Engineer Donald Nunes, Town Clerk Suzanne Olechnicki

**MOTION #3546** by Councilor Hall, seconded by Councilor Szewczak to go into Executive Session to discuss Personnel Matters, Pending or Threatened Litigation and Real Estate Negotiations.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3546** adopted 11-0-0 and the meeting stood recessed at 5:33 p.m.

**EXECUTIVE SESSION**

The Executive Session of the Enfield Town Council was called to order by Chairman Kaupin at 5:34 p.m.

**ROLL-CALL** - Present were Councilors Arnone, Bosco, Cekala, Deni, Edgar, Hall, Kaupin, Lee, Sarno, Stokes and Szewczak. Also present were Acting Town Manager Lee Erdmann, Acting Assistant Town Manager – Development Services Peter Bryanton, Town Attorney Christopher Bromson, Acting Director of Finance John Wilcox, Director of Human Resources Steven Bielenda, Director of Public Works Jonathan Bilmes, Deputy Director of Public Works Billy Taylor, Town Engineer John Cabibbo, Roads Engineer Donald Nunes, Town Clerk Suzanne Olechnicki

Chairman Kaupin recessed the Executive Session at 6:46 p.m., reconvened the Special Meeting at 6:47 p.m. and stated that during Executive Session, Personnel Matters, Pending or Threatened Litigation and Real Estate Negotiations were discussed with no action or votes being taken.

**ADJOURNMENT**

**MOTION #3547** by Councilor Lee, seconded by Councilor Hall to adjourn.

Upon a **SHOW OF HANDS** vote being taken the Chair declared **MOTION #3547** adopted 11-0-0 and the meeting stood adjourned at 6:48 p.m.

Suzanne F. Olechnicki  
Town Clerk/Clerk of the Council

**ENFIELD TOWN COUNCIL  
MINUTES OF A REGULAR MEETING  
MONDAY, MARCH 21, 2016**

The Regular Meeting of the Enfield Town Council was called to order by Chairman Kaupin in the Council Chambers of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Monday, March 21, 2016. The meeting was called to order at 7:05 p.m.

**PRAYER** – The Prayer was given by Councilor Sarno.

**PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was recited.

**ROLL-CALL** – Present were Councilors Arnone, Bosco, Cekala, Deni, Edgar, Hall, Kaupin, Lee, Sarno, Stokes and Szewczak. Also present were Acting Town Manager, Lee Erdmann; Town Attorney, Christopher Bromson; Director of Social Services, Pam Brown; Director of Public Works, Jonathan Bilmes; Deputy Director of Public Works, Billy Taylor; Acting Assistant Town Manager - Development Services, Peter Bryanton; Director of Human Resources, Steven Bielenda, Recreation Supervisor, Mary Keller; Chief of Police, Carl Sferrazza; Director of Youth Services, Jean Haughey; Chief Technology Officer, Paul Russell; Acting Director of Finance, John Wilcox; Director of EMS, Gary Wiemokly; Director of Libraries, Jason Neely; Executive Director of Child Development, Karen Edelson; Family Resource Center Coordinator, Amy Morales; Town Clerk, Suzanne Olechnicki

**FIRE EVACUATION ANNOUNCEMENT**

Chairman Kaupin made the fire evacuation announcement.

**MINUTES OF PRECEDING MEETINGS**

**MOTION #3548** by Councilor Lee, seconded by Councilor Stokes to accept the minutes of the March 7, 2016 Special Meeting.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3548** adopted 11-0-0.

**MOTION #3549** by Councilor Deni, seconded by Councilor Edgar to accept the minutes of the March 7, 2016 Regular Meeting.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3549** adopted 10-0-1, with Councilor Lee abstaining.

**SPECIAL GUESTS**

There were no special guests this evening.

## **PUBLIC COMMUNICATIONS & PETITIONS**

Gina Sullivan, 11 Spier Avenue

Requested the Town Council consider declining the conditional offer the Board of Education made to the Town Council regarding the Fermi building. She explained why she feels this is the best option at this time. She noted the Town spent many years planning the high school consolidation and provided the public with consistent information as the process progressed. She stated she has not seen the same amount of time spent by the Board of Education in determining the best use of Fermi, and they had three years to do so. She noted Chairman Kaupin mentioned at the last Town Council meeting that offers had been made to the Board of Education to assist them in reaching a decision regarding Fermi, and the Board did not take advantage of this offer by the Town Council. She feels the current Board of Education made a decision in haste.

Ms. Sullivan questioned whether the Town would consider giving Fermi back to the Board of Education if it's determined that making updates to JFK will cost approximately the same as the projected cost to upgrade Fermi. She questioned the thoughts of each Councilor regarding turning Fermi into a Community Center. She noted if a Community Center is no longer an option at this time or in the near future, would it be best to remove this item off the agenda so there's no more confusion on the issue. She feels the mention of a Community Center at this point in time muddies the waters.

She stated the public can only go by the information the Town provides. She noted at times the public feels they're left in the dark. She stated people are still trying to recover from last week's Board of Education meeting when nothing the public said seemed to matter, and the lack of information that the Board of Education provided to the public on this issue was an embarrassment.

Maureen Mullen, 1625 King Street

Remembered Stanley Dynia who recently passed away. She noted he was a very special man who promoted Enfield and his Polish heritage.

Ms. Mullen then read a letter concerning CREC and the berm near her home. (Copy of letter appended to these minutes).

Wendy Osada, 8 Windmill Road

Requested the Council either not proceed or reject the decision of the Board of Education to turn the Fermi building over to the Town. She noted there has been data provided that clearly reflects it will be more expensive to perform minimum required maintenance and ADA work on the Fermi building rather than JFK. She stated no data has been provided that reflects what the requirements are and the cost to meet the current future needs of a middle school at either building.

Ms. Osada suggested before spending such a large amount of taxpayer money on either building, the Town should hire an architect to interview administration and staff to determine what the requirements are, i.e., how many classrooms and of what size are

required to meet curriculum needs; how large does the cafeteria have to be to feed the student population within an acceptable number of lunch waves; what are the design requirements to meet the team model favored by the current administration and faculty; what percentage of the building or classrooms must have natural light. She stated once these requirements are defined, the architect and a construction manager can provide a side-by-side comparison of costs and time lines for both buildings. She pointed out there has been no valid explanation provided that backs up why a building with almost 50,000 more square feet was rejected by the Board of Education as the appropriate facility to house the middle school. She noted renovation is less expensive than new construction, and renovating a building while it's occupied takes longer and is more expensive than an unoccupied building such as Fermi.

Ms. Osada stated there's an extremely motivated and vocal group of residents in town that are prepared to aggressively fight the current decision. She asked the Council to please state what they're basing their decision on if they're planning to vote in favor of immediately establishing a JFK pre-referendum committee.

Steve Cogtella, 2 South River Street

Requested the Council table any voting on the ECDC issue until the police investigation has been completed.

Mr. Cogtella referred to a comment made to the press after the last Council meeting of March 7<sup>th</sup> and this had to do with a Councilor defining what constitutes a conflict of interest. He noted it was stated that "one needs to benefit as an individual in order for a conflict of interest to exist." He stated his belief this is a common misconception because conflict of interest appears in an infinite variety of situations. He referred to the Enfield Code of Ethics and stated regarding public officials, situations that may impair an individual's impartiality because of personal interest; when public officials render service for private interest when such service is incompatible with the proper discharge of their official duties or would tend to impair their independence of judgment or action in the performance of their official duties. He continued quoting the Enfield Code of Ethics – public policy requires that public officials refrain from placing themselves in a position where personal interest may conflict with public duty. A personal interest can take the form of favoritism toward one party or hostility toward the opposing party. It is a personal bias or prejudice which imperils the open mindedness and sense of fairness which a public official in our state is required to possess. Decisions of public officials should be overturned if they have not been reached fairly and with proper motives. Public office is a trust conferred by public authority for a public purpose. The status of public officials forbids placing themselves in a position where public interest conflicts with public duty. The law does not require proof that the interested public official actually acted wrongfully.

He quoted an appellate court judge in Connecticut as follows: "The evil lies not in the wrongful act of the public official, but rather in the creation of a situation tending to weaken public confidence and undermine the sense of security of individual rights, which

citizens must feel assured will always exist. The test is not whether the personal interest does conflict, but whether it reasonably might conflict.”

Mr. Cogtella stated this is an interesting statement because the latest version of the Enfield Code of Ethics, Section 2-122 has very similar wording. He stated he also obtained a legal opinion from Attorney Mark Branse regarding Councilor Arnone and his role with ECDC. He noted he emailed that opinion to the Town Council.

The opinion by Attorney Branse is appended to these minutes.

Lucien LeFevre, 54 Kimberly Drive

Stated work is starting on Neelans Road and he raised the idea of replacing the Orangeburg pipe while the road is open so they don't have to cut open a brand new road. He noted there are about 20 houses that have the old Orangeburg pipe. He stated his understanding it would cost \$3,000 to \$4,000 per house to run new pipe. He estimated the cost to be about \$20,000 rather than ruining a brand new road within a short time. He pointed out the pipe had to be replaced on Sam Street within a month after the new road had been installed. He pointed out the resulting patch is not compatible with the quality of the original road and the curbing is disastrous compared to the original curbing. He questioned whether someone will look into this.

Jennifer Briot, 19 Laurel Park

Spoke regarding the Fermi High School building. She noted performing due diligence contributes significantly to informed decision making, and she feels the Board of Education has not performed it's due diligence regarding the decision to turn Fermi over to the Town with conditions. She explained the conditions stated the athletic fields at JFK must be remediated as soon as possible; the Town Council and Board of Education through the Superintendent of Schools addresses the portable classroom issues at JFK; the Town Council and the Board of Education through the Superintendent reserve educational spaces at the Fermi building for the long-term strategic plan for the educational needs of the district.

Ms. Briot stated just the fact that they need to reserve education space at Fermi indicates the schools Enfield has remaining after elementary and high school consolidations are not enough. She noted they'll continue using athletic fields and will presumably bus students at an additional expense to and from Enfield High and Fermi.

She stated another use identified by Dr. Schumann for continued educational space at Fermi is for Buzz Robotics. She noted they are calling portable classrooms an issue, perhaps even undesirable, but when they begin talking about adding onto JFK, the Board somehow neglects to admit they already have a larger school that was just turned over to the Town.

Ms. Briot stated if everyone involved in this decision performed due diligence, the study would have been done. She feels it's unscrupulous when money is offered for a study during closed door leadership meetings and offers that weren't present to the entire Board

of Education or made public until the eleventh hour. She feels it is not just to defer maintenance on schools and town buildings so a zero increase can be maintained for a few years, and then the taxpayers are asked to pay for these mistakes through referendums. She feels it's unconscionable for elected officials using children to get what they want. She implored the Town Council to reject this matter and its conditions and return it to the Board of Education with the money for a study.

Kelly Hemmler, 10 Hartford Avenue

Stated her belief it makes more sense to sell the Fermi property or use it for the Town because they already have a middle school. She feels it doesn't make sense to spend money to retrofit a high school into a middle school.

Elizabeth Davis, 201 North Maple Street

Stated her belief this is a flashback to the armed guards. She noted people want their voices heard, and they want a study done. She stated people's voices are not being heard. She suggested starting a committee for a long-term vision for the town and a long-term plan for the Board of Education side.

Ms. Davis stated the Town Council was elected to be the people's voice, but more and more people have to be vocal because they aren't being represented by the Council.

She concluded stating 638 signatures is a substantial response to reverse this decision. She urged the Council to do what's right, do a study and represent the residents of Enfield.

Mary Ann Turner, 7 Meadow Road

Stated studies were done on JFK and the Fermi property, especially when they had to decide which school would be the new high school. She feels people's voices are heard, but it may be they're not getting the answers they want. She personally feels Fermi should just be sold. She noted there is a company interested in building assisted living. She noted she probably agrees the Town should make changes at JFK because that school has already been accredited and staff likes the school just the way it is, except with some upgrades. She supports the idea of putting energy into making JFK the star that Enfield High School will be in a few more months.

Robert Tkacz, Frew Terrace

Stated he served on the Board of Education and two audit committees that analyzed school spending, and quite a bit of money was saved. He recommended selling Fermi. He stated that school was used for 45 years, and it needs \$29 million dollars of rehab. He noted JFK needs \$7.5 million dollars, and this is according to the July facilities study that was done by a professional. He noted Enfield has the habit of wanting to hold onto everything. As examples he cited, High Street, Higgins and Brainard buildings. He pointed out Fermi is located in an industrial area, and this is an ideal location for industry to create jobs, and big companies have classrooms or training rooms that can train young people of Enfield to be employed by industry.

Mr. Tkacz stated his belief the Town can't afford to do over Fermi. He noted the studies have been done, and the Board of Education did their due diligence, and they had an expert there in the person of Timothy Neville who was at JFK for 20 years and he understands middle schools.

He stated the Town can't afford to spend money on a building that's not needed. He pointed out the school system has about 700 to 800 empty seats at the elementary schools.

Chris Rutledge, 7 Victory Street

Stated the Board of Education debated the Fermi issue at length and found a transfer with conditions to be the best choice. He urged the Council to consider what might happen if they reject the proposal. He noted if another study is done and it shows they should go with JFK for a middle school, he does not believe that will change the minds of people who signed the petition because of what he has heard on social media. He noted the Council can't make everyone happy and some people will feel their voices have fallen on deaf ears, but the Council should make their decision and move on.

Eileen MacDonald, 8 Spring Street

Stated a couple people commented about youth speaking at meetings. She noted her granddaughter is eleven years old, and she is the future and she has a voice.

Ms. MacDonald questioned where are the results of the studies that were done. She noted she would like to see the studies, and she wants to see a long-term plan.

Robert Tkacz, Frew Terrace

Stated the Board of Education used two studies – a facilities study that was generated in June and that study provided all the numbers of all the Town buildings and schools. He noted the second study was delivered to the Board of Education in December, and that was the enrollment study. He stated previous to that, an enrollment study was done in 2008, which was pre-recession, and it showed a severe decline in enrollment. He noted when the high school consolidation study was done in 2012, it showed even a larger decline in enrollment. He pointed out the latest study shows a continued decline in enrollment out to 2025. He stated the first step was to consolidate the high schools, the second step is to determine what to do with Fermi, and the third step is to rehab JFK. He believes that by 2020, the Town will have a good idea what to do with the elementary schools.

Gina Sullivan, 11 Spier Avenue

Stated the Town Council was presented the Board of Education budget a couple weeks ago, and in that budget Dr. Schumann indicated the enrollment is in fact going up. She questioned whether the enrollment is declining or going up.

## **COUNCILOR COMMUNICATIONS & PETITIONS**

Councilor Bosco stated nine years ago, the Town took over school buildings because they were in disrepair and needed maintenance. He noted when the Town gives the school system money, the school system can spend the money on what they want and not necessarily maintenance.

He stated the Town did studies and put out three referendums. He noted two referendums had to do with energy performance, but they failed. He noted another referendum was to repair the buildings, and that failed as well.

He noted he hears the threats about defeating the next referendum. He stated people have to realize the buildings have to be fixed. He noted the Town can spend \$600,000 per year per project without a referendum. He stated at that rate, it will take 15 to 30 years to fix the buildings if they don't pass a referendum. He stated the Town has 10 schools, and it will amount to a two mill increase very year just to fix the schools. He pointed out there's the opportunity for a grant which will fix boilers, heating and air conditioning, windows, roofs and other things that need to be done to the schools. He pointed out Eversource was willing to provide \$6 million dollars toward the upgrade of buildings to save on energy, but that opportunity was lost, however, possibly the Town can get that back. He stated if the next referendum fails out of spite just because of Fermi, the Town has no choice other than to fix the schools and it will come directly out of residents' tax pocket. He noted whatever is spent on energy improvements will be realized in savings, therefore, it will cost taxpayers zero additional dollars out of pocket.

Councilor Bosco stated he understands people want to save Fermi, but it should be remembered they can only "kick the can down the road for so long", and in the end repairs will have to be made. He feels using Fermi as hostage for an energy performance referendum to fix the buildings is definitely irresponsible.

He stated he doesn't mind which building is the middle school, but he doesn't support a Community Center.

He noted if it costs \$6 million dollar to upgrade JFK, and it costs \$35 million dollars to upgrade Fermi, he favors selling Fermi because the taxpayers can afford only so much.

Councilor Bosco questioned the cost to replace the Orangeburg piping.

Councilor Edgar referred to Ms. Mullen's comments and stated in the original meeting with CREC, Dr. Douglas stated he would remove that berm. He noted it later became known that Dr. Douglas exceeded his authority. He stated the Army Corps of Engineers never said that berm should be there.

Councilor Stokes stated he won't give an opinion concerning the Fermi issue because there's a lot of research he wants to do.

Councilor Stokes stated the Fourth of July Town Celebration Committee is in its fundraising season, and they had a wonderful dinner dance with many people in attendance. He noted this is how they're able to generate some funds early so they can put deposits on bands and provide world-class entertainment. He noted this Thursday, at the 99 Restaurant, there will be a fundraiser from 5:00 to 10:00 p.m.

Councilor Szewczak stated he was on the Board of Education when they made the decision to select Enfield High School as the one high school. She noted a lot of their decisions come from the studies that they see and for the real life experiences that they have. She noted she's a 15-year volunteer in the schools, worked five years in the schools, and has been in every single building. She stated according to the studies, Fermi is not the design of the school that she wants to move forward with. She stated she does not believe children should be in an environment where there's not a lot of natural light. She feels the choice of Enfield High School meant that Fermi would no longer move forward as a school. She concluded stating that voting down the performance contract was really not in the best interest of Enfield.

Councilor Cekala requested a status report on the streetlight at Enfield Street School. She went on to note Saturday is the third annual free Easter Egg Hunt on the Town Green, and it runs from 10:00 to 1:00 p.m.

Councilor Cekala stated her belief the referendums should be two separate issues. She doesn't believe either JFK or Fermi is ideal right now, and she believes both buildings need a lot of work. She would like to see bottom line numbers on both schools.

Councilor Lee stated several Councilors were part of the pre-referendum, high school consolidation committee. He noted that was a diligent exercise for over a year. He stated educators were asked their views on the high schools and the middle school. He noted they had hard and fast opinions about what they felt Fermi would offer, and it did not meet the standards that they had set up over a couple decades of offering junior high and middle school at JFK. He stated that consolidation committee was thorough, and they're staying the course.

**MOTION #3550** by Councilor Lee, seconded by Councilor Stokes to suspend the rules to add Item k. under Items for Discussion.

Chairman Kaupin explained the April 4<sup>th</sup> meeting is being cancelled because the Council will be interviewing for a new Town Manager, and the Acting Town Manager will be out of town that day.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3550** adopted 11-0-0.

**MOTION #3551** by Councilor Lee, seconded by Councilor Hall to suspend the rules to move to Miscellaneous Items 14 A1-A10, E, F, G, H and K.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3551** adopted 11-0-0.

Councilor Lee requested a written update on the streetlight program.

Councilor Deni questioned if the durapatcher machine is working because he had a couple requests about some streets that needed some patch work, especially on Winding Lane. He noted he has not had a response.

Chairman Kaupin stated the Town needs members for different commissions, particularly the Ethics Commission. He noted if anyone is interested, they can go onto the Town's website and apply.

Chairman Kaupin stated the Annual Scantic Spring Splash is this Saturday with registration at 9:00 a.m. at the Powder Mill Barn.

He stated the Women's Club of Enfield is holding their arts festival April 1<sup>st</sup> and 2<sup>nd</sup> at Enfield High School.

Chairman Kaupin thanked Pam Brown, Director of Social Services for her service to the Town of Enfield. He noted it has been a pleasure to work with her. He congratulated her on her long-awaited retirement.

He stated his impression that the decision to close Fermi was made and sold to the voters when the decision was made that Enfield High School would be Enfield's one high school. He noted it was very clear a lot of the information at that time was that they were closing a school, but in the end the Board did not finalize that decision. He stated the Board of Education made a decision with a vote of 6 to 3, in a bi-partisan way. He noted the Council is being asked not to honor that decision.

Chairman Kaupin stated one of the reasons the community center has remained on the agenda is because he believes Enfield needs a community center and a new library. He noted it also reminds him about how long they've been waiting for a decision to happen, and that item was tabled January 5, 2009.

He noted governance meetings are not secret meetings.

Chairman Kaupin stated it's now the Council's responsibility to form a committee, come up with costs and potentially vote to have a referendum so the voters can decide.

He noted the Council struggled for four years about how they can pay for the upgrades. He stated Enfield has been known as a pay-as-you-go community. He noted the same people who complained about the condition of the schools also complained about the mill rate. He pointed out it costs money to upgrade these facilities. He noted they made a strategic decision, and they stopped any upgrades. He explained they wanted to move from the pay-as-you-go method. He stated if a roof replacement costs \$2 million dollars,

it would take four years to complete that roof at \$600,000 per year, and the taxpayers would have paid that cost each year. He noted with the escalating costs of building upgrades and maintenance, it doesn't make sense to be a pay-as-you-go community any longer. He stated the referendum and bonding is the way to go because they get the work done now at the most cost effective rates, and they then pay back over a series of years. He pointed out this is what worked with roads and new construction.

Chairman Kaupin stated the Town does have a plan for its buildings, and it took a couple years to pull it together. He noted that was presented in November, but it was not passed. He stated there is a comprehensive plan for each school and municipal building. He stated that report has been available for two years. He noted the energy performance contracting is just an added layer to address energy systems within all buildings, and that's paid for through the energy savings. He acknowledged a good job was not done in explaining the referendum, but they will try again.

Responding to Ms. Sullivan's question, "what if the cost of JFK is too high", Chairman Kaupin stated in the end the Council will make a decision as to whether a referendum goes to the voters.

Chairman Kaupin stated his belief a referendum wouldn't be required to turn Fermi into a community center. He noted a referendum might be necessary if they wanted to alter the main academic building and turn it into a library. He stated the Fermi building could accommodate space for PTO's, Buzz Robotics, Adult Education, the Transitional Learning Center and Asnuntuck classes. He noted these would be educational uses.

He stated he asked the Town Attorney for a review of the resolution that the Board passed.

## **TOWN MANAGER REPORT & COMMUNICATIONS**

Mr. Erdmann stated the Council has copies of four maps, which were requested by the Public Works Subcommittee, and they relate to the Roads 2015 Program. He noted the information provided includes arterial streets, local streets, capital improvement and special operations projects and the crack seal program for 2016.

He stated Councilor Cekala requested some organizational charts related to Development Services, and those will be available at the first budget workshop on Thursday.

Mr. Erdmann introduced Jason Neely, the new Director of Libraries, and stated Mr. Neely started work on February 1, 2016.

Mr. Neely stated he had an opportunity to meet a number of Councilors at the last Quarterly Information Meeting, and he hopes over the next few months he'll be able to interact with Councilors some more. He invited Councilors to visit him at the library anytime.

He gave a brief background of his experience. He noted he came from the Russell Library in Middletown, and before that he was at the Blackstone Library in Branford, CT. He stated before Branford, CT, he worked at a library in Jacksonville, Florida.

Pam Brown and Jean Haughey were present to provide a social work update.

Ms. Brown stated they call the program “Strong Families, Vibrant Communities”. She noted they hired four social workers and a parent educator, and they came on board in late October, early November. She stated she’s happy to report that in those four months they’ve already seen 201 families or individuals. She noted the problems that people come in with are of utmost urgency, i.e., abuse and neglect, emergency housing, evictions and foreclosures, job loss, and people new to the community. She noted there are people who don’t know where to get resources.

Ms. Haughey spoke about how her department integrates, coordinates, consolidates, supports, assesses and monitors youth who are at risk. She noted it’s their job to keep them healthy, to keep them supported and to keep the services intact so that they can graduate from high school and hopefully keep them out of the juvenile justice system. She noted up to date, they’ve had 16 youth who have been referred by the high school. She believes this has to do with their efforts regarding suicide prevention and mental health awareness. She stated last year they had 60 kids who went to juvenile court, and this year they’re down to eleven. She noted last year they had 154 DCF substantiations, and their largest substantiations were physical neglect, emotional neglect and educational neglect.

Councilor Deni thanked Pam Brown for doing a great job.

Councilor Hall stated she had a meeting with the probate judge, and he told her most of his work is family related. She questioned whether Social Services ever reached out to the Probate Office. Ms. Haughey stated she only worked with the juvenile court, and she’d be happy to work with the Probate Judge.

Councilor Arnone stated Ms. Brown will be missed. He expressed his appreciation for her work.

Councilor Bosco thanked Ms. Brown for all her service to the town.

Councilor Hall expressed her appreciation for all the hard work and great job done by Ms Brown.

Ms. Brown stated her belief Enfield is truly a community that really cares. She stated it has been an honor to serve everyone.

Mr. Erdmann referred to the 2015-2017 goals for the Enfield Town Council. He noted the Council has within their packets those goals, which are a result of the two goal setting

sessions held earlier this year. He requested the Council consider those goals and adopt those goals by a consensus.

It was the consensus of the Council to accept these goals. Chairman Kaupin stated those goals will be published.

### **FY 2016-17 BUDGET PRESENTATION**

Mr. Erdmann presented the 2016-17 budget. He noted the mill rate increase proposed is less than half of what was proposed at the beginning of the budget process. He noted this is a balanced budget, and it's balanced between revenues and expenditures, the Town and Board of Education and the operating and capital budget. He stated it's a conservative budget on the revenue side, and it's a forward looking budget because it includes a three-year financial forecast. He added his belief it's a realistic budget on the expenditure side, and it includes realistic projections of overtime expenditures.

He stated he's recommending a 6.8% increase for the Town Budget, which is almost \$4 million dollars and a 4% increase for the Board of Education Budget for a combined total of \$6.6 million dollars, which is 5.3%. He noted he did talk to Dr. Schumann today, and he's elated at what's being recommended. He stated he's recommending this increase for the Board because he feels it is needed and it's affordable within the mill rate he's recommending. He noted it particularly supports the school district's Goal #1, which is to provide opportunities for success of all students and further enhance the learning environment of the Enfield Public Schools. He stated the school district has made progress over the past several years, and this increase would help them continue to make progress.

Mr. Erdmann referred to a pie chart of the budget showing the breakdown of the Town budget by function (including the Board of Education budget). He noted the Board of Education makes up 52% of the budget; Public Works and Public Safety combined make up 24% of the budget.

He stated the Board of Education's direct appropriation is \$68,519,000 (a 4% increase). He referred to the Town's expense, and although it's a 6.8% increase can be broken further down between expenses that the Town incurs to support the Board of Education, i.e., custodial services, etc., and there's an 18% increase for those expenses. He noted debt service is going up 23.5% and a 5.2% increase in contribution to the CIP fund.

He then reviewed the Town budget by function. He pointed out General Government is going up 1.1%; Public Safety is going down a percent; there's a 15% increase in Development Services; 13% increase in transfers to other funds; 23% increase for debt service; retirement and other costs has an increase of 14%.

Mr. Erdman then reviewed a pie chart which showed the Town budget by function. He noted Public Safety and Public Works combined represent 50% of the Town budget.

He reviewed a chart showing the Town budget by major category. He noted salaries and wages on the Town side are up by .62%; Police and Town pension are going up; health and medical expenses are going up 15%, and they've built in a 22% increase, however, that's been abated somewhat because some employees have chosen less expensive plans, and they're proposing to reduce the size of the Town workforce. He noted there's a large increase in debt services as well.

He reviewed the major cost drivers in the Town budget. He noted the following five factors explain more than 100% of the increase in the Town budget:

- Debt Service – up \$1.3 million dollars, which is 33% of the Town increase
- Transfer to other funds – up \$1.1 million dollars, which is 28%
- Health & Medical expenses – up \$739,000, which is 18%
- Pension increases 14%
- Overtime expenses up \$308,000, which is 7%

He noted they are budgeting overtime at realistic levels according to what they've been expending in the past several years. He noted they are not proposing to under budget overtime expenses.

Mr. Erdmann reviewed a chart showing the change in full time equivalents. He noted they've essentially taken 11 positions on the Town side out of this budget. He listed them as follows: one in General Government; seven in Public Safety; one in Public Works; one in Social Services and one in Information Technology. He noted during budget workshops it will be indicated why it's believed the workforce can be reduced by these 11 positions. He noted this is about 2.5 of the Town workforce.

He stated there are some small improvements built into the Town budget. He noted in the Town Clerk's office they're proposing to upgrade the land records system and update the map index at a cost of \$9,000; increase firearms qualification, the use of the Blue Line Trailer and active shooter training at a cost of \$12,000; they're proposing the shared use between the Public Works Department and the Water Pollution Control Authority of a part-time environmental health and safety manager for \$45,000 and shared costs between the Town and employees for the cost of prescription safety glasses for \$15,000; they're proposing a shared part-time social worker at the Adult Day Center and Senior Center for \$36,000; a contract for the Senior Center Café Manager; and Information Technology with \$401,000 cost being shifted from the Board of Education to the Town as recommended by the ITPC and the Joint Committee; the introduction of a Technology Capital Improvement Program for \$231,000.

Mr. Erdmann then reviewed the revenue side of the budget as follows:

- Property Taxes increasing 6.3% which represents 69.6% of the revenues
- Intergovernmental revenues are 26.9% (the major increase is a municipal revenue sharing grant for a piece of the sales tax that the state has proposed and that amounts to \$1.3 million dollars)

- Other revenue are up 5.2%
- Use of the Fund Balance is down 28%

Mr. Erdmann then reviewed the mill rate comparison. He noted they're recommending a dual mill rate because of state requirements where they have to have a cap of 32 mills on the motor vehicle tax rate, including the mill rates provided by the fire districts. He noted they're recommending that the motor vehicle mill rate be dropped from 29.89 to 28.8, and that's a one mill decrease or a 3.65% decrease. He stated they're recommending that the mill rate for real and business personal property be increased by 1.99 mills, or a 6.7% increase. He stated .11 of that mill is to absorb the reduction in the mill rate for motor vehicles.

He stated they calculated the impact of this proposed mill rate on the average single family property owner. He noted the average single family home in Enfield has an assessed value of \$129,000, or a market value of \$184,000. He stated the current year taxes would be \$3,800, and the proposed taxes would be \$4,100, and this would be an increase of \$257.00 (6.7%). The average assessed value of a motor vehicle in the current fiscal year is \$7,800, and that will drop to \$7,400 next year, therefore, the taxes drop from \$234.00 to just under \$215.00, which is a \$19 decrease (8%).

Mr. Erdmann stated the average impact of the mill rate increase is a blended increase of \$237 (5.8%); \$19.82 per month; \$4.95 per week and .65 per day. He stated his belief this is an affordable proposal.

He then presented an historical mill rate chart, which showed a steady increase in the mill rate in the early 2000's with a flat mill rate between 2008 and 2012 and a steady increase in recent years.

Mr. Erdmann reviewed other major funds as follows:

- Emergency Management Services (EMS) up 3.1%
- Water Pollution Control (WPC) down 3%
- Social Services up .50%
- Information Technology down 9.7%
- Recreation up .03%

He then reviewed General Fund contributions to other funds as follows:

- EMS - a decrease of 13.94%
- Social Services – an increase of 10%
- Information Technology – an increase of 33%
- Recreation – an increase of 403% (because in the current year's budget there was \$320,000 of recreation fund balance put into the budget, and they don't have that to put in the budget next year, therefore, there's a large increase)
- Capital Fund – a 5% increase

Mr. Erdmann reviewed the Capital Improvement Program, which totals \$3.6 million dollars with the largest piece being the Vehicle Replacement Plan that was put in place in the current fiscal year, and it's recommended continuing that going forward. He noted other than \$500,000 for the road program, the other items are relatively minor dollars.

He reviewed the Water Pollution Control Authority - \$5.2 million dollars with \$4.3 million for Operational and \$893,000 for Capital.

He stated the budget book does contain some additional information as follows:

1. Strategic and operating measure for each division
2. Capital improvement plan – upgraded to include project description and the operating budget impact as well as the status of all the previously approved capital projects
3. Full-time equivalent positions – funded positions listed by FTE
4. Department request column – reflects amount the department asked for
5. Actual Expenditures – FY2014 & FY2015
6. 3-Year financial forecast – Proposed FY2017, Projected FY2018 & FY2019

Mr. Erdmann reviewed outstanding issues:

- Is the State Legislature going to sustain the Governor's recommended budget in state aide, including the revenue sharing grant. That figure could change, and the Legislature is hopefully going to adopt the budget by the end of the session on May 4<sup>th</sup>
- The health insurance increase of 22% is built into the budget based on actual expenditures through January, 2016. They may be able to recommend a change in that increase once they have February and March credible claims information, which should be available in Mid-May
- Examining the feasibility of going back to a fully insured program
- The 32 mill rate cap for motor vehicles – a decrease is being recommended, and it's being requested the Council confirm this as quickly as possible so guidance can be provided for the five fire districts
- There were well-publicized problems with motor vehicle grand list information provided to all the towns and cities by the State Department of Motor Vehicles, and it's hoped to have corrected data by the end of May. It's not expected there will be a major impact on the grand list.
- Regarding the operating surplus, staff is monitoring current year revenues and expenditures closely, and they will report their best estimate of revenues above the adopted level and expenditures below the adopted level during the budget deliberations

As concerns longer-range issues, Mr. Erdmann stated the financial forecast indicates the need to increase the mill rate each year, and it will be impacted by the growth in the expenditures, the growth in the grand list, the amount of state aid and the Council's determination on the use of the unassigned fund balance.

Other longer-range issues follow:

- Road improvements – Funding of roads after Roads 2015 is completed-what happens after that
- Town and School building rehabilitation – costs associated with JFK upgrade; Fermi conversion to a community center, or selling of that building
- Other school and Town building rehabilitation needs
- School Traffic Studies – there are five studies underway for JFK, Enfield Street School, Hazardville Memorial School, Nathan Hale School and Prudence Crandall School. A report is due by late April or early May
- The Clean Energy Committee and Public Works Subcommittee are examining the Energy Performance Contracting issue and there should be a recommendation for the Council’s consideration by June
- They will need to do a bond, a note or a combination of a bond/note sale this August, and the combination thereof will impact the increase in debt service in coming years.

Mr. Erdmann then reviewed the budget time line. He noted three dates for the public to note are April 13<sup>th</sup> when there will be a Community Conversation at Henry Barnard at 7:00 p.m.; April 27<sup>th</sup> a Public Hearing at JFK Middle School at 7:00 p.m.

He stated the Council will need to adopt a budget no later than May 17<sup>th</sup>.

He concluded by presenting a three-year financial forecast chart, which does project the need for a continuing increase in the mill rate, which is based upon a set of assumptions that are identified. He noted the chart contains a calculation that indicates the Fiscal Year 2019 budget will increase by 3% over the Fiscal Year 2018 budget. He stated another state mandate is that cities and towns keep their budget expenditure increased from Fiscal Year 2018 to FY 2019 to no more than 2.5 % and every year thereafter with certain exceptions.

### **TOWN ATTORNEY REPORT & COMMUNICATIONS**

Attorney Bromson referred to Ms. Mullen’s comments and noted the mediation date will be April 25<sup>th</sup>, and that has been communicated to everyone involved. He noted it is his intent to enforce the original plans, which would be to remove the berm, and he believes that is the goal. He noted it is not Attorney Elsdens position that there was any requirement by the Army Corps of Engineers to build the berm. He stated that’s contrary to their position, and it’s contrary to the legal brief that Attorney Elsdens prepared and filed with the court, which states that although CREC has alluded to that and made that claim in various forums, there has never been any proof or documentation thereof. He stated no one in his office believes that the Army Corps of Engineers or any other regulatory authority in Connecticut required that berm to be built as it is today.

## **REPORT OF SPECIAL COMMITTEES OF THE COUNCIL**

### **Enfield High School Renovation Building Committee**

Councilor Szewczak stated the gymnasium will be ready after April vacation.

Councilor Szewczak stated Clean Energy started working with Mark Gahr, and they found a place to invest their monies from Green Bank, and there will be a solar light at Stowe, solar crosswalks at JFK and a green spot at the new consolidated Enfield High School with solar benches with charging stations. She noted this money is to be used to have projects that educate people on solar and other ways to be more energy efficient.

Councilor Hall stated tomorrow afternoon there will be a meeting between herself, Dr. Schumann, Christopher Drezek, a Board of Education member, and insurance consultant to further discuss insurance issues.

### **OLD BUSINESS**

#### **APPOINTMENTS (TOWN COUNCIL)**

**MOTION #3552** by Councilor Edgar, seconded by Councilor Cekala to remove Item #18 from the table.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3552** adopted 11-0-0.

**NOMINATION #3553** by Councilor Edgar to appoint Virginia Higley (D) to the Zoning Board of Appeals as an Alternate member for a term which expires 12/31/2017.

**MOTION #3554** by Councilor Hall, seconded by Councilor Cekala to close nominations.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3554** adopted 11-0-0.

Upon a **ROLL-CALL** vote being taken, the Chair declared Virginia Higley appointed to the Zoning Board of Appeals by an 8-3-0 vote, with Councilors Kaupin, Lee and Stokes voting against.

All other appointments remained tabled.

Items C, D, E, F, G and H remained tabled.

**MOTION #3555** by Councilor Sarno, seconded by Councilor Lee to remove Item I. from the table.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3555** adopted 11-0-0.

**MOTION #3556** by Councilor Hall, seconded by Councilor Stokes to remove this item from the agenda.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3556** adopted 11-0-0.

### **NEW BUSINESS**

**NOMINATION #3557** by Councilor Arnone to appoint Shannon Esslinger to the Cultural Arts Commission for a term which expires 5/31/2017.

**MOTION #3558** by Councilor Hall, seconded by Councilor Deni to close nominations.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3558** adopted 11-0-0.

Upon a **ROLL-CALL** vote being taken, the Chair declared Shannon Esslinger appointed to the Cultural Arts Commission by an 11-0-0 vote.

**NOMINATION #3559** by Councilor Lee to appoint Marguerite French (D) to the Cultural Arts Commission for a term which expires 5/31/2017.

**MOTION #3560** by Councilor Cekala, seconded by Councilor Lee to close nominations.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3560** adopted 11-0-0.

Upon a **ROLL-CALL** vote being taken, the Chair declared Marguerite French appointed to the Cultural Arts Commission by an 11-0-0 vote.

**NOMINATION #3561** by Councilor Szewczak to reappoint Melissa Everett (D) to the Clean Energy Committee for a term which expires 3/17/2020.

**MOTION #3561** by Councilor Hall, seconded by Councilor Szewczak to close nominations.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3561** adopted 11-0-0.

Upon a **ROLL-CALL** vote being taken, the Chair declared Melissa Everett reappointed to the Clean Energy Committee by an 11-0-0 vote.

**MOTION #3563** by Councilor Stokes, seconded by Councilor Szewczak to remove Item E. from the agenda.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3563** adopted 11-0-0.

**MOTION #3564** by Councilor Deni, seconded by Councilor Arnone to remove Item F. from the agenda.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3564** adopted 11-0-0.

**ITEMS FOR DISCUSSION**

Items I. and J. will appear on the next regular meeting agenda.

All other items were moved to Miscellaneous.

**MISCELLANEOUS**

**MOTION #3565** by Councilor Stokes, seconded by Councilor Arnone to approve the Consent Agenda.

Councilor Cekala stated she had requested a breakdown regarding outside attorney fees. She noted after reviewing that breakdown, she will not be voting in favor of the Consent Agenda because she does not believe that the Town should have spent \$6,000 for outside legal opinions.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3565** adopted 7-4-0, with Councilors Cekala, Deni, Edgar and Sarno voting against.

**RESOLUTION #3566** by Councilor Hall, seconded by Councilor Arnone.

RESOLVED, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made:

TO:	Capital & Nonrecurring		
	Emulsion Tank	31008169-543100	\$40,000
FROM:	Capital & Nonrecurring		
	Thompsonville Village Center Painting	31008864-543100	\$40,000

**CERTIFICATION:** I hereby certify that the above-stated funds are available as of March 11, 2016.

/s/ John Wilcox, Director of Finance

Councilor Bosco stated he will be supporting this. He stated last year the town had a big pothole problem, and the Town purchased a durapatcher. He noted the benefit of this machine is that they can patch the road in freezing weather. He stated his understanding patch jobs held up very well. He noted the only problem is that the tank can only hold so much emulsion, therefore, it's been necessary to drive to Farmington every time they use up all the emulsion.

Councilor Lee voiced his support of this resolution.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3566** adopted 11-0-0.

**RESOLUTION #3567** by Councilor Cekala, seconded by Councilor Arnone.

RESOLVED, that the Acting Town Manager, Lee C. Erdmann and Director of Social Services, Dawn Homer-Bouthiette are authorized to enter into and amend contractual instruments, subject to review and approval by the Town Attorney, in the name and on behalf of the Town of Enfield with the Connecticut Office of Early Education and to affix the Corporate Seal.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3567** adopted 11-0-0.

**RESOLUTION #3568** by Councilor Stokes, seconded by Councilor Hall.

RESOLVED, that the Chief of Police, Carl Sferrazza, is authorized to enter into and amend contractual instruments in the name and on behalf of the Town of Enfield with the Enfield Public Schools for the placement of Town police officers within the education environment and to affix the Corporate Seal.

Attorney Bromson stated this comes about because the State Legislature passed a law that became effective last summer requiring towns and boards of education to have a written memo of understanding if they were to have School Resource Officers (SRO) in the schools.

Chief Sferrazza stated state law requires a memorandum of understanding between the Town and Board of Education for the purpose of SRO's in the schools. He noted the initial proposal that came forward was what was being done anyways. He stated the officers enforce criminal law, but they don't enforce discipline in the schools. He noted there was a provision in the initial proposal that would restrict officers from making an arrest unless they've exhausted all administrative options within the school. He stated his belief that did not make any sense at all. He noted if officers are authorized to make lawful arrests, they're authorized to make a lawful arrest wherever they are. He stated they use a lot of discretion in the schools. He noted if it's a minor issue, the Principal can deal with it, but if a student is assaulted or there are narcotics in that school, arrests will be made. He stated the memorandum of understanding was re-worded to say they'll do

their best to try and resolve the issue, but in the end the criminal laws that need to be enforced will be enforced, whether they be in the school or not. He stated his belief this is a good proposal.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3568** adopted 11-0-0.

**RESOLUTION #3569** by Councilor Arnone, seconded by Councilor Stokes.

RESOLVED, that pursuant to Chapter IV, Section I of the Town Charter, the Enfield Town Council does hereby appoint Lee C. Erdmann as Town Manager. His term shall become effective March 21, 2016 and end when a new, permanent, full-time appointed Town Manager commences employment with the Town, whereupon Lee C. Erdmann will immediately resign as Town Manager; and

BE IT FURTHER RESOLVED, that the Enfield Town Council does hereby authorize Mayor Scott Kaupin to sign the employment agreement with Lee C. Erdmann as Town Manager for the Town of Enfield.

Councilor Arnone expressed his appreciation for Mr. Erdmann staying on.

Councilor Bosco stated Mr. Erdmann is doing a good job.

Councilor Lee stated his understanding this is historically the same set of agreements executed the last time the Town was searching for a Town Manager, and Chairman Kaupin responded that's correct.

Chairman Kaupin thanked Mr. Erdmann for his work and his help seeking a full-time Town Manager.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3569** adopted 11-0-0.

Mr. Erdmann thanked the Council for their continuing confidence. He stated he will continue to do his best to serve Enfield until a new Town Manager comes on board.

Chairman Kaupin stated Mr. Erdmann is well-respected around the State.

**RESOLUTION #3570** by Councilor Stokes, seconded by Councilor Arnone.

BE IT RESOLVED, that the Enfield Town Council does hereby cancel the Regular Meeting scheduled for April 4, 2016.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3570** adopted 11-0-0.

## **PUBLIC COMMUNICATIONS**

Gina Sullivan, 11 Spier Avenue

Stated her belief speaking about issues on social media gets attention, and that's not necessarily a bad thing. She went on to state Fermi was chosen as the school to be closed as a high school because it was land-locked and couldn't be expanded on that existing site. She stated she would not want Fermi to stay as it is for the middle school students. She noted Silver Petrucelli could have done a study of Fermi to determine what it could look like renovated, including ADA compliance issues.

Ms. Sullivan stated she did make a comment on social media about the Town Council and Board of Education not working together. She noted she does talk to Council and Board members, and there is tension. She stated perhaps there's some fence-mending to be done because both groups get pitted against each other, and it leaves residents confused.

Mary Ann Turner, 7 Meadow Road

Stated Republicans were at the recent Home Show, and they had a great time and raised \$100 for the Police Explorers.

Wendy Osada, 8 Windmill Road

Agreed with Councilor Bosco regarding the cost information that's available right now to do basic maintenance and fix ADA issues at Fermi. She noted JFK is the right style of building, but it's not big enough, and Fermi is big enough, but not the right style of building. She stated new construction is more expensive, and doing work while a building is occupied takes longer and becomes more expensive. She noted she's not aware of a report that contains all this information as far as taking into consideration the size of the building, square footage and what would be needed to make each building an appropriate middle school building. She stated she would like that information if it's available. She noted people don't feel the Town did its due diligence to get to this point.

Steve Cogtella, 2 South River Street

Stated his understanding the ECDC issue is off the table completely. Chairman Kaupin responded not completely, it was removed from the agenda at the request of the ECDC Board of Directors. Mr. Cogtella stated this raises some questions in his mind because the bills are still there, and he does not believe any bank will consider providing a loan. He cautioned the Council to beware of any offers made that they can't refuse because a favor will be asked in return.

## **COUNCILOR COMMUNICATIONS**

Councilor Lee referred to Ms. Osada's comments and requested it be understood where the school building grant program is for the foreseeable future. He noted if they're looking at a far lower reimbursement rate, that will have a big impact.

Councilor Bosco questioned if it's possible to take whatever studies are available and put them on a separate page on the Town's website so that everyone can look at all the information.

Chairman Kaupin stated years ago when there was a decision to close Fermi, he was told information was relayed to the state that the school system was going to cease using that building as a school, therefore, all the enforcement actions taken against Fermi were taken off the table.

Chairman Kaupin referred to comments by Mr. Cogtella and explained the Council was approached by representatives of the ECDC Board of Directors, who had conversations with the IRS, and ECDC requested the item be removed from the agenda as they attempt to work things out on their own.

Councilor Stokes stated he was the Chairman of the Board of Education when the decision was made to go with one high school, and every year the Board would get a non-compliance letter. He noted when the decision was made, there was a letter requesting no penalties because it was just decided to go with one high school, which means Fermi will no longer be used as a school. He stated they can get that letter to clarify this.

Councilor Szewczak stated that letter went out again once the referendum passed, and that was signed by Dr. Schumann and Chairman Tim Neville.

### **ADJOURNMENT**

**MOTION #3571** by Councilor Cekala, seconded by Councilor Stokes to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3571** adopted 11-0-0, and the meeting stood adjourned at 9:55 p.m.

Respectfully submitted,

Suzanne F. Olechnicki  
Town Clerk  
Clerk of the Council

Jeannette Lamontagne  
Secretary to the Council

1625 King Street  
Enfield, Conn. 06082  
March 21, 2016

To: The Town of Enfield, Conn.  
Atty. Christopher Bronson  
Mayor Scott Koupin  
Town Council Members



I wish to thank you all for providing the opportunity to share my thoughts and questions. Last week I saw on the ct.jud.gov. website under court document # HHDCV 14-6050339 CREC v TOWN OF ENFIELD that the court had approved a request by the parties involved to postpone the mediation and trial date until April 25, at 2pm in New Britain.

Many thoughts and questions have come into my mind about the development of the CREC Public Safety Academy since the surveyors first arrived in March 2011. I recall calling Dr. Bruce Douglas, CREC CEO, that summer to welcome the school to our neighborhood. He said they had not received approval. I told him I had prayed for 29 years for a good use for our former farm and could not think of a better use than a school to educate young people to serve in public safety careers and I looked forward to assisting at the school.

On January 15, 2016, the town manager, his assistant, the Town Attorneys and planner came to my home to see the CREC berm/mound from my property. My brother led the group up the rather steep slope to the top of the mound/berm which all could see looked even larger from the top than from the street or my yard. Many of the group commented regarding the perspective  
(cont.)

page 1 of 2

from the top upon seeing the map showing the location of the contaminated soil but not indicating the depth of the cap.  
Atty. Bromson indicated he would seek removal of the entire berm/mound.  
Atty. Elsdon commented that Army Corp Engineers required the location of the mound/berm as it is located. I replied I had not seen this information.

Early on Saturday morning, March 19, I awoke with the thought that I had not seen in any of the materials I reviewed in the Planning and Zoning Dept. nor had I heard during any conversations with town staff nor state DEEP staff that ACE required the mound/berm to be built so close to my home and property. The USDA Soil Conservation Service district conservationist, Vivian Felten, who observed the site, my pictures, and reports from the town and COREC offered her opinion in mid summer, 2015, that the mound/berm was not appropriate. She is available for comments Windsor office USDA-SSS.

My mind reasoned that if ACE had very specific requirements about the conservation area east of the now elevated track area including ongoing monitoring of the area to protect the plant and animal habitat would the ACE require also monitoring and protection of the area adjacent on the lower area ie my property next to the berm/mound where plants, animals and people reside. You may already have answers to my concerns.

If the ACE required the mound/berm as it is, where is the monitoring plan? If not, how can the town remedy my concerns with the ACE. If ACE did not require the current placement, who did and how will it be removed?

I appreciate your ongoing concern and attention to this situation to protect all in the area now and in the future. If any new commission or council members need further history information contact me through your champion, mayor or directly.

Copies to  
Planning and Zoning Com.  
Solemn Wetlands Com.

Conservation Com.  
Zoning Board  
Zoning of Appeals

Sincerely,  
Maureen A. E. Muller

Page 2 of 7 3.21.16

**BRANSE & WILLIS, LLC**

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OF COUNSEL:  
RONALD F. OCHSNER

roschner@bransewillis.com

**By first-class mail, postage prepaid**

March 2, 2016

Stephen Cogtella  
2 S. River Street  
Enfield, CT 06082

Dear Mr. Cogtella,

You have asked for our opinion on whether a conflict of interest exists when an Enfield Town Councilman would vote on a loan to be given by the Town of Enfield to a nonprofit organization for which that Councilman is a member of the Board of Directors. It is our opinion that such a conflict of interest does exist, and that absent special circumstances or some other important fact not known to us, such a Councilman should recuse themselves from participating in the vote or discussing the matter with his fellow Councillors.

The Connecticut Supreme Court has long recognized the importance of ensuring that public officials are not burdened by conflicts of interest that would hamper their duties. In the case of *Low v. Madison PZC*, 135 Conn. 1 (1948), the Court required recusal of public officials even if there was the appearance of a conflict of interest, noting that such a rule “serves the salutary purposes of promoting public confidence in the fairness of the decision-making process and preventing the public official from placing himself in a position where [they] might be tempted to breach the public trust bestowed upon [them].” While the Court agreed in *Latorre v. City of Hartford*, 167 Conn. 1 (1970) that such a strict standard was not appropriate in municipal legislative decisions enacted “within the limits of the formal powers conferred upon them and in due form of law,” it recognized that judicial intervention was still necessary “where fraud, corruption, improper motives or influences, plain disregard of duty, gross abuse of power, or violation of law enter into or characterize the action.” In the situation at hand, where a councilman would vote to give a loan to an organization over which that councilman exercises control as a member of the Board of Directors, it is highly likely that a reviewing court would find evidence of impropriety. However, without a more comprehensive review, it is impossible for us to say whether that evidence does in fact exist, and if case law were the only controlling factor here, it is possible that it would be entirely proper for a councilman to participate in the vote.

Mr. Stephen Cogtella  
March 2, 2016  
Page 2

That is not the case here. The Town of Enfield, like many other municipalities, has enacted a code of ethics that raises the standard to which it holds public officials. As an elected town officer, a councilman is a public official pursuant to Section 2-121 of the Enfield Code of Ethics ("Code"). That same section of the Code defines a personal interest as "an interest in either the subject matter or a relationship with the parties involved in a matter before the commission, board of *[sic]* department which may impair the impartiality expected of any such employee or official" (emphasis added). That same section of the Code also states that a conflict of interest exists if a public official has a personal interest in any matter under consideration before them. Finally, Section 2-129(e) of the Code prohibits public officials from rendering service when that service is incompatible with the proper discharge of their official duties or would tend to impair their independence of judgment when performing their duties.

In this case, the Enfield Code of Ethics prohibits a councilman that also serves on the Board of Directors of a potential loan grantee from participating in the decision-making process for that loan. Directors of an organization owe a fiduciary duty to the organization. A councilman who is also such a director may suffer impaired impartiality because of that obligation when deciding whether to grant a loan to the organization, resulting in a conflict of interest. While this conflict of interest could be remedied by disclosure under Section 2-129(j), in this case the fiduciary duty also renders service as a director incompatible with the discharge of their duties as a councilman under Section 2-129(e). Recusal of the councilman is the only remedy under that section.

Please let me know if you have any questions or concerns.

Very truly yours,



Mark K. Branse, Esq.

**ENFIELD TOWN COUNCIL  
MINUTES OF A SPECIAL MEETING  
JOINT MEETING WITH  
PLANNING & ZONING COMMISSION & ZONING BOARD OF APPEALS  
TUESDAY, MARCH 22, 2016**

The Special Meeting of the Enfield Town Council was called to order by Chairman Kaupin in the Enfield Room of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Tuesday, March 22, 2016 at 6:30 p.m.

**ROLL-CALL** - Present were Councilors Arnone, Deni, Edgar, Hall, Kaupin, Lee and Stokes. Councilor Sarno entered at 6:34 p.m., Councilor Bosco at 6:38 p.m. Councilors Cekala and Szewczak were absent. Also present were Town Manager Lee Erdmann, Acting Assistant Town Manager – Development Services Peter Bryanton, Town Attorney Christopher Bromson, Senior Assistant Town Attorney Maria Elsdén, Director of Planning Roger O’Brien, Town Clerk Suzanne Olechnicki

Present from the Planning & Zoning Commission were Linda DeGray, Chairman Charles Duren, Secretary Peter Falk, Charles Ladd, and Mary Scutt and from the Zoning Board of Appeals Robert Kwasnicki, Chairman Maurice LaRosa, Secretary Mary Ann Turner, and Vice-Chairman Andrew Urbanowicz

**MOTION #3572** by Councilor Lee, seconded by Councilor Hall to go into Executive Session to discuss Pending or Threatened Litigation.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3572** adopted 7-0-0 and the meeting stood recessed at 6:31 p.m.

**EXECUTIVE SESSION**

The Executive Session of the Enfield Town Council was called to order by Chairman Kaupin at 6:32 p.m.

**ROLL-CALL** - Present were Councilors Arnone, Deni, Edgar, Hall, Kaupin, Lee and Stokes. Councilor Sarno entered at 6:34 p.m., Councilor Bosco at 6:38 p.m. Councilors Cekala and Szewczak were absent. Also present were Acting Town Manager Lee Erdmann, Acting Assistant Town Manager – Development Services Peter Bryanton, Town Attorney Christopher Bromson, Senior Assistant Town Attorney Maria Elsdén, Director of Planning Roger O’Brien, Town Clerk Suzanne Olechnicki

Present from the Planning & Zoning Commission were Linda DeGray, Chairman Charles Duren, Secretary Peter Falk, Charles Ladd, and Mary Scutt and from the Zoning Board of Appeals Robert Kwasnicki, Chairman Maurice LaRosa, Secretary Mary Ann Turner, and Vice-Chairman Andrew Urbanowicz

Chairman Kaupin recessed the Executive Session at 7:08 p.m., reconvened the Special Meeting at 7:09 p.m. and stated that during Executive Session, Pending or Threatened Litigation was discussed with no action or votes being taken.

**ADJOURNMENT**

**MOTION #3573** by Councilor Stokes, seconded by Councilor Deni to adjourn.

Upon a **SHOW OF HANDS** vote being taken the Chair declared **MOTION #3573** adopted 9-0-0 and the meeting stood adjourned at 7:10 p.m.

Suzanne F. Olechnicki  
Town Clerk/Clerk of the Council

**ENFIELD TOWN COUNCIL  
MINUTES OF A SPECIAL MEETING/BUDGET REVIEW SESSION  
THURSDAY, MARCH 24, 2016**

A Special Meeting of the Enfield Town Council was called to order by Acting-Chairman Lee in the Enfield Room of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Thursday, March 24, 2016. The meeting was called to order at 6:30 p.m.

**ROLL-CALL** – Present were Councilors Arnone, Bosco, Cekala, Deni, Edgar, Hall, Lee and Szewczak. Councilor Sarno arrived at 6:32 p.m. Councilor Edgar left at 8:49 p.m. Also present Town Manager Lee Erdmann, Acting Director of Finance John Wilcox, Acting Assistant Town Manager - Development Services Peter Bryanton, Director of Planning Roger O'Brien, Chief Building Official James Taylor, Director of Human Resources Steven Bielenda, Democratic Registrar of Voters Lewis Fiore, Democratic Deputy Registrar of Voters Thomas Stalgaitis, Republican Deputy Registrar of Voters Kellie Wawer, Chief Technology Officer Paul Russell, Town Clerk Suzanne Olechnicki.

**BUDGET DISCUSSION**

Development Services, Human Resources, Registrar of Voters, Information Technology and Town Clerk departments and divisions were reviewed.

**ADJOURNMENT**

**MOTION #3574** by Councilor Arnone, seconded by Councilor Bosco to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3574** adopted 8-0-0, and the meeting stood adjourned at 9:15 p.m.

Suzanne F. Olechnicki  
Town Clerk  
Clerk of the Council

**ENFIELD TOWN COUNCIL  
MINUTES OF A SPECIAL MEETING/BUDGET REVIEW SESSION  
MONDAY, MARCH 28, 2016**

A Special Meeting of the Enfield Town Council was called to order by Chairman Kaupin in the Enfield Room of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Monday, March 28, 2016. The meeting was called to order at 6:30 p.m.

**ROLL-CALL** – Present were Councilors Deni, Edgar, Kaupin, Sarno, Stokes and Szewczak. Councilor Cekala arrived at 6:35 p.m. Councilors Arnone, Bosco, Hall and Lee were absent. Also present Town Manager Lee Erdmann, Town Attorney Christopher Bromson, Acting Director of Finance John Wilcox, Director of Social Services Dawn Homer-Bouthiette, former Director of Social Services Pamela Brown, Senior Center Director Susan Lather, Family Resource Center Coordinator Amy Morales, Bus Transportation Director Annette Orlandi, Adult Day Care Director, Paula Vaicekauskas, Child Development Executive Director Karen Edelson, Director of Youth Services Jean Haughey, Youth Services Coordinator Christie Amsden, Social Workers Joanna Fornwalt and Tramaine Frank, Town Clerk Suzanne Olechnicki.

**RESOLUTION #3575** by Councilor Stokes, seconded by Councilor Szewczak

**RESOLUTION TO SETTLE MAYFIELD PLACE LLC v. WATER  
POLLUTION CONTROL AUTHORITY OF THE TOWN OF ENFIELD**

RESOLVED, that the Enfield Town Council does hereby authorize that the above-referenced case be settled in accordance with the attached Stipulated Judgment.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3575** adopted by a 6-0-0 vote.

**MOTION #3576** by Councilor Szewczak, seconded by Councilor Stokes to go into Executive Session to discuss pending or threatened litigation.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3576** adopted 6-0-0 and the meeting stood recessed at 6:34 p.m.

**EXECUTIVE SESSION**

The Executive Session of the Enfield Town Council was called to order by Chairman Kaupin at 6:35 p.m.

**ROLL-CALL** – Present were Councilors Cekala, Deni, Edgar, Kaupin, Sarno, Stokes and Szewczak. Also present Town Manager Lee Erdmann, Town Attorney Christopher Bromson, Town Clerk Suzanne Olechnicki

Chairman Kaupin recessed the Executive Session at 6:42 p.m., reconvened the Special Meeting/Budget Review Session at 6:43 p.m. and stated that during Executive Session, Pending or Threatened Litigation was discussed with no action or votes being taken.

**BUDGET DISCUSSION**

The Town Attorney and Social Services departments and divisions were reviewed.

**ADJOURNMENT**

**MOTION #3577** by Councilor Stokes, seconded by Councilor Szewczak to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3577** adopted 7-0-0, and the meeting stood adjourned at 8:02 p.m.

Suzanne F. Olechnicki  
Town Clerk  
Clerk of the Council

DOCKET NO. HHD-CV 14-6054548-S : SUPERIOR COURT  
MAYFIELD PLACE LLC : J.D. OF HARTFORD  
v. : AT HARTFORD  
WATER POLLUTION CONTROL AUTHORITY : MARCH 16, 2016  
OF THE TOWN OF ENFIELD, ET AL

**STIPULATED JUDGMENT**

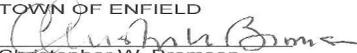
1. All permits obtained and referenced herein were obtained for the Plaintiff's Mayfield Place development in Enfield, Connecticut. See Attachment A.
2. Excepting the Maintenance Building and Clubhouse referenced in paragraphs 3 and 4 below, each building referenced herein has 10 units, requiring 10 equivalent dwelling unit sewer connection charges (EDUs) per building.
3. On June 4, 2014, the Plaintiff paid for and obtained 1 EDU in the amount of \$350 for its Maintenance Building located at 2 Mayfield Drive.
4. On June 24, 2014, the Plaintiff paid for and obtained 1 EDU in the amount of \$350 for its Clubhouse located at 1 Gardners Way.
5. On September 2, 2014, the Plaintiff paid for and obtained EDUs for 10 individual units in the amount of \$350 per unit for 1 Mary Esther Drive. The total amount paid for these EDUs was \$3,500.

6. On September 11, 2014, the Plaintiff paid for and obtained a total of 50 EDUs at \$350 per unit for the following buildings: 2, 3, 4 and 5 Esther Way and for 3 Gardners Way. The total amount paid for these EDUs was \$17,500.
7. On September 16, 2014, the Plaintiff paid for and obtained a total of 280 EDUs at \$350 per unit for the following buildings: 6, 7 and 9 Mary Esther Drive; 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12 and 14 Barbara Jean Drive; and 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 Gardners Way. The total amount paid for these EDUs was \$98,000.
8. Per section 86-181 of the Town Code (Sewer Ordinance amendment), the fee described and paid in paragraphs 3-7, inclusive, is a one-time charge and is valid forever.
9. Any additional EDUs for any other additional units or buildings approved for the Mayfield Place development by the Planning and Zoning Commission that as of the date of this stipulation have not been paid for and obtained for the Mayfield Place development are subject to the amended EDU fee of three thousand (\$3,000.00) dollars, or whatever fee may be in effect at the time of any such new EDU application.

10. Per section 86-181 of the Town Code (Sewer Ordinance amendment), building connection permits (Permits) are required for each building and are valid for a 24-month period.
11. On various dates in 2014, the Plaintiff paid for and obtained 36 such Permits at \$300 (Permit and Inspection Fee) per building. The total amount paid for these Permits was \$10,800. Specifically, the following Permits were obtained:
- a. On June 24, 2014, one Permit for 1 Gardners Way which expires June 23, 2016;
  - b. On July 25, 2014, one Permit for 2 Mayfield Drive which expires July 24, 2016;
  - c. On September 2, 2014, one Permit for 1 Mary Esther Drive which expires September 1, 2016;
  - d. On September 11, 2014, one Permit each for: 2, 3, 4 and 5 Mary Esther Drive and 3 Gardners Way, all of which expire on September 10, 2016.
  - e. On September 18, 2014, one Permit each for 6, 7, 9 Mary Esther Drive; one Permit each for 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, and 14 Barbara Jean Drive; and one Permit each for 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 Gardners Way, all of which expire on September 17, 2016.

12. If, as of the dates noted in paragraph 11 above, any buildings listed have not been tied in to the Town's sewer system, a new Permit will have to be paid for and obtained for each such building at the fee set forth in the ordinance/fee schedule then in effect.

THE PLAINTIFF  
MAYFIELD PLACE, LLC  
  
Carl T. Landolina  
Fahey & Landolina, Attorneys LLC  
487 Spring Street  
Windsor Locks, CT 06096  
carl@faheyland.com  
Telephone: 860.627-8300

THE DEFENDANT  
TOWN OF ENFIELD  
  
Christopher W. Bromson  
Town of Enfield  
820 Enfield Street  
Enfield, CT 06082  
cbromson@enfield.org  
Telephone: 860-253-6405

K: Litigation/Mayfield Place/Stipulated Judgment, final, 3-16-16

Address	Connection Fee	Check #	Date Paid	Permit & Inspection Fee	Check #	Date Paid	Permit #
2 Mayfield Dr (Maint Bldg)	\$350.00	1015	6/4/2014	\$300.00	1012	7/25/2014	SC59113
1 Mary Esther Dr	\$3,500.00	1076	9/2/2014	\$300.00	1076	9/2/2014	SC59358
2 Mary Esther Dr	\$3,500.00	1100	9/11/2014	\$300.00	1101	9/11/2014	SC59362
3 Mary Esther Dr	\$3,500.00	1100	9/11/2014	\$300.00	1101	9/11/2014	SC59364
4 Mary Esther Dr	\$3,500.00	1100	9/11/2014	\$300.00	1101	9/11/2014	SC59368
5 Mary Esther Dr	\$3,500.00	1100	9/11/2014	\$300.00	1101	9/11/2014	SC59385
3 Gardners Way	\$3,500.00	1100	9/11/2014	\$300.00	1101	9/11/2014	SC59370
6 Mary Esther Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59869
7 Mary Esther Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59870
9 Mary Esther Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59871
1 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59829
2 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59832
3 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59833
4 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59834
5 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59835
6 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59836
7 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59837
8 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59838
9 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59839
10 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59840
12 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59841
14 Barbara Jean Dr	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59867
2 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59872
4 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59873
5 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59874
6 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59875
7 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59876
8 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59877
9 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59878
10 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59879
11 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59880
12 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59881
13 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59881
14 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59883
15 Gardners Way	\$3,500.00	1104	9/16/2014	\$300.00	1105	9/18/2014	SC59884
1 Gardners Way(Clubhouse)	\$350.00	1027	6/24/2014	\$300.00	1026	6/24/2014	SC59120
<b>Totals</b>	<b>\$119,700.00</b>	<b>Connection Fees</b>		<b>\$10,800.00</b>	<b>Permits and Inspections</b>		

ATTACHMENT A

**ENFIELD TOWN COUNCIL  
MINUTES OF A SPECIAL MEETING/BUDGET REVIEW SESSION  
THURSDAY, MARCH 31, 2016**

A Special Meeting of the Enfield Town Council was called to order by Chairman Kaupin in the Enfield Room of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Thursday, March 31, 2016. The meeting was called to order at 6:30 p.m.

**ROLL-CALL** – Present were Councilors Arnone, Cekala, Deni, Edgar, Hall, Kaupin, Lee, Stokes and Szewczak. Councilors Bosco and Sarno were absent. Councilor Cekala left at 8:03 p.m., Councilor Edgar at 8:30 p.m., Councilor Deni at 8:35 p.m. Also present Town Manager Lee Erdmann, Acting Assistant Town Manager – Development Services Peer Bryanton, Acting Director of Finance John Wilcox, Judge of Probate Timothy Keeney, Director of Libraries Jason Neely, Acting Assistant Library Director Katie Werth, Director of EMS Gary Wiemokly, EMS Captain Erin Maloney, Recreation Supervisor Mary Keller, Assistant Recreation Supervisor Alison Alberghini-Durler, Town Clerk Suzanne Olechnicki.

**RESOLUTION #3578** by Councilor Arnone, seconded by Councilor Stokes

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93 -3 83, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of the Department of Housing is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Enfield make application to the State for \$500,000 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered; and,

NOW, THEREFORE, BE IT RESOLVED BY THE Enfield Town Council:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and,
2. That the filing of an application by the Town of Enfield in an amount not to exceed \$500,000 for Public Housing Modernization is hereby approved, and that the Town Manager is hereby authorized and directed to file such application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if

such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Enfield.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3578** adopted by a 9-0-0 vote.

**RESOLUTION #3579** by Councilor Arnone, seconded by Councilor Stokes

**WHEREAS,** All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

**WHEREAS,** Federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status, or national origin be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

**WHEREAS,** Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

**WHEREAS,** The Town of Enfield is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

**NOW THEREFORE, BE IT RESOLVED,** That the Town of Enfield hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

**BE IT FURTHER RESOLVED,** That the chief executive officer of the Town of Enfield or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Enfield and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3579** adopted by a 9-0-0 vote.

**RESOLUTION #3580** by Councilor Szewczak, seconded by Councilor Arnone

WHEREAS, that the Town Council of the Town of Enfield values the opinions and comments of its constituents; and

WHEREAS, in accordance with Chapter VI, Section 4, of the Enfield Town Charter, any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year and for the purpose of being heard on issues of vital community importance and concern; and

WHEREAS, the Town Council shall conduct a public hearing at the JFK Middle School Auditorium, 155 Raffia Road, Thursday, April 21, 2016 at 7pm.

BE IT RESOLVED, that the order of business of the 2016-2017 budget hearing be arranged as follows:

1. Presentation of the Town Manager's Budget.
2. The Chairman of the Board of Education highlights Education Budget.
3. Comments from members of the public for the first time.

BE IT FURTHER RESOLVED, that each speaker be requested to register with the Town Clerk his name and address and that no speaker be allowed to speak more than five minutes each successive time the speaker's name is called. Additionally, any speaker who has not registered with the Town Clerk will be allowed to speak only after those who have registered no longer wish to speak.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3580** adopted by a 9-0-0 vote.

### **BUDGET DISCUSSION**

The Probate Court, Library, Emergency Medical Services, Recreation, Town Manager, Town Council and Finance departments and divisions were reviewed.

### **ADJOURNMENT**

**MOTION #3581** by Councilor Hall, seconded by Councilor Arnone to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3580** adopted 6-0-0, and the meeting stood adjourned at 9:13 p.m.

Suzanne F. Olechnicki - Town Clerk/ Clerk of the Council

**ENFIELD TOWN COUNCIL  
MINUTES OF A SPECIAL MEETING/BUDGET REVIEW SESSION  
MONDAY, APRIL 11, 2016**

A Special Meeting of the Enfield Town Council was called to order by Chairman Kaupin in the Enfield Room of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Monday, April 11, 2016. The meeting was called to order at 6:30 p.m.

**ROLL-CALL** – Present were Councilors Arnone, Bosco, Cekala, Deni, Edgar, Hall, Kaupin, Lee, Stokes and Szewczak. Councilor Edgar left the meeting at 8:06 p.m. Also present Town Manager Lee Erdmann, Acting Director of Finance John Wilcox, Director of Social Services Dawn Homer-Bouthiette, Chief of Police Carl Sferrazza, Deputy Chief of Police Gary Collins, Police Captains Jeffrey Golden and Fred Hall, Director of Public Works Jonathan Bilmes, Deputy Director of Public Works Billy Taylor, Assistant Director of Public Works/Business Operations Manager Rosalie Bouchard, Assistant Director of Public Works Daniel Edwards, Fleet Manager Richard Davenport, Superintendent of Water Pollution Control Kevin Shlatz, Assistant Town Engineer John Cabibbo, Roads Engineers Donald Nunes and PJ Rodriguez, Town Clerk Suzanne Olechnicki

**RESOLUTION #3582** by Councilor Edgar, seconded by Councilor Hall

Resolution Regarding Setting Public Hearing for the 2016/2017 Budget

WHEREAS, that the Town Council of the Town of Enfield values the opinions and comments of its constituents; and

WHEREAS, in accordance with Chapter VI, Section 4, of the Enfield Town Charter, any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year and for the purpose of being heard on issues of vital community importance and concern; and

WHEREAS, the Town Council shall conduct a public hearing at the JFK Middle School Auditorium, 155 Raffia Road, Wednesday, April 20, 2016 at 7pm.

BE IT RESOLVED, that the order of business of the 2016-2017 budget hearing be arranged as follows:

1. Presentation of the Town Manager's Budget.
2. The Chairman of the Board of Education highlights Education Budget.
3. Comments from members of the public for the first time.

BE IT FURTHER RESOLVED, that each speaker be requested to register with the Town Clerk his name and address and that no speaker be allowed to speak more than five minutes each successive time the speaker's name is called. Additionally, any speaker who has not registered with the Town Clerk will be allowed to speak only after those who have registered no longer wish to speak.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3582** adopted by a 10-0-0 vote.

**RESOLUTION #3583** by Councilor Edgar, seconded by Councilor Stokes

Resolution Authorizing the Town Manager to Enter Into  
North Central Area Agency on Aging, Elderly Nutrition Program Grant

RESOLVED, that the Town Manager, Lee C. Erdmann, is authorized to enter into and amend contractual instruments, subject to review and approval by the Town Attorney, in the name and on behalf of the Town of Enfield with North Central Area Agency on Aging and to affix the Corporate Seal.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3583** adopted by a 10-0-0 vote.

**RESOLUTION #3584** by Councilor Hall, seconded by Councilor Arnone

Resolution Authorizing the Town Manager to Enter Into Agreement with  
State of Connecticut Office of Policy and Management, Juvenile Justice  
Advisory Committee, Youth and Police Grant

RESOLVED, that the Town Manager, Lee C. Erdmann, is authorized to enter into and amend contractual instruments, subject to review and approval by the Town Attorney, in the name and on behalf of the Town of Enfield with State of Connecticut Office and Policy and Management and to affix the Corporate Seal.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #3584** adopted by a 10-0-0 vote.

### **BUDGET DISCUSSION**

The Public Safety, Public Works and Capital Improvement budgets were reviewed.

### **ADJOURNMENT**

**MOTION #3585** by Councilor Arnone, seconded by Councilor Hall to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3585** adopted 9-0-0, and the meeting stood adjourned at 9:07 p.m.

Suzanne F. Olechnicki  
Town Clerk/Clerk of the Council

**ENFIELD TOWN COUNCIL**

**RESOLUTION NUMBER**

**Resolution Establishing the John F. Kennedy Middle School Pre-Referendum Committee**

**WHEREAS**, it is a goal of the Enfield Town Council to provide the community with modern, efficient, accessible, and suitably equipped public buildings; and

**WHEREAS**, the Enfield Town Council and the Enfield Board of Education have recognized the need to prioritize improvements and upgrades to the educational facilities, building systems, and athletic fields at John F. Kennedy Middle School; and

**WHEREAS**, among the improvements sought is the addition of space sufficient to eliminate the portable classroom trailers on the property; and

**WHEREAS**, to finance and implement a recommended project requires a successful referendum vote by the electors of the Town of Enfield; and

**WHEREAS**, before a referendum may be considered and presented to the public a number of tasks must be completed which can be facilitated through the appointment of a John F. Kennedy Middle School Pre-Referendum Committee,

**NOW, THEREFORE, BE IT RESOLVED**, that the Enfield Town Council does hereby establish the John F. Kennedy Middle School Pre-Referendum Committee to be comprised of the following members, all of whom shall be residents of Enfield: one (1) school administrator, one (1) middle school teacher, five (5) electors, and two (2) town employees (staff); and

**FURTHER BE IT RESOLVED**, that the Enfield Town Council, after consulting with the Enfield Board of Education, shall make appointments of the above referenced committee members by way of separate resolutions; and

**FURTHER BE IT RESOLVED**, the Enfield Town Council and the Enfield Board of Education shall each appoint two of its members to act as liaisons between their respective Council/Board and the John F. Kennedy Middle School Pre-Referendum Committee; and

**FURTHER BE IT RESOLVED**, that the John F. Kennedy Middle School Pre-Referendum Committee's duties and responsibilities (charge) will be to:

1. Work with the selected architectural and/or engineering firm during the design phase of preliminary plans and cost estimates.
2. Work with the Town, Board staff and engaged consultants to determine enrollment estimates, education specifications, space needs and technology opportunities for the middle school.
3. Work with the architectural and /or engineering firm to prepare proposed scheduling and phasing of planning and construction.
4. Provide timely updates to related committees, Enfield Town Council, Enfield Board of Education and administrators as necessary.
5. Coordinate communication between the John F. Kennedy Middle School Pre-Referendum Committee, the Town Manager, and the Superintendent in order to keep them apprised of updates.
6. Engage citizens, businesses and students in Enfield regarding the proposed improvements to solicit input, record comments, and report findings back to the Enfield Town Council and the Enfield Board of Education.
7. Work with middle school staff, students, parents, and residents to identify priority goals and objectives for the middle school along with the benefit of their ultimate accomplishment.
8. Transmit a final report of its work to the Town Manager by July 22, 2016.

**FURTHER, BE IT RESOLVED,** the John F. Kennedy Middle School Pre-Referendum Committee shall terminate upon the date of its transmittal of the final report to the Town Manager or upon the Town Council's dissolution of the John F. Kennedy Middle School Pre-Referendum Committee, whichever comes first.

**ENFIELD TOWN COUNCIL**

**RESOLUTION NO. \_\_\_\_\_**

**Resolution Establishing a Joint Facilities Committee**

**WHEREAS**, the Enfield Town Council and the Enfield Board of Education jointly recognize the need for Town and Board of Education facilities improvements; and

**WHEREAS**, the Enfield Town Council and the Enfield Board of Education jointly desire to work together to review facility needs, prioritize facility improvement projects and develop a schedule and funding plan for the implementation of needed facility improvements, and

**WHEREAS**, Strategic Building Solutions, LLC conducted a detailed Facilities Conditions Assessment and Project Inventory by Funding Plan which can serve as a foundation for the Joint Facilities Committee's work, and

**WHEREAS**, the Enfield Town Council is authorized to establish a Joint Facilities Committee.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council appoint two (2) of its members and one (1) elector to the Joint Facilities Committee; and

**BE IT FURTHER RESOLVED**, that the Board of Education appoint two (2) of its members and one (1) elector to the Joint Facilities Committee; and

**BE IT FURTHER RESOLVED**, that the Joint Facilities Committee's duties and responsibilities will be to:

1. Work with the selected architectural and/or engineering firm to review the improvements needed, prioritize these needs and update cost estimates.
2. Work with the architectural and/or engineering firm to prepare a proposed schedule for planning and construction phases.
3. Work with the architectural and/or engineering firm to prepare a funding plan for implementation of the needed facilities improvements.
4. Provide timely updates to the Town Council, the Board of Education and related committees, if any.
5. Transmit quarterly progress reports to the Town Manager.
6. Transmit a final report of its work to the Town Council and Board of Education.

**BE IT FURTHER RESOLVED**, that the Joint Facilities Committee's duties and responsibilities will terminate after the transmittal of the final report of its work to the Town Council and Board of Education.



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# TOWN OF ENFIELD

April 9, 2016

Honorable Member  
Enfield Town Council  
Enfield, Connecticut

**Subject: Request for Transfer of Funds for Youth Services \$500**

Councilors:

**Highlights:**

- The Enfield Together Coalition received a \$500 stipend to prepare and conduct an underage drinking prevention event.
- The Planning Stipend is intended to help offset the costs of planning and holding a Town Hall Meeting to educate the community about underage drinking and high-risk drinking

**Budget Impact:**

There are no additional expenses associated with this transfer.

**Recommendation:**

That the Town Council approve the attached transfer of funds.

Respectfully Submitted,

Dawn Homer-Bouthiette, MSW  
Director of Social Services

**Attachments:**

1. Resolution

**ENFIELD TOWN COUNCIL**  
**REQUEST FOR TRANSFER OF FUNDS**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLVED, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made.**

**TO: Youth Services**

Other Professional Services	22040450	533900	\$250
Printing & Reproduction	22040450	555000	\$250

**FROM: Youth Services Other Revenue Account**

Miscellaneous Contributions and Donations	22044450	417060	\$500
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**CERTIFICATION: I hereby certify that the above-stated funds are available as of April 11, 2016**

**John Wilcox, Acting Director of Finance**



**APPROVED BY:**



**Town Manager**

**Date: 04-15-16**

Date Submitted: 4-9-16

Submitted by: Director of Social Services



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# TOWN OF ENFIELD

April 8, 2016

Honorable Member  
Enfield Town Council  
Enfield, Connecticut

**Subject: Request for Transfer of Funds for Social Services Administration \$1,070**

Councilors:

**Highlights**

- The Town of Enfield has been awarded an additional \$1,070 from the Village for Children and Families for expenses related to operating the Volunteer Income Tax Assistance Program (VITA) which provides free income tax assistance to low-moderate income families, the elderly, and the disabled.
- This funding will be used for food for volunteers and printing and copying expenses.
- The volunteer run VITA program offers free tax assistance to low- moderate income families. Last year 1,025 returns were filed and taxpayers received a total of \$1,744,465 in refunds.

**Budget Impact:**

There are no additional expenses associated with this grant.

**Recommendation:**

That the Town Council approve the attached transfer of funds.

Respectfully Submitted,

Dawn Homer-Bouthiette, MSW  
Director of Social Services

**Attachments:**

1. Transfer

**ENFIELD TOWN COUNCIL**  
**REQUEST FOR TRANSFER OF FUNDS**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLVED**, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made.

**TO:**

**4100 Social Service Administration**

Copying & Reproduction	22046089-555100	\$ 400
Food	22046089-563000	\$ 670

**FROM:**

**4100 Social Service Administration Revenue**

VITA Village for Families & Children 22044001-460891 \$ 1,070

**CERTIFICATION:** I hereby certify that the above-stated funds are available as of April 11, 2016.

  
John Wilcox, Acting Director of Finance

**APPROVED BY:**  **Town Manager**      **Date:** 04.15.16

Date Submitted: 4-8-16  
Submitted by: Director of Social Services



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# TOWN OF ENFIELD

April 8, 2016

Honorable Member  
Enfield Town Council  
Enfield, Connecticut

**Subject: Request for Transfer of Funds for Public Communications \$600**

Councilors:

**Highlights:**

- This transfer will allow for the purchase of a new projector for the Hazardville conference room located in the Town Manager's Office.

**Budget Impact:**

There is no budget impact associated with this transfer.

**Recommendation:**

That the Town Council approve the attached transfer of funds.

Respectfully Submitted,

Debra McCarthy  
Executive Secretary

**Attachments:**

1. Resolution

**ENFIELD TOWN COUNCIL**  
**REQUEST FOR TRANSFER OF FUNDS**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLVED, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made.**

**TO:**

**Public Communication E-TV**

Technology Equipment            10120007-573400            \$ 600

**FROM:**

**Public Communication E-TV**

Other Professional Services      10120007-533900            \$ 600

**CERTIFICATION: I hereby certify that the above-stated funds are available as of April 11, 2016.**

  
**John Wilcox, Acting Director of Finance**

**APPROVED BY:**  **Town Manager**

**Date:** 04-15-16



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# TOWN OF ENFIELD

March 28, 2016

Honorable Members  
Enfield Town Council  
Enfield, Connecticut

**Subject: Resolution regarding an 8-24 Referral to acquire a drainage easement**

Councilors:

**Highlights:**

- Eds Drive Drainage Outlet project is ongoing. The purpose of the project is to replace and improve the drainage outlet which is deteriorating from erosion.
- Eds Drive was reconstructed in 2015.
- The drainage outlet is needed to keep the road well drained and prolong the life of the Town's recent investment in the road reconstruction.
- This outlet has existed without a formal drainage easement. Eds Drive was developed in the 1960's and subsequently the roads were accepted by the Town. The remaining land was turned over the State DEEP for open space along the Scantic River.
- It is recommended that the Town formalize this drainage easement, at this time.
- Property owner (State DEEP) has agreed to proposed easement.

**Budget Impact:**

There is no budget impact.

**Recommendation:**

That the Enfield Town Council accepts the attached resolution and forward to PZC for 8-24 referral.

Respectfully Submitted,

John Cabibbo  
Assistant Town Engineer

**Attachments:**

1. Resolution

**ENFIELD TOWN COUNCIL**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION REGARDING THE REFERRAL TO THE PLANNING AND  
ZONING COMMISSION FOR THE PROPOSED ACQUISITION OF  
EASEMENT ON EDS DRIVE**

**WHEREAS**, there is a public need for the Town to retain a drainage easement on Eds Drive; and

**WHEREAS**, the Town of Enfield seeks to acquire an easement for drainage on Eds Drive; and

**WHEREAS**, the Council must refer the proposed transaction to the Planning and Zoning Commission for a report in conformance with the requirements of Connecticut General Statute 8-24.

**NOW THEREFORE, BE IT RESOLVED**, that the proposed transfer of the easement is referred to the Planning and Zoning Commission for a report in the conformance with the requirements of Connecticut General Statute § 8-24.

Prepared by: Department of Public Works  
Date Prepared: March 23, 2016

**ENFIELD TOWN COUNCIL**

**RESOLUTION No.**

**Resolution Approving Lease Renewal for Educational Resources for Children, Inc.**

**BE IT RESOLVED**, Pursuant to Section 2, "Term", of the Lease by and between the Town of Enfield and the Educational Resources for Children, Inc., the Enfield Town Council does hereby approve the renewal of the lease for one additional term.

Prepared by: Town Manager's Office

Date Prepared: April 11, 2016



119B Post Road  
Enfield, CT 06082

Phone: 860-253-9935  
Fax: 860-215-8113

www.erfc.us  
info@erfc.us

March 14, 2016

Lee Erdmann  
Acting Town Manager  
Town of Enfield  
820 Enfield Street  
Enfield, CT 06082

RE: Lease Renewal

Dear Mr. Erdmann,

It is the intention of Educational Resources for Children, Inc. (ERfC) to renew the lease with the Town of Enfield, dated July 5, 2012, for the fifth year term of September 1, 2016 to June 30, 2017.

It is my understanding that all terms of the lease remain the same.

Sincerely,

Claire C. Hall, M.Ed  
Executive Director

**LEASE**

This Lease is made and entered into as of the 5 day of July, 2012 by and between the **Educational Resources for Children, Inc.**, a non-profit corporation incorporated in the State of Connecticut, having a principal place of business at 50 Post Office Road, Enfield Connecticut 06082 (hereinafter the "ERfC" or "Tenant") and the **Town of Enfield**, Connecticut, a municipal corporation having its territorial limits within the County of Hartford, State of Connecticut (hereinafter "Lessor").

1. **LEASE.** In consideration of the Rent (as such term is hereinafter defined) and covenants herein reserved and contained on the part of the Tenant to be paid, performed, and observed, Lessor hereby leases to Tenant the Premises. The "Premises" shall consist of facilities and specific rooms in those facilities as specified on Attachment "A" of this Lease.
  
2. **TERM.** The Lease shall begin September 1, 2012 and end June 30, 2013, unless sooner terminated as herein provided. The Lease is renewable annually, each successive term beginning September 1<sup>st</sup> and terminating June 30<sup>th</sup> of the following year, provided however, the Tenant shall give written notice of its intent to renew to the Lessor by April 1<sup>st</sup> preceding the next successive term and provided the Town Council approves such renewal. Provided there are annual renewals, the final term of the Lease shall begin September 1, 2018 and end June 30, 2019.
  
3. **RENT.** Tenant shall pay Rent to the Lessor according to the following terms and conditions:
  - (a) All payments shall be made to the following address, or at such other place as Lessor shall from time to time designate by written notice to Tenant:

Director of Finance  
Town of Enfield  
820 Enfield Street  
Enfield, Connecticut 06082
  
  - (b) Lessor shall calculate, and recalculate each year thereafter, the Rent using the formula provided in Attachment B.
  
  - (c) Rent, in the amount of 1/10<sup>th</sup> of the total rent as calculated using the formula provided in Attachment B is due, without demand by the Lessor, the first day of each month during the Term.
  
  - (d) If any payment of Rent is received by Lessor more than ten (10) days after its due date, said payment shall be subject to a late charge of five percent (5%) of the amount of said payment.



#### **4. TENANT COVENANTS.**

- a. Tenant promises to make punctual payment of the Rent in the manner and the place aforesaid.
- b. Tenant will not assign the Lease or sub-lease the Premises.
- c. Prior to the commencement of the lease, Tenant will provide proof of all necessary licensure or permits necessary to carry out the Permitted Use as defined in Section 5 of this Lease. Thereafter, Tenant will maintain necessary licenses or permits to carry out the Permitted Use or be deemed in default pursuant to Section 11 of this Lease.
- d. Tenant agrees to maintain sufficient funding for the Permitted Use as defined in Section 5 of this Lease during the term of this Lease. Failure to maintain sufficient funding will be considered grounds for termination of this Lease under Section 11 of this Lease.
- e. Tenant is responsible for all costs associated with any work necessary to bring the Premises into compliance for any license or permit required to operate as provided in Section 5 of this Lease. Prior to any work being undertaken, Tenant will provide to the Lessor: a description of such work; the name of the company, or individual if applicable, that will complete such work; the schedule for start date and completion date of the work; proof that all necessary permits have been obtained for such work; and, written verification that all necessary insurance and bonds are in place by the company undertaking such work. Lessor reserves the right to withhold permission for any work to be undertaken if, in its sole discretion, it determines that such work will interfere with operations of the Premises or will materially harm the Premises in any way.

**5. PERMITTED USE.** Tenant shall use the Premises as identified on Attachment "A", subject to priority use by the Lessor or the School Department, solely for the purpose of the ERfC Before and After School Care (the "Permitted Use"), which Permitted Use is approved by Lessor as being in compliance with state and local laws and regulations as of the Commencement Date. Tenant agrees to request in writing specific permission for any change in said Permitted Use, which request shall sufficiently describe the change in use. Lessor shall have complete discretion in the approval or denial of such a request, provided that if the proposed use is permitted by state and local laws and regulations applicable at that time, the consent will not be unreasonably withheld, delayed or conditioned.

Use of gymnasiums or common spaces shall be limited to times when Lessor or School uses of these areas are not scheduled. At no time will the Tenant's use take priority over Lessor or School's use.

Lessor will make every effort to notify tenant in advance of any changes to its scheduled use.

**6. INSURANCE.** Tenant assumes all responsibility and liability for any injury to persons, and for damage to and loss of school or Town property in connection with the use of the Premises.

Tenant holds Lessor harmless for any such losses or damages.

Tenant must provide a certificate of insurance prior to commencement of this lease naming the Lessor and the Enfield Board of Education as additional insureds. The minimum limits of liability are as follows:

General Liability - \$5,000,000 Each Occurrence

All personal property placed or stored in the Premises by the Tenant, or anyone claiming through or under the Tenant, remains there at Tenant's sole risk. Lessor will not be liable for any damage to this personal property arising out of or caused by fire, rain, water, bursting or leaking of pipes or other causes.

Tenant must provide Workers Compensation coverage, including Employers Liability Coverage in the amount of \$100,000/500,000/100,000 to cover any volunteer(s) or employee(s).

## **7. DAMAGE AND DESTRUCTION**

(a) Tenant shall promptly notify Lessor if any portion of the Premises is damaged by fire or other casualty. If, as the result of such damage, all or any material portion of the Premises is rendered unfit for Tenant's use and cannot reasonably be restored so as to permit Tenant's use within a period of one hundred and eighty (180) days following the date of the damage, then this Lease for the damaged portion of the Premises may be terminated by Lessor or by Tenant. Termination is effective if notice of the termination is given within thirty (30) days after the one hundred and eighty (180) day repair period expires unless the Premises are totally destroyed by the casualty, in which case notice may be given within thirty (30) days after the casualty. If this Lease is terminated for the damaged portion of the Premises, Rent for such damaged portion shall be abated from the date of the occurrence of the damage to the date of termination in proportion to the extent of interference with Tenant's use of the Premises reasonably caused by such damage.

(b) If

(i) the Premises are damaged so that no material portion of the Premises is rendered unfit for Tenant's use; or

(ii) the Premises are damaged so that all or a material portion of the Premises is rendered unfit for Tenant's use, but can reasonably be restored so as to permit Tenant's use within a period of sixty (60) days following the date of the damage; or

(iii) the Premises are damaged so that they are rendered unfit for Tenant's use and cannot reasonably be restored so as to permit Tenant's use with a period of sixty (60) days following the date of damage but neither Lessor or Tenant exercises its right to terminate this Lease as set forth above:

this Lease shall not terminate and in that event, Lessor shall with reasonable promptness restore the Premises to their former condition, subject to delays caused by adjustments with the insurance carriers, labor or material shortages or other factors beyond Lessor's control. During the period of

**Attachment A**  
**ERfC Lease Agreement**

1. Henry Barnard Elementary - 27 Shaker Road
2. Enfield Street Elementary - 1318 Enfield Street
3. Eli Whitney Elementary - 94 Middle Road
4. Hazardville Memorial Elementary - 68 North Maple Street
5. John F. Kennedy Middle School - 155 Raffia Road

restoration, Rent shall be abated for the damaged portion of the Premises from the date of the occurrence of the damage in proportion to the extent of interference with Tenant's use of the damaged portion of the Premises reasonably caused by the damage or restoration.

(c) If damage to the Premises is caused by Tenant or its employees, agents, guests or invitees, the Tenant shall be responsible for payment of any deductibles on the applicable policy.

**8. NOTICES.** All notices shall be in writing and sent by certified mail. Return receipt requested, or by any other form of receipted mail, to the following parties:

For the Tenant:

Executive Director  
Educational Resources for Children, Inc.  
50 Post Office Road  
Enfield, CT 06082

For the Lessor:

Town Manager  
Town of Enfield  
820 Enfield Street  
Enfield, CT 06082

**9. EARLY TERMINATION.** Tenant may terminate this Lease at any time during the Initial Term upon giving six (6) months written notice to Lessor. In the event of such termination notice, the Tenant shall vacate on such effective date. In such event, the parties shall have against the other, only such rights as herein provided as if the Lease had expired in accordance with its original Term.

#### **10. INDEMNITY.**

(a) Tenant will defend, indemnify and hold Lessor harmless from and against all liabilities, losses, damages, suits, penalties, claims and demands of every kind, including reasonable attorneys' fees, by or on behalf of any person or governmental authority, arising out of any accident, injury or damage which happens in, upon or about the Premises, however occurring, or for any matter or thing arising out of the Tenant's occupation, maintenance, repair, alteration, use or operation of the Premises (except injury or damage caused by Lessor or Lessor's agents).

(b) Lessor will defend, indemnify and hold Tenant harmless from and against all liabilities, losses, damages, suits, penalties, claims and demands of every kind, including reasonable attorneys' fees, by or on behalf of any person or governmental authority, arising out of any accident, injury or damage which happens in, upon or about the Premises, however occurring, or for any matter or thing arising out of the Lessor's maintenance, repair or alteration of the Premises or Lessor's or Lessor's permitted users use of the Land (except injury or damage caused by Tenant or Tenant's agents and except as otherwise provided in paragraph 7 of this Lease).

#### **11. DEFAULT**

(a) The following are Events of Default:

(1) Tenant's failure to pay any Rent after notice as provided in this Lease:

(2) Tenant's default in the performance of any of Tenant's obligations under this Lease,

other than the obligation to pay Rent, and Tenant's failure to correct the default within ten (10) days after written notice from Lessor;

(3) The filing by Tenant of a petition in bankruptcy or for a receiver;

(4) The filing against Tenant or a petition in bankruptcy or for a receiver which petition is not discharged within forty five (45) days of filing;

(5) Tenant's making a general assignment for the benefit of creditors;

(6) Tenant's abandoning the Premises or discontinuing its operation for more than ten (10) days; provided, however any such abandonment or discontinuation due to a force majeure shall not be an Event of Default; or

(7) The sale under execution of Tenant's interest in this Lease.

(8) Failure to maintain necessary licenses or permits to operate for the intended Permitted Use.

(9) Failure to maintain necessary funding to operate for the intended Permitted Use.

(b) If an Event of Default occurs, Lessor may, without any demand or notice, re-enter or take possession of the Premises and terminate this Lease.

(c) Tenant will pay all expenses, including reasonable attorneys' fees, incurred by Lessor in terminating this Lease and repossessing the Premises or otherwise incurred by Lessor in enforcing this Lease.

(d) If this Lease is terminated upon an Event of Default:

(1) Tenant shall make use and occupancy payments until Tenant vacates the Premises;

(2) Lessor may re-let all or part of the Premises on terms which Lessor deems appropriate;

(3) Lessor need only make commercially reasonable efforts to re-let the Premises and Lessor will not be liable in any way for Lessor's failure to re-let the Premises; and

(4) If the Premises are re-let, Lessor will credit Tenant for any rental payments to be received by Lessor during the period which would otherwise have been the balance of the Term.

(e) The remedies and rights afforded Lessor by this paragraph are cumulative. In the event of a breach or threatened breach by Tenant of any of Tenant's obligations under this Lease, Lessor may invoke any other available legal or equitable remedy, including injunctive relief, without first resorting to any right or remedy provided in this Lease. Nothing in this Lease is intended to limit any rights or powers which Lessor has under Connecticut Law.

(f) Notwithstanding anything to the contrary in this Lease, if Lessor gives notice to Tenant of an Event of Default described in subparagraph (a)(2) of this paragraph, which cannot be corrected within the permitted ten (10) day period, that default will be deemed to have been cured if Tenant begins to correct the default within the ten (10) day period and diligently pursues the correction of that default.

**12. WAIVER.** The receipt of all or part of any Rent after an Event of Default will not operate as a waiver of Lessor's right to enforce the payment of any other Rent or to recover the possession of the Premises as provided in this Lease. Lessor's failure to enforce any of Tenant's obligations under this Lease will not operate as a waiver of any of Lessor's rights with respect to that obligation or to any other obligation of Tenant under this Lease.

**13. ENTIRE AGREEMENT.** This Lease represents the entire agreement between Lessor and Tenant. There are no understandings, representations, or agreements, oral or written, express or implied, other than those set forth in this Lease.

**14. AMENDMENT.** This Lease may be amended at any time only by a written amendment signed by Lessor and Tenant.

**15. HEADINGS.** The paragraph headings in this Lease are inserted for purposes of convenience only. These headings will have no substantive effect on the terms of this Lease.

**16. MAINTENANCE AND HOUSEKEEPING.** Tenant will return the Premises to its original condition (i.e. a functioning classroom) following each period of use. Tenant will document any room found in an unusual condition and will make reasonable efforts to return the room to the condition found at the beginning of the Tenant's day, but clear of Tenant's properties and trash. This shall include the necessary arrangement of all furniture or equipment, removal of any materials, supplies, or resultant debris used in the furtherance of the Permitted Use, and any food that may be left following the period of use. Failure to return Premises to its original condition will result in a cleaning charge to be assessed to Tenant. The cleaning charge will be assessed at \$50.00 (fifty dollars) per room not returned to original condition following each period of use.

**[REMAINDER OF PAGE INTENTIONALLY BLANK;  
SIGNATURES ON FOLLOWING PAGE]**

**Attachment B**  
ERIC Lease Agreement

Lease Calculation:

$(\text{Ft}^2 \times \text{Avg. Per Ft}^2 \text{ cost of ownership}) \times \% \text{ of hours spent out of 8760 hours}$

$\text{Ft}^2$  based upon size of Cafeteria in each school

Prior Year Elementary School Average Per  $\text{Ft}^2$  cost of ownership

Prior Year JFK Average Per  $\text{Ft}^2$  cost of ownership

Hours spent in utilization = 4/day 181 days per year (8%)

Year 1

School	$\text{Ft}^2$	ERIC
Henry Barnard	3744	\$1,827
Briffeld Street	3400	\$1,659
Eli Whitney	3600	\$1,757
Hazardville Memorial	2616	\$1,277
JFK	6000	\$2,496
<b>Total</b>		<b>\$9,016</b>

Elementary School Average Per  $\text{Ft}^2$  cost of ownership = \$6.10

JFK Average Per  $\text{Ft}^2$  cost of ownership = \$5.20

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals in two (2) counterpart copies, each of which counterpart copy shall be deemed an original for all purposes, as of the date and year first above written.

As to Lessor:

Debra McLaughlin  
DM

**LESSOR: TOWN OF ENFIELD**

By Matthew W. Coppler  
Name: Matthew W. Coppler  
Title: Town Manager

As to Tenant:

Debra McLaughlin  
DM

**TENANT: ERFC ERFC**

By Cheryl Hill  
Name: Cheryl Hill  
Title: ERFC Executive Director

*(Acknowledgements Contained On Next Page)*

STATE OF CONNECTICUT)

) ss: \_\_\_\_\_

COUNTY OF HARTFORD )

Personally appeared Matthew Soplec, the Town Manager of the Town of Enfield, signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed as such officers and the free act and deed of the Town of Enfield, on this 5<sup>th</sup> day of July, 2012

Debra McCarthy

Notary Public

My Commission Expires: \_\_\_\_\_

Commissioner of the Superior Court

**DEBRA A. MCCARTHY**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES JULY 31, 2013

STATE OF CONNECTICUT)

) ss:

COUNTY OF HARTFORD )

Personally Appeared Claire Hall, the Executive Director of Educational Resources for Children, Inc, signer and sealer of the foregoing instrument and acknowledged the same to be his/her free act and deed as such \_\_\_\_\_ and the free act and deed of Educational Resources for Children, Inc before me on this 5<sup>th</sup> day of July, 2012

Debra McCarthy

Notary Public

My Commission Expires: \_\_\_\_\_

Commissioner of the Superior Court

**DEBRA A. MCCARTHY**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES JULY 31, 2013

# ENFIELD TOWN COUNCIL

RESOLUTION NO. \_\_\_\_\_.

## **Resolution Appointing Bryan R. H. Chodkowski as Town Manager for the Town of Enfield.**

**Be it Resolved**, that pursuant to Chapter IV, Section I of the Town Charter, the Enfield Town Council does hereby appoint Bryan R. H. Chodkowski as Town Manager for the Town of Enfield, said appointment to take effect on May 2, 2016; and

**Be it further resolved**, that the Enfield Town Council does hereby authorize Mayor Scott Kaupin to sign the employment agreement with Bryan R. H. Chodkowski as Town Manager for the Town of Enfield.

Date Submitted: April 15, 2016  
Submitted by: Town Managers Office

**ENFIELD TOWN COUNCIL**

**RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN A LEASE  
AGREEMENT WITH THE ENFIELD HOUSING AUTHORITY**

**RESOLUTION NO. \_\_\_\_\_**

**NOW, THEREFORE BE IT RESOLVED, RESOLVED,** that the Town Manager, Lee C. Erdmann, is authorized to enter into and amend contractual instruments, subject to review and approval by the Town Attorney, in the name and on behalf of the Town of Enfield with Enfield Housing Authority and to affix the Corporate Seal.

Prepared By:           Town Manager's Office  
Date Prepared:        April 15, 2016

## ENFIELD ADULT DAY CARE CENTER LEASE

**THIS AGREEMENT** entered into this \_\_\_\_ day of \_\_\_\_\_, 2016 is between the **ENFIELD HOUSING AUTHORITY**, a public body corporate and politic, having its principal place of business located at Pearson Way, Enfield, CT 06082 (*hereinafter referred to as "Lessor"*) and the **TOWN OF ENFIELD**, a municipal corporation, having its principal place of business located at 820 Enfield Street, Enfield, CT 06082 (*hereinafter referred to as "Lessee"*).

The Lessor and Lessee agree as follows:

1. **PREMISES:** Lessor is the owner of a parcel of land and the buildings located thereon in the Town of Enfield, County of Hartford and State of Connecticut, commonly known as 110 South Road, also known as Mark Twain Congregate Housing Site, as shown on the map attached hereto as *Schedule A*. Lessor does hereby agree to lease to Lessee and Lessee agrees to take from Lessor that portion of this parcel known as Enfield Adult Day Care Center ("*Premises*"), which includes the Courtyard located at the West end of the Center and the sidewalk surrounding said portion.

Lessor covenants and agrees with Lessee that it has good right to lease the Premises in the manner herein contained and that it will suffer and permit Lessee (it keeping all the covenants on its part, as herein contained) to occupy, possess and enjoy the leased Premises during the term aforesaid without hindrance or molestation from it or any persons claiming by, from, or under it.

Lessee covenants and agrees with the Lessor that it will commit no waste nor suffer the same to be committed thereon, nor injure nor misuse the same.

2. **TERM:** This Lease shall be for a term of Ten (10) years and shall commence on January 1, 2016 and terminate December 31, 2025. If no defaults exist under the Lease, Lessee shall have the option to renew this Lease for an additional Ten (10) year period, subject to Lessor's written consent.

In the event Lessee elects to exercise its renewal option, notice of such exercise shall be sent to Lessor by certified or registered mail, return receipt requested, no less than one hundred eighty (180) days prior to the expiration date of the initial lease term. At least ninety (90) days prior to expiration of the Lease, Lessor shall provide Lessee with written notification of its consent or denial of consent to the renewal term. Lessor shall be deemed to have consented to the renewal term if it fails to send written notice to the Lessee as required herein.

All buildings constructed on the Premises and all repairs, alterations, other improvements or installation made to or upon the Premises, which are so attached to the realty that the same will be by law deemed to be a part of the realty, shall be the property of Lessor and remain upon, and be surrendered with, the Premises upon the termination of the term of this Lease.

In the event the lease is not renewed and at the sole discretion of the Lessor, which discretion must be exercised within six months of the termination date of the Lease, the Lessee shall demolish the building, remove and properly dispose of all debris, and restore the property to its original condition as shown on the map attached hereto as Schedule B. Restoring the property to its original condition will include re-grading the site, and loaming and seeding the site as well as any required site remediation measures, including without limitation, investigation, site monitoring, containment, cleanup, transport, removal, disposal and restoration. Any required site remediation measures are limited specifically to the area on which the Adult Day Center building is situated and to any issues that are directly related to the demolition of the building. The Town shall not be responsible for pre-existing issues (if any) or issues on other areas of the Enfield Housing Authority's property. The Lessee will be responsible for the expense.

3. **RENT:** Lessee shall pay Lessor no rent, but in consideration thereof shall undertake the obligations set forth in Provision 5 herein.

4. **USE OF PREMISES:** The Premises shall be used solely as a day care center for adults as defined in accordance with the Guidelines for Adult Day Care as set forth and promulgated by the National Council on Aging, National Institute on Adult Day Care. The Premises shall be operated in accordance with the terms of a Memorandum dated March 2, 1992 entitled "Adult Day Care – Description of Program" attached hereto as *Schedule C*. In the event that the Premises ceases to be used for this purpose, and a mutually agreeable suitable re-use not be found by the Lessee, the Premises will revert to Lessor and at the sole discretion of the Lessor, within the time period set forth in paragraph 2 of this Lease, the Lessee shall demolish the building, remove and properly dispose of all debris, and restore the property to its original condition in accordance with the definition of "restored to its original condition" in paragraph 2 of this Lease. The Lessee will be responsible for the expense.

5. **MAINTENANCE OBLIGATIONS:** Lessee shall be responsible at its expense for the following:

- All utilities used in connection with the Premises, including but not limited to heating fuel, gas, electricity and water;
- Trash removal;
- Maintenance of the East Parking Lot, Entry Driveway and Cul-de-Sac, West Parking Lot and Access Drive to South Road, as shown on *Schedule A*, including snow plowing and sanding (which tasks are to be determined by need and not to be limited to days and times the Center is in operation);
- Landscaping and maintenance of the recreational area used by the Town of Enfield;
- Maintenance of sidewalks shown as the A.D.C. Sidewalk in the crosshatched area on *Schedule A*, including removal of snow and sanding (which tasks are to be determined by need and not to be limited to days and times the Center is in operation);
- Compliance with any environmental laws, handicap laws or other laws or regulations relating to the use of the Premises;

- All required repairs to the Premises, including but not limited to, roof, HVAC equipment, electrical system, plumbing system and windows;
- Establish a financial reserve, subject to appropriations by the Town Council, to cover the cost of deferred maintenance needs identified in the Capital Needs Assessment dated June 13, 2014; such financial reserve shall survive termination of this Lease until the building is demolished, all debris removed and properly disposed of, and the property is restored to its original condition.
- Restrict parking for Lessee's employees to the West Parking Lot (South Rd Lot);
- Ensure that Lessee's clients and client family members only use East Parking Lot during regular, daily activities and operations;
- Ensure that guests and visitors to Lessee's special events park in the Mark Twain Tennis Court parking lot.

**6. INDEMNIFICATION / INSURANCE:** Lessee shall defend, indemnify and hold Lessor harmless from all claims (including attorneys' fees, costs and expenses of defending against such claims) arising from the negligence or willful misconduct of Lessee or Lessee's agents or employees in or about the Premises. This obligation shall survive termination of this Lease until the building is demolished, all debris removed and properly disposed of, and the property is restored to its original condition as defined in paragraph 2 of this Lease, provided that such demolition, removal, disposal and restoration is required by the Lessor within the timeframe set forth in paragraph 2 of this Lease. This obligation shall automatically expire at the end of the above noted period.

Lessee shall carry, at its expense, fire, hazard and liability insurance in such amounts as prudent business practice may recommend, and agrees to furnish Lessor with a certificate indicating that the policy has been issued and that Lessor and the State of Connecticut ATIMA, are included as the named insured. Such certificate shall provide for non-cancellation without thirty (30) days' prior written notice to Lessor and shall be delivered to Lessor prior to the commencement of this Lease and a new certificate shall be delivered to Lessor at least ten (10) days prior to the expiration date of any such insurance.

Lessor shall defend, indemnify and hold Lessee harmless from all claims arising from the negligence or willful misconduct of Lessor or Lessor's agents or employees in or about the Premises. This obligation shall survive termination of this Lease until the building is demolished all debris removed and properly disposed of, and the property is restored to its original condition provided that such demolition, removal, disposal and restoration is required by the Lessor within the time period set forth in paragraph 2 of this Lease. This obligation shall automatically expire at the end of the above-noted time period.

Lessor shall carry, at its expense, fire, hazard and liability insurance in such amounts as prudent business practice may recommend, and agrees to furnish Lessee with a certificate indicating that the policy has been issued and that Lessee is included as the named insured. Such certificate shall provide for non-cancellation without thirty (30) days' prior written notice to Lessee and shall be delivered to Lessee prior to the commencement of this Lease and a new

certificate shall be delivered to Lessee at least ten (10) days prior to the expiration date of any such insurance.

Lessee further agrees to comply with and conform to the laws of the State of Connecticut, and the by-laws, rules and regulations of the Town of Enfield relating to health, nuisance and fire, so far as the Premises are or may be concerned, and to save Lessor harmless from all fines, penalties and costs for violation of or non-compliance with the same that may arise out of Lessee's occupancy of the Premises.

**7. INSPECTION:** Lessee shall permit Lessor, its agents and employees, upon notice to Lessee, to enter the Premises at reasonable hours at least annually during the Lease term for the purpose of inspecting the same. Lessor may enter the Premises at any time necessary to make emergency repairs.

**8. ASSIGNMENT:** Lessee shall not assign this Lease or underlet a part or the whole of the Leased Premises without written permission from the Lessor, provided and on condition, however, that in the event of such assignment or subletting with Lessor's permission, Lessee shall remain responsible under all terms, covenants and conditions of this Lease.

**9. DEFAULT:** If Lessee defaults in the performance of any of the terms of this Lease, Lessor may immediately give notice to Lessee requesting performance of same within a reasonable period of time after receipt of such notice. In the event Lessee fails to comply with the applicable provision of this Lease within a reasonable period of time after receipt of such notice, Lessor shall have the right to perform same for the account of Lessee, in which event Lessee shall reimburse Lessor for any reasonable expense incurred in performing such obligation.

**10. NOTICE:** Any notice or demand pursuant to this Lease shall be sent as follows:

**Lessor:** Scott C. Bertrand, Executive Director  
Enfield Housing Authority  
1 Pearson Way  
Enfield, CT 06082

**Lessee:** Town Manager  
Town of Enfield  
820 Enfield Street  
Enfield, CT 06082

Lessor or Lessee may from time to time designate any other address for this purpose by written notice to the other party.

**11. ARBITRATION:** In the event of a dispute between the parties to this Lease, such dispute shall be settled by arbitration at the local office of the American Arbitration Association in accordance with the rules of the American Arbitration Association as then existing. The cost of arbitration shall be the responsibility of Lessee.

12. **PARTIAL INVALIDITY:** If any portion of this Lease is deemed invalid or unenforceable with respect to any party, the remainder shall not be affected and each provision shall be valid and enforceable to the fullest extent permitted by law.

13. **CONNECTICUT LAW:** This Lease shall be governed by, construed and enforced in accordance with the laws of the State of Connecticut.

14. **ENTIRE AGREEMENT:** This Lease contains the entire understanding of the parties. There are no oral understandings, terms or conditions, and no party has relied upon any representation, express or implied, not contained herein.

15. **AMENDMENTS:** This Lease may not be amended, modified, altered or changed in any respect whatsoever except by a further agreement in writing, fully executed by each of the parties hereto.

**IN WITNESS WHEREOF, Lessor has hereunto set its hand this \_\_\_\_ day of \_\_\_\_\_, 2016 and Lessee has hereunto set its hand this \_\_\_\_ day of \_\_\_\_\_, 2016.**

*Signed, Sealed and Delivered  
In The Presence Of:*

*ENFIELD HOUSING AUTHORITY*

\_\_\_\_\_

By: \_\_\_\_\_

Its:

TOWN OF ENFIELD

\_\_\_\_\_

By: \_\_\_\_\_

Lee C. Erdmann

Its: Acting Town Manager

## Town of Enfield

### Application for Vacancy on Boards, Agencies & Commissions

Date: 03/30/2016  
 Name: Nikki Price  
 Address: 1324 Enfield Street  
 Telephone No. (Home): 860-745-1315 (Work): 860-292-7061  
 Occupation: Customer Service Agent E-Mail: nikkiannprice@cox.net  
 Registered Voter:  Yes  No Party Affiliation: Unaffiliated

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Board, Commission or Agency  
 Interested in: Ethics Commission

New Appointment  Reappointment

Please outline your qualifications and how you feel you would contribute to the committee or commission:

In answer to your suggested position to be a member of the Ethics Commission, I submit to your the following information for consideration. You indicated that you wish to staff the committee with ordinary citizens. That's me!! I have lived in Enfield for over 25 years. During this time, I have been involved with the community mainly through the public school system in various roles. I have held offices such as secretary, treasurer, and president to clubs and organizations. In these roles, I needed to exercise discretion, be an arbitrator, a diplomat, be level-headed and always have an open-mind to reach the appropriate outcome. I am not afraid of doing the "right thing" even it means taking the heat for my decision. With this said, I feel these are the qualifications that a member of the Ethics Commission should have to properly serve Enfield's citizens and its community. These qualifications that

Have you ever served on a Board, Commission or Agency in Enfield or elsewhere?  Yes  No

If so, please state name of Board, Commission or Agency and time served:

If this is a reappointment, please list the number of meetings attended during the last 12 months:

If the committee or commission which you requested has no more vacancies, would you consider appointment to another committee or commission?  Yes  No