

**ENFIELD TOWN COUNCIL
MINUTES OF A SPECIAL MEETING
MONDAY, MAY 16, 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, May 16, 2016. The meeting was called to order at 5:30 p.m.

ROLL-CALL – Present were Councilors Arnone, Bosco, Deni, Edgar, Kaupin, Lee, Stokes and Szewczak. Councilor Cekala entered at 5:32 p.m. Councilor Hall was absent. Also present were Town Manager, Brian Chodkowski; Town Clerk, Suzanne Olechnicki; Town Attorney, Christopher Bromson; Consultant, Lee Erdmann; Director of Public Works, Jonathan Bilmes; Deputy Director of Public Works, Bill Taylor; Roads Engineer, J.P. Rodriguez; Director of Human Resources, Steven Bielenda; Chief of Police, Carl Sferrazza

CRESCENT LAKE TAX DISTRICT

Represent from the Crescent Lake Tax District were President, Nancy Martin; Director Duncan Campbell and Past Director/Chairman Tod Lambert.

Ms. Martin stated on August 14, 2015, J.P. Rodriguez asked her to sign a right-of-entry form to the beach at Crescent Lake to get the project started, which they did in good faith. She noted Mr. Rodriguez indicated at that time that he was waiting for the appraiser to come to the lake to do the assessments for property owners (3 residents and one for the Crescent Lake Tax District for the acquisition of the easement at the cul-de-sac at the beach.) She stated Mr. Rodriguez stated as soon as the appraisals were completed, the residents would receive their compensation.

She stated the project first started on Crescent Beach Drive and during that time she spoke to Mr. Rodriguez and Piya Hawkes regarding a few issues that came up, including the catch basin, rip rap issue and concerns about safety of the children. She noted during discussions with Mr. Rodriguez the monetary compensation came up, and he stated they were still waiting on the appraisers and they'd be in touch with her as soon as they could about the beach. She stated she never heard from them.

She noted on October 28, 2015 she left a message for Mr. Rodriguez, and he returned her call. She stated the voicemail from him stated the appraisals were on the Town Manager's desk and that is what he knew to date. She noted the project was then on hold during the winter months.

Ms. Martin stated on April 7th, she left a message for Mr. Rodriguez about the beach, monetary compensation and other issues. She noted she received a call back on April 29th and a voicemail message apologizing for the delay in responding and to call him back. She noted she called him back the same day, and he told her the Council decided at an April 18th Executive Session that the Town was not going to pay the monetary compensation to the people of Crescent Lake, and Mr. Rodriguez confirmed that he had

expected that the Crescent Lake Tax District would be compensated, and he recalled all previous conversations he had with her regarding this matter. She noted she then spoke with Bill Taylor, who confirmed what she and Mr. Rodriguez had spoken about. She stated she then spoke with Town Manager, Lee Erdmann, who expressed that he had the same understanding of the situation, and he encouraged her to call Mayor Scott Kaupin. She noted she then spoke to Mayor Kaupin and explained what transpired to date, and Mayor Kaupin confirmed that the Council did discuss this matter and made this decision, and further stated the Town Council was mad at the people of Crescent Lake for even asking for the money in the first place, and that from the outset of the project the Council had no intention of giving this said money to the people of Crescent Lake. She noted he also stated that it really wasn't the Town's responsibility at that point to even plow or maintain the cul-de-sac if the people of Crescent Lake own that property.

Ms. Martin stated they would like the Council to consider the following – any calls that the Council received from private residents about the roads project were not approved by the Crescent Lake Board of Directors. She acknowledged these are obviously private callers, and people are concerned about the project and it's their right to voice their opinion about how their tax dollars are being spent. She stated if anyone should be upset or mad, it should be the taxpaying people of Crescent Lake for having to wait so long in the first place for these roads to be repaired. She stated they are constantly being overlooked by this town, and they're always the last people on the "to do" list. She stated everyone is very aware of how long it's taken for this project to get off the ground, and if anyone should be upset, it's them.

She stated they did not ask for this compensation, but rather it was offered to them. She noted they'd like to see a copy of the appraisal that was done on their property. She stated as Town taxpayers, they paid to have this appraisal done. She asked the Council not to insult her intelligence by telling her it was never intended to give them this money. She questioned the reasoning for doing an appraisal if there was no intention of giving them the money in the first place. She questioned if the taxpayers of Enfield know that the Town is using tax dollars needlessly by doing unnecessary appraisals in the first place. She stated she would have not even known about an appraisal if it wasn't offered.

Ms. Martin stated as concerns the Taylor Road/Oak Road access, they met with Mr. Rodriguez last week at the community house where there were issues with the in and out access and a concern for safety. She noted children use that as a bus stop, and they wanted to be sure the driveway access was correct for the children. She stated she expects to be able to sign a right-of-entry for that piece of the project as soon as she hears back from Mr. Rodriguez about the final plans for that project.

Mr. Campbell questioned whether a town provides compensation when land is taken by eminent domain.

Attorney Bromson stated when there is an item for discussion, it's for interested parties to come forward and give their position. He noted normally, they don't have a back and forth. He stated it would be appropriate to have Public Works answer to the Town Manager and submit that response to the Town Council.

Ms. Martin stated she did some research on her own about rights-of-way and easements, and they have a call into an attorney. She noted their land is not for sale, and if the Town thinks they're taking it by eminent domain, they're mistaken.

Chairman Kaupin questioned if that has been proposed to her, and she responded no, but she's just making it very clear.

Mr. Campbell stated his belief there's been a lot of misleading through this whole thing. He noted this lake district has never caused any problem to anyone. He noted Mr. Rodriguez has been very good in his correspondence.

Chairman Kaupin stated his belief Ms. Martin's timeline is not complete because he knows they discussed this issue long before April of 2016 because it goes back prior to any of the work beginning last fall, and that was the position of the Town last fall. He stated Mr. Erdmann and Mr. Chodkowski have some history on this, and a timeline and milestones as to what was discussed with the Crescent Lake Tax District and with the Council so it's understood in writing exactly what the timeline was. He went on to note that in his phone conversation with Ms. Martin that it came back up in April that the decision on Oak and at the entrance to Taylor Road was not moving forward, therefore, that's what was putting the project on hold. He noted there was also the issue that the cul-de-sac came up again. He stated it was then brought to the Council, and it was the Council's perspective that this issue was resolved months ago before the construction even began. He noted a timeline is needed, and staff will have to be very forward with the Council as to exactly what was said to the Crescent Lake Tax District in their meetings, and the Council will make a decision.

Ms. Martin clarified it only came up because the Town needed something from them, which was that they sign another right-of-entry for the Oak Road project. She noted they did not realize they weren't going to be given the money until then.

Chairman Kaupin stated the Council's perspective is that no offer to the tax district was ever authorized by the Council. He added the Council never made an offer and never directed staff to make an offer to the tax district for that property, and this is the point that they're going to have to understand from staff. He stated no offer was ever to be made to the tax district because part of the property belongs to the tax district and part belongs to the Town, and the Council did not feel that they should compensate the tax district because public work was being done on private land.

Ms. Martin questioned why appraisals were being done. Attorney Bromson stated it's important to get a timeline on this matter. He went on to state there's never been any talk of taking property that he's aware of. He stated only the Town Council can authorize payment, and employees and agents cannot.

Chairman Kaupin stated the point of contact for the Crescent Lake Tax District should be through the Town Manager's office.

Mr. Chodkowski stated he would like to be in a position to have a recommendation back to the Town Council as to how to best address this issue at the next Council meeting. He noted he will provide the Crescent Lake Tax District his contact information, and they can contact his office tomorrow morning, and his secretary can set up an appointment for him to meet with the Tax District.

MOTION #3649 by Councilor Deni, seconded by Councilor Stokes 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 #3649** adopted 11-0-0. The meeting stood recessed at 5:51 p.m.

EXECUTIVE SESSION

The Executive Session of the Enfield Town Council was called to order by Chairman Kaupin at 5:51 p.m.

ROLL-CALL – Present were Councilors Arnone, Bosco, Cekala, Deni, Edgar, Kaupin, Lee, Stokes and Szewczak. Also present were Town Manager, Brian Chodkowski; Town Clerk, Suzanne Olechnicki; Town Attorney, Christopher Bromson; Consultant, Lee Erdmann; Director of Human Resources, Steven Bielenda; Chief of Police, Carl Sferrazza; Attorney James N. Tallberg of Karsten & Tallberg LLC

Personnel Matters, Pending or Threatened Litigation and Real Estate Negotiations were discussed with no action or votes being taken.

Chairman Kaupin adjourned the Executive Session at 6:44 p.m. He reconvened the Special Meeting at 6:45 p.m. and stated during Executive Session, Personnel Matters, Pending or Threatened Litigation and Real Estate Negotiations were discussed with no action or votes being taken.

ADJOURNMENT

MOTION #3650 by Councilor Szewczak, seconded by Councilor Deni to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #3650** adopted 9-0-0, and the meeting stood adjourned at 6:46 p.m.