

**ENFIELD TOWN COUNCIL
MINUTES OF A REGULAR MEETING
MONDAY, MARCH 20, 2017**

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 20, 2017. The meeting was called to order at 7:00 p.m.

PRAYER – The Prayer was given by Chairman Kaupin.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was recited.

ROLL-CALL – Present were Councilors Arnone, Bosco, Cekala, Davis, Deni, Falk, Kaupin and Ludwick. Councilor Lee entered at 8:00 p.m. Councilors Edgar and Szewczak were absent. Also present were Town Manager, Brian Chodkowski; Town Clerk, Suzanne Olechnicki; Town Attorney, Christopher Bromson; Director of Social Services, Dawn Homer-Bouthiette; Director of Community Development, Peter Bryanton; Director of Public Works, Jonathan Bilmes; Deputy Director of Public Works, Billy Taylor; Director of Libraries, Jason Neely

FIRE EVACUATION ANNOUNCEMENT

Chairman Kaupin made the fire evacuation announcement.

MINUTES OF PRECEDING MEETINGS

MOTION #4072 by Councilor Falk, seconded by Councilor Arnone to accept the minutes of the March 6, 2017 Special Meeting.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #4072** adopted 8-0-0.

MOTION #4073 by Councilor Falk, seconded by Councilor Ludwick to accept the minutes of the March 6, 2017 Regular Meeting.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #4073** adopted 8-0-0.

SPECIAL GUESTS

Jason Neely, Director of Libraries, was present to update the Council regarding library business.

Mr. Neely stated his department rolled out their new website the end of January, and they are getting positive feedback. He noted his staff is finding the new website easy to use.

He stated a popular feature of the new website is the Yale Historic Photograph Collection, which contains many historical pictures of Enfield.

Mr. Neely stated the delivery system is not great around the state, and they don't see an improvement in the immediate future, therefore, they've developed a form that will bypass the integrated library system. He explained that people can fill out this form, give it to library staff, and they will manually place a hold on an item. He noted they will try to come up with some other ideas that they can present to the State Library Board to see if there are better solutions.

Chairman Kaupin stated he heard that the Parent Leadership Academy loves the library's new website.

Councilor Arnone stated he noticed the Library Department is working with the Enfield Historic Society in trying to develop an easier way to access Enfield's history in the libraries. Mr. Neely stated they are working on that and sharing and digitizing historical information. He noted that is an on-going discussion.

Councilor Arnone stated there are several good books about Enfield's history, including the Congregational Church's notes from over the years, which are compiled in a book. He suggested perhaps those sources could be digitalized so it's accessible to the public. Mr. Neely stated that's a possibility, but there are copyright issues that need to be considered.

Councilor Ludwick requested clarification on the delivery system impact. Mr. Neely explained people with a library card in any town can use that card anywhere else. He noted Enfield belongs to a consortium of 30 libraries, and they have a shared system whereby people can go online to get a book that's not owned by the Enfield Library, and they can get it from a different library that owns that book. He stated this saves libraries a great deal of money because they don't have to purchase everything, plus there's limited space to contain everything.

Councilor Falk questioned the latest on the air conditioning system at the library. Mr. Chodkowski stated the schedule for that has the system coming on line June 15th.

Councilor Falk questioned whether the meeting room is being used, and Mr. Neely responded yes, everyday and multiple times during the day.

PUBLIC COMMUNICATIONS & PETITIONS

There were no comments from the public.

COUNCILOR COMMUNICATIONS & PETITIONS

Councilor Deni requested an update on the ECDC and noted the Town Manager's involvement was to be a temporary thing until the taxes were done.

Councilor Deni stated he learned today that the Police Department is no longer doing drug coordination, nor working with the other towns in this effort. He noted Enfield had eleven overdoses in the past couple weeks.

He requested an update on the Salerno Drive water situation.

Councilor Bosco requested the Town look into the crosswalk at Post Office and Steele Roads, which was eliminated when roadwork was done in that area. He suggested perhaps that crosswalk can be replaced when the rest of the work is done.

Councilor Bosco stated his understanding it was other towns that got out of the drug program.

MOTION #4074 by Councilor Falk, seconded by Councilor Bosco to suspend the rules to address under Miscellaneous Items 14 A1-A2, E, F, G, H, I, J and K.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #4074** adopted 8-0-0.

Councilor Falk questioned whether the Council has established its goals as yet, and Chairman Kaupin stated the goal setting was done by the Council at the beginning of the two-year term. Councilor Falk requested a copy of the goals.

Councilor Ludwick congratulated the Enfield High School Girls' Basketball Team. He noted unfortunately they lost in the semi-finals in Glastonbury last week, but they played hard. He stated there was a big contingent of Enfield fans at the game. He pointed out they made the semi-finals for the third year in a row, which is impressive.

He stated it's amazing to see Enfield residents out in the winter weather riding bikes, walking and exercising. He noted perhaps they can tie this in with the wellness budget with the Insurance Committee.

Councilor Ludwick stated he found it gratifying to see neighbors helping neighbors with snow removal in the recent snowstorm.

Councilor Falk stated over the past week they've had correspondence about food trucks at Enfield High School. He noted the legal opinion is that this can't happen, and he's unsure what the plan is going forward. Mr. Chodkowski stated late this afternoon they made an attempt to set a meeting regarding this topic, and they have a tentative date of Wednesday afternoon.

Councilor Falk questioned when the high school wanted the food trucks, and Mr. Chodkowski stated his belief it's Saturday, May 13th. Councilor Falk questioned whether it's feasible they can get this through the system within that time frame, and Mr. Chodkowski stated they'll do their best to get legislation for the Council to act upon at the next meeting.

Councilor Arnone questioned why they can't just add another place for food trucks. Chairman Kaupin stated it was always his interpretation that the Council was establishing their ordinance for public roads, rights-of-ways and parking lots, and it was always in addition to the normal planning process of a special event permit allowing food trucks. He noted Planning & Zoning was going to pick up and tackle the issue of allowing food trucks on private property.

Attorney Bromson stated his understanding there's a concern because of the timeframe, and if they can't get this done by that time, perhaps they could look at a special dispensation.

Chairman Kaupin stated the Scantic River Spring Splash is scheduled for Saturday, March 25th with registration from 9:00 a.m. to 11:00 a.m. at the Powder Mill Barn. He noted registration is \$25.00 per participant. He stated the Race Committee supports the Enfield Food Shelf, therefore, they encourage people to bring donations for the Food Shelf. He noted the race begins at Quality Avenue in Somers, and the novice class is first in the water at 11:30 a.m., and the expert class starts at 12:00 noon. He stated food and entertainment will be available.

He stated the Enfield Dog Park is holding their fundraiser spaghetti supper at the Moose Lodge on South Road on March 25th from 6:00 p.m. to 10:00 p.m. Tickets are \$15.00.

TOWN MANAGER REPORT & COMMUNICATIONS

Mr. Chodkowski stated the Project and Activities Report is in the Council's packet, and he can answer any questions.

Referring to Councilor Deni's question about the ECDC, Mr. Chodkowski stated currently the ECDC is preparing to release an RFP for the 33 North River Street property to try and ascertain whether there are any corporations or developers interested in acquiring the development rights to that parcel in an attempt to satisfy their debt. He noted he is assisting them in that capacity, and they are making progress to try and rectify the financial situation of the organization so they can move forward.

As concerns the Enfield Police Department's Drug Task Force, Mr. Chodkowski stated that has ceased in the short term. He noted all the other communities that participated in the Task Force notified Enfield that they would no longer be able to participate for financial reasons. He stated Chief Sferrazza did ask to try and continue that program utilizing existing staff, but based on available staff, it was going to produce a significant amount of overtime that they could not sustain, therefore, as a result they had to effectively cease operations in the short term.

Regarding goals and objectives, Mr. Chodkowski stated he plans to introduce into the budget some funds to set up long term goals and objectives for the Town—15 or 20 years out so staff and the executive leadership can continue to think long term about what

should be appropriate programming and staffing to be sure the needs of the Town can be accommodated in the long term.

Councilor Arnone referred to Economic Development and requested a copy of the TIF policy draft.

Councilor Arnone referred to the energy performance contracting and noted he was recently at Enfield High School for their art show, and the building was so hot that they had to open the doors. He noted that building should be regulated properly. Councilor Cekala stated that same day the Little League was having their evaluations, and right outside the gym it was blowing cold air, and it was freezing.

Councilor Arnone stated they should be putting calcium on the concrete walkway at Enfield High School instead of salt.

TOWN ATTORNEY REPORT & COMMUNICATIONS

Attorney Bromson stated as an outgrowth of some of the settlements that the Town had in regards to matters brought against the Police Department, there have been several freedom of information (FOI) requests and complaints brought to the commission by both the Journal Inquirer and the American Civil Liberties Union. He stated they attended one hearing on December 19th, a second hearing with the Journal Inquirer on February 15, and the next hearing will be on March 28th with the ACLU. He noted there will be other hearings, and it could be months before a decision, and they are actively defending that matter at the FOI.

He stated there will be an FOI seminar for the JFK Pre-Referendum Committee and the Ethics Commission on March 22nd.

Attorney Bromson stated in the future, if there's interest from citizens, perhaps they could have a seminar to help people better understand the Freedom of Information Act and how it applies to the Town and State.

He stated on March 10th his staff attended a labor seminar, and there were updates on municipal law and what it will be like to budget in the future. He noted they had discussion from some of their experts in regards to the State budget.

Attorney Bromson stated a judge found that the method of distribution of Education Cost Sharing (ECS) grants to schools is irrational and unconstitutional. He noted this will be reviewed by the Connecticut Supreme Court, but in the interim they will be using a new formula, which will have a profound effect on communities, including Enfield. He explained it will shift money from the wealthier to poorer communities by counting current enrollment and by using a more accurate measure of school poverty by replacing the current free and reduced lunch measure with a Husky aid data approach. He pointed out Groton stands to lose \$12.9 million dollars; Milford \$11 million dollars and

Wallingford \$8 million dollars. He pointed out judges can make a profound impact on Government.

Attorney Bromson referred to bid waivers and noted they are suppose to go out to bid on almost all matters. He noted when they don't, they have a provision within the Charter that states if it's against the best interest of the Town, they may do a waiver, but that is a Council finding. He stated the Council needs to make a valid and reasonable factual finding that to divert from that and not go to bid would be detrimental to the Town. He noted the Council must find a compelling public interest not to go to a competitive bid. He suggested the cover memo accompanying the resolution regarding the library air conditioning be part of the record to explain the reason for a bid waiver. He noted when they have these types of resolutions in the future, the wording will be contained within the resolution itself.

Referring to the ECS issue, Councilor Arnone questioned whether the percentage is known concerning Enfield children on Husky versus reduced lunches. He acknowledged this is probably a Board of Education issue, but he believes the Town has to be prepared for this. Attorney Bromson stated the State will again be delayed in adopting their budget, and that poses a difficulty. He noted it would be helpful if they were to amend the State law to say that municipalities can adopt a budget in good faith, however, if the State reduces funding that towns were unaware of, the towns should be able to go back and make adjustments accordingly. He pointed out the Town Charter holds them to a tight time frame with the Town's budget having to be adopted in the middle of May.

Councilor Ludwick stated his understanding there may be a lawsuit filed because the State is trying to move the teachers' pension to the municipality. He questioned if that lawsuit has been filed, and how is the Town monitoring this. Attorney Bromson stated his belief it's still in flux, and the Town will have to stay on top of this and be prepared. He noted the Council could then be in a position to lobby legislators.

REPORT OF SPECIAL COMMITTEES OF THE COUNCIL

Enfield High School Renovation Building Committee

Councilor Cekala stated they are going through the last of the final punch list.

JFK Pre-Referendum Committee

Chairman Kaupin stated last week's JFK Pre-Referendum Committee meeting was postponed until Wednesday evening.

Councilor Ludwick stated the Insurance Committee met recently, and the Town Manager sent out the best and final from the two carriers. He stated his belief they will soon have some good news, and this is a result of a year of both parties and the Council and Board of Education working together. He noted they are also looking at ways to promote wellness programs.

CERTIFICATION: I hereby certify that the above-stated funds are available as of March 15, 2017.

/s/ John Wilcox, Director of Finance

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #4077** adopted 8-0-0.

RESOLUTION #4078 by Councilor Falk, seconded by Councilor Bosco.

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, martial 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.

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 a 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.

Councilor Ludwick questioned if this is the first time the Town applied for this grant.

Mr. Bryanton stated every time they apply for CDBG funds, they have to update the policy.

Councilor Ludwick questioned if this is for Green Valley and Laurel Park, and Mr. Bryanton responded that's correct.

Councilor Ludwick questioned the last time those homes were remodeled, and Mr. Bryanton stated his belief they were last remodeled in the 1970's and 1980's.

Chairman Kaupin stated there are some that have been remodeled, but this is an on-going effort by the Enfield Housing Authority.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #4078** adopted 8-0-0.

RESOLUTION #4079 by Councilor Ludwick, seconded by Councilor Arnone.

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 the 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 \$550,000 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 \$550,000 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 #4079** adopted 8-0-0.

RESOLUTION #4080 by Councilor Falk, seconded by Councilor Ludwick.

WHEREAS, the Connecticut Department of Transportation (DOT) provides several grants to the Department of Social Services; and

WHEREAS, the Department of Social Services is in the process of submitting two grant applications to the DOT for funds that will be available to the Town in Fiscal Year 2017-2018.

RESOLVED, that the Town Manager, Bryan R. H. Chodkowski, is authorized to sign and submit the grant applications to the DOT, in the name and on behalf of the Town of Enfield and to affix the Corporate Seal.

Councilor Falk questioned whether the Town pays into this. Ms. Homer-Bouthiette stated the Town gets some money from DOT and for Magic Carpet, and the Town gets the operating expenses. She added the Town contributes to all the Town's transit programs, but it just varies in terms of how much money is from DOT and how much the State puts into the budget.

Councilor Falk questioned how much Town money goes into this, and Ms. Homer-Bouthiette indicated she'd have to check.

Councilor Falk stated he never sees anyone riding Magic Carpet, and he needs to know more about this program. Ms. Homer-Bouthiette stated she can provide passenger numbers.

Councilor Arnone stated he loves this program. He noted a lot of communities lack bus and train stations. He stated with bus service, they can move people from the train station to neighborhoods. He noted they are also moving Asnuntuck College students. He noted this is a huge plus for Enfield, and it's growing. He acknowledged the buses aren't always packed, but it is used quite a lot. He noted it has its peak and low periods.

Councilor Falk questioned whether he can get on this bus and ride it for the day, and Ms. Homer-Bouthiette indicated that can be arranged with Councilor Falk.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #4080** adopted 8-1-0, with Councilor Bosco voting against.

RESOLUTION #4081 by Councilor Falk, seconded by Councilor Arnone.

BE IT RESOLVED, in accordance with Chapter V, Section 8, Paragraph (d) of the Enfield Town Charter, the Enfield Town Council does hereby determine that it is against the best interests of the Town to require competitive bidding for providing natural gas service to the Central Library at 104 Middle Road as detailed in cover letter dated March 10, 2017 from Billy G. Taylor, PE and attached hereto.

Mr. Taylor explained the library currently runs on oil as a source of fuel for its heating system. He noted under the energy performance contract the new heating and air conditioning equipment will run on natural gas. He stated there is no gas main on the street on Middle Road in front of the library, therefore, it will be necessary to extend the gas main from the intersection of Olmstead down to the easterly side of the library. He noted they contacted Eversource to learn what it would cost to provide the gas main and service. He stated Eversource has a program whereby they partially subsidize the cost of that construction based on what they estimate their revenues will be by having the Town of Enfield buy natural gas from them. The construction cost is estimated at \$80,000, but they reduced that by a certain amount for the anticipated revenues from the sale of the natural gas, which reduces the cost to the Town. He stated he asked Eversource if it's possible for the Town to put together a bid and have their own contractor install the service, and the answer was yes. He noted he asked what the Town's contribution in aid of construction would be and was told if the Town installs it, the cost would be zero. He stated the net cost to the Town would be around \$80,000, and if the Town allows Eversource to install it, they'd save \$33,000 to \$34,000.

Councilor Falk questioned if this is approved will the air conditioning be up and running at the library in mid-June. Mr. Taylor stated if they have to go to bid, it probably will not happen by that time. He noted Eversource believes they can do their work in time to meet the Town's construction schedule.

Councilor Cekala questioned if there's a way to be sure construction will not happen on the girls' softball field during the softball season. Mr. Taylor stated the construction will not affect the fields at all.

Councilor Deni questioned whether costs are firm. Mr. Taylor responded yes. Attorney Bromson added the Town always approves the contract once it's written, and they would not approve it if they came in at a higher number.

Councilor Ludwick questioned whether construction will interfere with parking for people attending girls' softball games, and Chairman Kaupin stated the construction will be on Middle Road.

Councilor Ludwick questioned whether the cover letter covers the Council according to Town Charter, and Attorney Bromson stated his belief it does.

Councilor Ludwick questioned when work will begin, and Mr. Taylor stated he does not have a start date, but Eversource understands the Town needs this service by early June at the latest.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #4081** adopted 9-0-0.

RESOLUTION #4082 by Councilor Falk, seconded by Councilor Arnone.

WHEREAS, it is in the best interest of the Town of Enfield to apply for Potable Water Project Assistance from the Connecticut Department of Energy and Environmental Protection (CTDEEP) to address Phase III of the requirements of a Water Supply Consent Order (SRD-188) issued by CTDEEP for the Still Meadow Neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the Enfield Town Council does hereby authorize Bryan R. H. Chodkowski as Town Manager of the Town of Enfield (Town Manager) to apply for Potable Water Project Assistance from CTDEEP; and

BE IT FURTHER RESOLVED, that the Town Manager is duly authorized to enter into and sign contracts with CTDEEP on behalf of the Town of Enfield and is further authorized to provide such additional information and execute such other documents as may be required by the State in connection with said contracts and to execute any amendments, rescissions, and revisions thereto, all such documents, contracts and amendments; and

BE IT FURTHER RESOLVED, that all contracts and documents referenced herein are subject to review and approval of the Town Attorney.

The Town Clerk is authorized to impress the seal of the Town of Enfield on any such document, amendment, rescission, or revision.

Present for this discussion was Kevin Flood from Fuss & O'Neill.

Mr. Flood stated Fuss & O'Neill was hired when the consent order was passed along to the Town of Enfield in 2008, and they have been managing that consent order for the last nine years. He noted this started with applying for the initial grant application for the work that was done in the first two phases of the consent order, which was to evaluate the hydro geological conditions in the area, the migration of the contamination that was found just north of this neighborhood, and they then looked at short and long term alternatives to provide potable water to the Still Meadow neighborhood. He noted they went through a detailed analysis and looked at a few different options to provide water to this neighborhood, including extending water from a few different ways and compared that to the costs for upgrading and maintaining these points of entry systems in the seven or eight homes that were affected. He stated in 2014 they wrote a final report that documented all that they found, and at that time, the recommendation was to continue with the point of entry systems at the homes and to continue monitoring the adjacent

homes that could be affected by the contamination. He stated at this point, the final couple of steps for the consent order are to apply for the grant application, which they just produced for the Town to get the money to provide continued support for maintaining and monitoring in order to complete the consent order requirements.

Councilor Lee stated it appears things have been slowly, but progressively better for the neighborhood. He stated his belief they are down from the number of properties that were negatively impacted when this was first discovered. He questioned if they approve this resolution, are they locked into a particular set of steps or obligations even if something should change with the results that they're seeing in the monitoring, or is there an opportunity in the future to bring something back to DEEP should the conditions warrant. Mr. Flood stated his understanding the application includes continued sampling of the eight homes that have the point of entry systems on a quarterly basis and semi-annual sampling the other 20 homes in the surrounding area with point of entry systems. He noted this would be for a period of five years, and it also includes routine maintenance of the systems in the homes that have the point of entry system. He stated this would include a couple of different GAC filter replacements, and every 6 months, they would replace the sediment filters that go into each of the homes. He noted if the concentrations continue to get lower, they may be able to back off on the frequency of the sampling, and they may be able to extend the money that they have in place a little longer. He stated after five years, and after they've expended all of the funds that they've obtained through the grant application, the consent order requirements have been met, therefore, no longer does the Town have to do this. He explained a couple ways the Town can go with this. He noted DEEP has their own sets of systems that they maintain and monitor, which are very similar to what is used in the Still Meadow neighborhood, and their grant money expired two years ago, and once they were done with their requirements, they wrote letters to 400 homes that had these systems and notified people they were on their own and could maintain their own systems. He stated other towns, such as Enfield, have had these kinds of systems in place, and those towns have continued to maintain and monitor those systems even after the requirement and money has expired. He stated it's ultimately Enfield's decision as to what they will do.

Councilor Lee questioned whether it's fairly certain that once concentrations go down, the homes are in the clear, and they don't go back up. Mr. Flood stated the major source of the contamination was found and removed, and this is why they're continuing to see concentrations drop down.

Councilor Deni stated if concentrations are going down, then they should already be extending the amount of dollars involved. Mr. Flood stated they do have budget remaining from the original grant application.

Councilor Deni questioned if anyone has ever spoken to Hazardville Water about providing water for this neighborhood, and Mr. Flood stated when they did their report in 2014 they looked at four different ways of extending water to this neighborhood, but only two options would really work—both options costing over two million dollars. He noted when the DEEP looked at the cost of extending water versus about \$250,000 to maintain

the existing system over the next five years, they knew this was the choice that would be made.

Councilor Deni questioned if there are any other opportunities for other grants from the State to help with extending water. Mr. Flood stated there are potentially some funds available, however, the town would have to go against a lot of other projects and the Town might not even get on their priority list.

Councilor Falk questioned whether they feel comfortable the state will actually give this funding, and Mr. Flood stated they are applying early for this grant, and it's his hope they will get this grant.

Councilor Falk questioned the back-up plan if they run out of money, and Mr. Flood stated at this time they have enough money to get them through the next 18 months.

Councilor Falk questioned the possibility of getting a reduced amount, and Mr. Flood responded no, they would not change the amount the Town applied for.

Councilor Falk questioned what happens if there's still contamination in five years. Mr. Flood stated the requirements of the consent order are met at that point, and the Town has the option of telling people they must maintain their own system, or the Town can continue to do this, but it would be through Town money.

Councilor Ludwick questioned whether the Town has any other plans to develop in this area. Mr. Chodkowski stated he's not aware of any developer looking to develop residential units in this area.

Councilor Ludwick stated the Town should let the neighborhood know what will happen in five years.

Attorney Bromson stated there are two resolutions. He noted one is very clear, which is to reapply for the grant. He stated the second part is to extend the contract to Fuss & O'Neill without going out to bid. He explained because of the grant money, this is bifurcated—a portion going to Fuss & O'Neill during the five years to monitor things and a second portion goes to Aqua Pump, which actually does the work, i.e., replaces filters. He noted if Fuss & O'Neill is still on the bid, the Town can continue to use them. He stated the Council must make the determination whether to extend the contract to Fuss & O'Neill without going out to bid. He added the Council has to have a valid reason not to go to bid.

Councilor Arnone questioned the difference between taking a contractor on state bid. Attorney Bromson stated Aqua Pump is different, and their function is separate from Fuss & O'Neill. He questioned Fuss & O'Neill's cost for the next five years, and Mr. Flood responded \$184,000. He noted Fuss & O'Neill does good work, and the Town has worked with them on a lot of other projects, but to avoid favoritism, fraud, corruption and to secure the best contract, towns go out for competitive bids. He noted Mr. Flood can

probably say why it's against the Town's best interest to go to a stranger since Fuss & O'Neill has been doing this for eight or nine years, but they need to have that on the record.

Mr. Flood stated they've been involved since 2008, and they've done all the sampling since 2010 and they took over for the DEEP. He noted at this point they know most of the neighbors, and they often call his firm first in order to get maintenance work that the Town coordinates with Aqua Pump. He stated he would not want to change the communications between the residents, Fuss & O'Neill and the Town so that it can be done smoothly, and they can continue to get the results out to the neighbors.

Councilor Arnone pointed out they've never heard any complaints about Aqua Pump.

Councilor Deni stated if they go to bid, what's the timeframe. Attorney Bromson stated they do have funding for the next 18 months, and they're applying for the grant in any event. He noted they have legal requirements under the contract, and it's a lot better to address the issue and make sure they comply with it now. He stated the portion of work being done by Aqua Pump is very specific, and it's on the state bid.

Mr. Flood stated within the grant application they list out the sampling events, what each event consists of, and they break it out over the five years.

Councilor Cekala questioned if they have an estimate what the amount would be if they went out to bid. Mr. Taylor stated \$180,000 would be their estimate. He noted if they were to issue a request for proposal, Fuss & O'Neill would undoubtedly respond to that at the number they provided. He stated competitors would also provide numbers, but \$180,000 is a good estimate and starting point. Councilor Cekala questioned the last time they went out to bid on this, and Mr. Flood stated they were selected by an RFQ process in the beginning, and they then negotiated a contract with Geoff McAlmond, a town engineer.

Councilor Lee spoke about the importance of the continuity in the testing process. He voiced concern about going out to bid, selecting a different vendor and then finding the results are suddenly askew. He feels the compelling reason to stay with the vendor they've been using under court order is to guarantee that they're maintaining a very specific testing process that's been used to generate results for eight years. He stated his belief maintaining that continuity is the most important thing to do through the end of the decree.

Attorney Bromson stated his comments are not meant to impugn the reputation of Fuss & O'Neill, which is stellar and they are the gold standard in the State. He noted it's his job to let the Council be able to do their job properly and make the finding.

Councilor Ludwick questioned if there's a deadline for the grant, and Mr. Flood responded no.

Councilor Ludwick stated he is still waiting to hear the compelling reason to waive the bid. Attorney Bromson stated they can certainly apply for the grant, but he wants to be sure if there's a compelling reason that should be brought forward this evening. Mr. Taylor stated it could take four months for the bid process. Chairman Kaupin pointed out the last time the Town applied for funds, it took 18 months for a response.

Councilor Bosco recalled when this was started, it took a long time. He noted although Mr. Taylor states four months for a bid process, he's concerned it will take longer than that and get everything all set. He pointed out the new company would have to come in and review all the files done previously. He stated he doesn't want to muddy the water right now. He stated he's in favor of signing a waiver because he knows what it took to get things going.

Councilor Arnone questioned how DEEP would feel if the Town changed vendors. He noted when the Town went out to bid for waste water treatment, DEEP felt the quality of the engineering firm came first and not the price, and that is how they viewed those grants. He stated he wants what is best for this group of people.

Attorney Bromson stated the Council has to make a determination, but for the reasons that have been stated, and given the fact that the Town would have to have the contractor before they could apply for the grant, he feels that's a very big concern given the time frame and the fact if they did have a deficit of time, the Town would be responsible to pay those funds. He stated his opinion those are valid and reasonable concerns to waive the bid.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #4082** adopted 9-0-0.

RESOLUTION #4083 by Councilor Lee, seconded by Councilor Arnone.

WHEREAS, the Town Council has determined it is in the best interest of the Town of Enfield to apply for Potable Water Project Assistance from the Connecticut Department of Energy and Environmental protection (CTDEEP) to address Phase III of the requirements of a Water Supply Consent Order (SRD-188) issued by CTDEEP for the Still Meadow Neighborhood; and

WHEREAS, the Town Manager has been duly authorized by the Council to enter into and sign contracts, amendments, rescissions and revisions with CTDEEP on behalf of the Town of Enfield, subject to review and approval by the Town Attorney, as may be required by the State; and

WHEREAS, the Town has had an ongoing agreement since 2009 with Fuss & O'Neill to provide the services required in SRD-188, which agreement was amended in 2012; and

WHEREAS, the Council has determined, in accordance with Chapter V, Section 8(d) of the Charter that it is against the best interest of the Town to invite sealed bids or proposals;

NOW, THEREFORE, BE IT RESOLVED, that Bryan R. H. Chodkowski as Town Manager of the Town of Enfield, is duly authorized to extend and/or amend such agreement with Fuss & O'Neill, subject to review and approval by the Town Attorney.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #4083** adopted 8-1-0, with Councilor Cekala voting against.

PUBLIC COMMUNICATIONS

There were no comments from the public.

COUNCILOR COMMUNICATIONS

Councilor Deni questioned the timeframe that the Town Manager should be leading the ECDC Committee. Mr. Chodkowski stated there isn't any defined period. He noted depending on what happens with the RFP, perhaps it will be sooner rather than later. He added he continues to be cognizant of the time he spends.

ADJOURNMENT

MOTION #4084 by Councilor Falk, seconded by Councilor Arnone to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #4084** adopted by an 9-0-0 vote, and the meeting stood adjourned at 8:57 p.m.

Appended to minutes of
March 20, 2017 Regular
Town Council Meeting
See Page 7

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:	Social Services Administration 22040001-533900 Other Professional Services	\$1,500
FROM:	Social Services Administration 22040001-573300 Furniture & Fixtures	\$1,500

CERTIFICATION: I hereby certify that the above-stated funds are available as of March 10, 2017.

_____ John Wilcox, Director of Finance	_____ Date:
APPROVED BY: _____	Town Manager Date: _____

ENFIELD TOWN COUNCIL
RESOLUTION NO. _____

Resolution Authorizing the Town Manager to Sign a Grant Application to be Submitted to the United Bank Foundation for Fiscal Year 2017 – 2018

WHEREAS, The United Bank Foundation provides funding for education and early literacy programs; and

WHEREAS, The Department of Social Services is in the process of submitting a grant application to the United Bank Foundation for funds that will be available to the Town in Fiscal Year 2017 – 2018.

RESOLVED, that the Town Manager, Bryan R. H. Chodkowski, is authorized to sign and submit the grant application subject to review and approval by the Town Attorney, in the name and on behalf of the Town of Enfield with the United Bank Foundation and to affix the Corporate Seal.

Appended to minutes of
March 20, 2017 Regular
Town Council Meeting
See Page 11

March 10, 2017

Honorable Member
Enfield Town Council
Enfield, Connecticut

**Subject: Resolution Waiving the Bid Requirements for Providing Gas Service to the
Central Library, 102 Middle Road**

Councilors:

Highlights:

- Last summer, the air conditioning system at the Central Library failed. Thus, portable air conditioners were purchased and installed.
- The portable units are noisy, inadequate during the warmest days and expensive to operate.
- A new HVAC system, which is to be powered by natural gas, is scheduled to be installed beginning May 9, 2017 under the Honeywell Energy Performance Contract.
- It is necessary to run a new gas main down Middle Road from its intersection with Olmstead Road, about 1,200 feet, and a new gas service line to the library.
- The estimated cost of constructing the gas main extension and gas service is \$80,000.
- If the Town authorizes Eversource to construct the gas main and service, the cost to the Town will be \$46,272 due to an incentive given for anticipated revenue.
- The Town will save approximately \$33,700 by having Eversource install the gas main and service.
- The Town cannot complete the bidding process and construct the gas service to the library in time to meet the schedule for having the new HVAC system in operation by the end of June.

Budget Impact:

None. The cost of extending the gas service to the library will be included in the Energy Performance Contract project contingency.

Recommendation:

I recommend that Council approve this resolution.

Respectfully Submitted,

Billy G. Taylor, PE
Deputy Director of Public Works

Attachments:

1. Resolution