



Tanya Lane
Acting Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR ROY ZARTARIAN

MINUTES

NEWINGTON TOWN COUNCIL
Conference Room L-101 Lower Level – Town Hall
7:00 P.M.

January 26, 2016

Mayor Zartarian called the meeting to order at 7:00 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Councilor Anest
Councilor Budrejko
Councilor DelBuono
Councilor Klett
Councilor Manke
Councilor Marocchini
Councilor Nagel
Councilor Serra
Mayor Zartarian

Staff Attendees:

Tanya Lane, Acting Town Manager
Chris Greenlaw, Town Engineer
Chris Minor, Town Planner
Jaime Trevethan, Asst. to the Town Manager – Administration
Linda Irish-Simpson, Clerk of the Council

III. PUBLIC PARTICIPATION – IN GENERAL

Diane Stamm, 104 Steeplechase Drive: She thanked the Council members who attended the Library Board meetings and indicated there were quite a few people in the audience who were in support of the Library. She said they did not want to see the current library construction committee disbanded but felt their work should continue and then brought together with the Town Hall committee to consider the campus idea of the area.

Iris Larsson, 41 Buckingham Street: As a Library board member, she wanted to remind the Council the Library was vital. She indicated that the present Library Committee should be included in any planning or renovation committee that would be formed. She said there were over 200,000 people who used the library each year and 891 free programs presented. Ms. Larsson did not want the library to be forgotten

since they provided so many services to the Town. The renovation should be a non-partisan accomplishment.

Lee Ann Manke, 112 Northwood Road: She was a member of the Library Building Committee and was distressed to learn the Town Council wanted to disband the Library and Town Hall Building Committees. She wanted the Council to reconsider that action. It was important to ensure redundancies were eliminated but felt that stopping work to wait for the Town Hall building survey, did not advance the progress needed to determine the needs in other areas of Town. She suggested the established building committees be allowed to continue their work; and if an overall committee was created, thought sub-committees for each department and facility should be created.

Chris Bieszczad, 53 Maple Hill Avenue: He was new to the Library Board but wanted the Town Council to ensure the Library was made a town priority.

Anna Eddy, 41 Churchill Way: She had appeared before the Council several times to outline reasons for the expansion of the Library. The property adjacent to the Library was purchased for expansion and future parking. She felt it was shortsighted to disband the current building committee and disagreed with Mayor Zartarian's recent email. It was important to keep the group together because of their expertise and ability to analyze the Library's needs. They were two separate projects and coordination was needed but to disband the committees was not in the Town's best interests.

Ed Young, 485 Church Street: He thanked the Council for hiring the soil scientist to test the soil at the Young farm. He felt he was proven right that the land was stripped of its natural soil and had seen the theft of taking of soil and the dumping of foreign materials on the site. He had nothing to gain by bringing the matter to the people. He wanted the farm to be preserved in its natural state so that current and future residents could enjoy the area. He felt the soil scientist had done a good job and had proven him correct in what was currently on the farm.

John Bachand, 56 Maple Hill Avenue: He felt the Library Building Committee should be allowed to continue and did not want to see them dragged into other building affairs in Town. He felt Mr. Young had been exonerated and that his comments were not false. The report indicated there was a parking lot left in place in the area and indicated grass could grow there but some soil was missing. He stated that the Council was under an umbrella of suspicion because of the Town Manager resigning. A lot of dysfunction was caused by the Town Manager and was looking for a new position months before the new Council was appointed.

Judy Igielski, 23 Musket Drive: She appreciated the Town Council members who attended the Library Board meetings and asked the Council to keep the existing committees as is since they represented a cross section of town residents and had a great deal of expertise. The Library and Town Hall had different focuses since the needs were quite different.

John Slusarski, 40 Grandview Drive: He stated the Council had a lot of their plates with two committees, budget, pension plan, negotiations with employees, etc. He suggested the two committees should meet as a group once in a while to exchange information. He felt that the structural analysis was needed but also needed a space needs analysis for both the Library and the Town Hall. In the past they have asked the departments what they wanted but not what was actually needed.

Rose Lyons, 46 Elton Drive: She asked what the master plan was for the Town. Oversight was needed for the committees to give them directions as to what the master plan was and felt it should be someone on staff. She indicated the Town leased the American Legion building and as part of the lease, the Legion was supposed to appear before the Council, which had never happened.

Robert Young, 20 Coppermill Road, Wethersfield: He had read the soil scientist's report and indicated there was processed stone on the site and wanted a definition of what that was. He thought some of it could be millings which was different than processed stone. There was a large pile of millings that had disappeared from the farm and he wondered where it went. He hoped the town would have those responsible for the site pay for remediation.

Rod Mortensen, 53 Meadowview Ct: He indicated the Town to date had spent \$430k on soft costs for the Town Hall Renovation and that did not include the \$100k to repair the pipe recently. The renovation

committee came up with a plan, had met the charges from the Town Council and another study was being performed because people did not want to spend the money. The committee had come up with an unbiased opinion on what the Town needed for a Town Hall.

Havital Miltz, 168 Nicholson Street: She had questions about what she had read on Facebook. She stated the Mayor had run on a platform of respect for the voters but that was not what was written on Facebook. She questioned whether the Town Manager resigned or was terminated and the public had a right to know what happened. The contract with the Town Manager was missing paragraph #4 and wondered why and felt it should be made public. The Town Attorney had stated the agreement was legal even though there was a portion that was confidential and from Facebook understood there was no confidentiality regarding a public employee. She asked how attorneys were chosen in the Town and if they were political appointees. She also wanted to know why the Town Manager was given seven months' severance pay.

Mayor Zartarian explained to the public that the Councilors did not use the tablets during a meeting for anything other than taking notes of the meeting and to review the material used at the meeting. Documents were electronically downloaded to them to save time and paper. He did not want the public to think the Council was not paying attention during meetings.

IV. CONSIDERATION OF OLD BUSINESS
A. Mid-Year Transfers

Councilor DelBuono moved the following:

CERTIFICATION:

In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the General Fund, the amounts listed below:

| <u>Account Number</u> | <u>Title</u> | <u>Amount</u> |
|-----------------------|--------------------------|------------------|
| 350 | Sanitation | \$29,475 |
| 962 | Town Council Contingency | \$126,729 |
| | Total | \$156,204 |

Ann J. Harter, Director of Finance

RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in the General Fund to the following accounts in the General Fund:

| <u>Account Number</u> | <u>Title</u> | <u>Amount</u> |
|-----------------------|------------------------|---------------|
| 110 | Town Council | \$55 |
| 120 | Town Manager | \$43,700 |
| 130 | Courts | \$519 |
| 140 | Elections | \$1,100 |
| 150 | Finance | \$15,355 |
| 170 | Town Clerk | \$2,800 |
| 190 | General Services | \$10,665 |
| 210 | Police | \$3,050 |
| 230 | Fire Department | \$2,130 |
| 310 | Engineering | \$2,635 |
| 320 | Highway Department | \$3,580 |
| 420 | Town Planning | \$4,050 |
| 430 | Town Planning & Zoning | \$150 |

| | | |
|-----|-----------------------------------|------------------|
| 440 | Zoning Board of Appeals | \$50 |
| 450 | Building Department | \$3,750 |
| 460 | Conservation Commission | \$515 |
| 470 | Economic Development | \$18,025 |
| 510 | Health Services | \$900 |
| 610 | Human Services | \$6,500 |
| 640 | Senior & Disabled Center | \$7,530 |
| 710 | Library Operations | \$23,545 |
| 810 | Parks & Recreation Administration | \$5,600 |
| | Total | \$156,204 |

The motion was seconded by Councilor Marocchini and the motion passed 9 – 0.

Councilor Klett indicated that under Account 470 the Council or Finance Department at budget time had not known about that figure and should not have been conducted behind closed doors without the Council's knowledge. She felt the individual did a good job and knew the Town Manager had the right to hire consultants but since it required the Council to make the adjustment, they should have been notified.

Councilor Nagel moved the following:

CERTIFICATION:

In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the Capital and Non-Recurring Expenditure Fund, the amounts listed below:

| <u>Account Number</u> | <u>Title</u> | <u>Amount</u> |
|-----------------------|--------------------------------------|---------------|
| 88624 | General Property School Improvements | \$300,000 |
| 88617 | Library Boiler Replacement | \$20,519 |

Ann J. Harter, Director of Finance

RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in Capital and Non-Recurring Expenditure Fund to the following accounts in Capital and Non-Recurring Expenditure Fund:

| <u>Account Number</u> | <u>Title</u> | <u>Amount</u> |
|-----------------------|-----------------------------------|---------------|
| 88422 | Town Buildings Mechanical Reserve | \$20,519 |

BE IT FURTHER RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in Capital and Non-Recurring Expenditure Fund to the following account in Public Building Fund:

| <u>Account Number</u> | <u>Title</u> | <u>Amount</u> |
|-----------------------|--|---------------|
| 88307 | Newington High School Career Technical | \$300,000 |

The motion was seconded by Councilor Manke and the motion passed 9 – 0.

B. Discussion: Town Hall Renovations Project

Mayor Zartarian indicated it was an on-going agenda item. There was a consultant employed to do a structural analysis and Mrs. Lane said there was no further update on the study.

C. Update: Deming Young Farm

George Logan, Rema Ecological Services, gave an overview of the soil testing performed at the farm. The presentation is attached.

Mayor Zartarian asked if foreign material had been found in the untouched area similar to the foreign material in the restored area. Mr. Logan indicated he did not find any. The processed stone mentioned in the report was native inert material and did not see a lot of millings. The material would not leach into the soil or environment.

Councilor DelBuono asked about the total depth in inches and asked why some were so shallow. Mr. Logan said that when the chart indicated refusal it meant he was grinding on top of the processed stone. She asked if the material had been screened, and he said some screening might have taken place to remove some of the larger material. Mr. Logan stated the processed stone would not prevent the growing of grass or community gardens with a minimum of 12" of top soil. If 3 – 4" of top soil was added it would be approximately 140 cubic yards of material.

Councilor Klett said the MDC was a quasi-State agency. She asked to see the contract that was signed by MDC and VMS to determine how the area was to be restored. Mr. Greenlaw indicated the responsibility was up to the sub-contractor for determining a staging area. Mr. Serrambane, VMS, said the MDC had no dealings in securing the property. His contract with MDC did not include the staging area. There was no signed agreement with the Town but there were emails as to what VMS would do in exchange for the use of the property. He said the area was mowed up to the walkway as often as they did the house area. Any soil removed was kept separate so it could be returned and spread over the area. Mr. Greenlaw said the building on the property was the responsibility of another entity that was struggling to maintain the building. The building was required to be ADA compatible with public bathrooms, and railings and the Town was trying to assist them with the project. Mr. Goodale had approached the Town regarding the possible addition of a driveway so they could become handicapped accessible; however, when concerns arose regarding the staging area, it was decided no further footprint would be added to the area.

Councilor Klett asked if other towns handled staging areas via emails and was told it depended on the trust between partners. She stated that without a written contract she was unsure what further action the Council could take. Councilor DelBuono asked Mrs. Lane to forward a copy of the contract between the Town and MDC be sent to Councilors as well as emails between the project manager and the Town Manager regarding the staging area. She also asked that the information be sent to the Town Attorney for review as well as the soil report.

Councilor Klett wanted to clarify there was some change in the area but there was no way to determine what was on the site before the area was used for staging. Councilor Marocchini agreed with her and was glad to see the soil had been brought back, which was the original question. The farm house received some help, the equipment was off the street and the Town did not have a leg to stand on and should move on. He thanked VMS for attending the meeting. Mr. Serrambane indicated he was committed to restoring the area with grass and said the original accusations were very troublesome.

D. 8-24 Report Referral: MDC Water and Sewer Improvement Project – Cedar Street/Willard Avenue Area

Mr. Greenlaw said the TPZ had to review the project which was why an 8-24 was needed. The project involved sewer construction and water line construction. There was a meeting with the DOT and MDC would be reviewing the contract to determine if expediting the contract was possible. The project was very large and complex and would be noisy, dirty and a major inconvenience to the area. There will be a meeting next Tuesday at 6:30 p.m. in the auditorium for the public to review the proposal and all other information on the project.

Councilor Budrejko asked if the meeting would be publicized and was told the paper had been notified, it was on the website and 400 houses in the area had already been notified of the project.

Councilor Klett moved the following:

RESOLVED:

That the Town Manager is hereby directed and authorized to submit to the Town Plan and Zoning Commission for its report in accordance with Section 8-24 of the Connecticut General Statutes, the proposed easement(s) to be granted to the Metropolitan District (MDC) in regards to the MDC Water and Sewer Improvement Project.

The motion was seconded by Councilor Anest and the motion passed 9 – 0.

E. Appointment of Deputy Agent for Countersigning Checks

Councilor Manke moved the following:

RESOLVED:

Pursuant to Section C-815 of the Newington Town Charter, the Newington Town Council hereby appoints Director of Administrative Services Jeffery Baron as the Deputy Agent for countersigning checks.

The motion was seconded by Councilor Klett and the motion passed 8 – 0 (Councilor DelBuono absent from room).

V. CONSIDERATION OF NEW BUSINESS (Action May Be Taken by Waiving the Rules)
A. FY 2015 Emergency Management Grant (EMPG) (Action Requested)

The grant would reimburse the Town for part of the cost of the Emergency Management Director. The Fire Marshall is the person responsible for this.

Councilor Marocchini moved to waive the rules to vote on the FY 2015 Emergency Management Grant. The motion was seconded by Councilor Serra and the motion passed 8 – 0 (Councilor DelBuono absent from room).

Councilor Nagel moved the following:

RESOLVED:

That Acting Town Manager Tanya D. Lane is hereby authorized to act on behalf of the Newington Town Council and the Town of Newington in executing a Memorandum of Understanding with the State of Connecticut, Department of Emergency Management and Homeland Security, for participation in the Emergency Management Performance Grant program.

The motion was seconded by Councilor Klett and the motion passed 8 – 0 (Councilor DelBuono absent from room).

B. Discussion: FY 2016-17 Special Budget Meeting Schedule

Councilor Klett said she would be on vacation from April 8 – 24 and if the dates of the proposed adoption of the budget were kept, she would be unavailable for the final vote. It was suggested they cancel the April 12 and 19th meetings and adopt the budget on April 5. The Council would hold their regular meeting on April 26. The item would be placed on the next agenda.

C. Discussion: Blight Ordinance Amendment Subcommittee

Mayor Zartarian said there was need to create a sub-committee to review the existing ordinance to update it since during the campaign residents mentioned blight was an issue and there were items not covered in the existing ordinance. Members would include councilors and appropriate town staff. Councilor Klett indicated people had shown her various blight issues during the campaign including a neighbor who had a dumpster in the front yard for five years. She said, Jamie, who did an excellent job, had several recommendations for the committee. Councilor Nagel agreed with Councilor Klett that there was a need to review the issue. The committee could look into streamlining the process and make it more efficient.

Councilor Anest asked what the makeup of the committee would be and was told there would be three councilors, the Town Attorney and town staff.

D. Discussion: Disband Project Building Committees

- 1. Town Hall Renovations Project Building Committee**
- 2. Library Renovations/Addition Project Building Committee**

Mayor Zartarian explained his recent email was not clearly composed, and he meant to say that neither project was going to be abandoned. He wanted to make sure both projects were coordinated to ensure duplication was eliminated. An overall public building committee might be created to do that. There were many capital improvement projects that needed to be considered like parks, fire houses, historic houses, Reynolds school as well as the library and Town Hall. A committee was needed to coordinate all these projects and determine priorities.

Councilor Marocchini disagreed with the Mayor. He felt they should wait for the study to be completed and would not want to see either of the committees disbanded. Each of the committees have excellent people on them and would not want to lose their expertise. The Councilor did not want to see the projects prolonged any longer.

Councilor DelBuono said she was saddened that the public thought the Council was going to forget about the Library, which was not the case. Her opinion has changed a little since being part of the CIP committee and learning about all the needs from various departments. She felt they needed to look at the global picture of the Town and prioritize the needs. She agreed the existing committees and individuals on them did phenomenal work but wanted to ensure the big picture was maintained.

Councilor Anest agreed with Councilor Marocchini that the Council should wait for the results of the study. After reviewing the report the Council might decide to go in a different direction. She felt it was important to have the expertise on the Library and Town Hall committees they currently had and hoped this Council would be the Council to put the shovel in the ground. Councilor Klett agreed it was not about undermining any particular group. She felt there might be a need for an oversight committee but also felt the needs of a turf field required different expertise than people building a library. Councilor Marocchini said they needed to start somewhere or it would never be started. He felt it was going to be very difficult for someone to study every single building in Town while planning and constructing was done.

Councilor Budrejko stated there was historical memory on the current committees and did not want to create another committee without knowing what that committee would do. She wanted to see a model of what the committee could do and would it fit for the current situation.

Councilor Nagel stated an oversight committee was a good idea to coordinate various projects and review the bottom line of what could be done. He thought specific sub-committees would be a good idea since they would have knowledge needed for the particular project. The Library Committee had only met once and it needed to be continued. There was a perception that the Town Hall Committee had not taken into consideration all the options mentioned or information people thought was vital prior to making a decision.

Councilor Serra thought both committees should be continued and the Council needed to wait for the study. She felt the Town Hall project could be started before the oversight committee was up and running. Councilor Manke said before his election he did not realize the extent of the work needed throughout town. They had to prioritize since not everything could be done at one time.

Councilor Klett stated someone did not do their job correctly when the Town spent \$60k on a roof that now needed more repairs. She thought an overall building committee would have a handle on projects like that.

F. Discussion: Town Center Streetscape Project Phase VI

Mayor Zartarian said the project would involve the area from Constance Leigh and Lowry Place. There was a group working to develop a design for approval by the appropriate authorities. The Town received a State grant for \$470k, which was not enough money for everything. There was approximately \$70k shortfall that the Finance Department had said could be covered.

Mr. Minor, Town Planner, gave an overview of the history of the project. Councilor Klett suggested the Council appoint two members to be a part of this committee and to work with him on it. She wanted to ensure that whatever was done in the Town center would be acceptable to the residents. Councilor Anest agreed with the Councilor and thought it was more than just doing sidewalks. The Council needed to be involved in the project.

Mr. Minor indicated the next meeting would be a public meeting on February 3, in the Council Chambers for residents, merchants and any Council person who wanted to attend. He then would bring the plan to the Council for a decision.

Mrs. Lane said there was a professional staff involved and was concerned there might be a delay in the project because of all the other Council duties since the spring time was the start of construction season. Councilor Klett stated they were only asking for two Councilors to be added to the existing committee and not to create a new one. Councilors Budrejko and Anest volunteered to be part of the group.

Mr. Minor explained the grant stipulated the money could not be used for engineering services, which were approximately \$80k. Ann Harter had indicated the money could be moved from another account to cover the cost.

Mayor Zartarian asked for a motion to extend the Council meeting past the 10:30 p.m. deadline. Councilor Klett moved to extend the time limit for the meeting and the motion was seconded by Councilor Manke. The motion passed 9 – 0.

G. Discussion: Town Manager Search Process & Subcommittee

Mayor Zartarian said in previous years they had a committee of councilors (3), and the mayor. People will be appointed at the next Council meeting. Councilor Klett suggested the committee be appointed and meet to determine what process they wanted to use to pick the new manager.

VI. RESIGNATIONS/APPOINTMENTS (Action May Be Taken)
A. Development Commission
1. Accept the Resignation of Pamela Raynock

Councilor Anest moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Pamela Raynock as a member of the Development Commission, in accordance with a communication dated January 14, 2016.

Councilor Klett seconded by the motion and the motion passed 8 – 0 (Councilor Nagel absent from room).

Councilors DelBuono and Anest moved the following:

RESOLVED:

That the Newington Town Council hereby makes the following appointment(s):

2. Commission on Aging and Disabled

9 Members--3 Year Term
 Maximum from one party: 6

| Name | Address | Party | Term | Replaces |
|---------------------|---------------------|--------------|----------------------|-----------------|
| Roberta Byron-Kolej | 53 River Camp Drive | R | Immed. - 11/30/18 | Vacant |

5. CRCOG Regional Planning Commission

Members: Mayor appointment is automatic
 NTC & TPZ Reps appointed by Council

| Name | Address | Party | Term | Replaces |
|----------------------------------|--------------------|--------------|-------------|-----------------|
| TPZ Rep: Stanley Sobieski | 26 Deepwood Drive | D | TPZ Term | Vacant |
| TPZ Alt. Rep: Michael Camillo | 126 Willard Avenue | D | TPZ Term | Vacant |

9. Conservation/Inland Wetlands Commission

7 Members; 3 Alternates
 Staff: Town Engineer
 7-Member Board--Maximum from one party: 5
 3-Member Alternate Board--Maximum from one party: 2

| Name | Address | Party | Term | Replaces |
|----------------------------|--------------------|--------------|----------------------|-----------------|
| Alternate: Peter Arburr | 133 Tremont Street | R | Immed. - 11/30/15 | Vacant |

10. Development Commission

9 Members, 3 Alternates

3 year term - staggered
 Party Max.: 6 members, 2 alternates

| Name | Address | Party | Term | Replaces |
|------------------------------|-----------------------|-------|----------------------|----------|
| Sarah Jorgensen | 35 Florence Street | R | Immed. - 11/30/17 | Vacant |
| Alternate: Jennifer Spano | 360 Maple Hill Avenue | R | Immed. - 11/30/17 | Vacant |

12. Environmental Quality Commission

11 members, 2 Fire Dept., 1 NVA, 2
 Industry, 6 Public
 2 NTC Liaisons
 2 year term (public)
 Party Max.: 8

| Name | Address | Party | Term | Replaces |
|-----------------------------------|---------------------|-------|----------------------|----------|
| Public Member: Deborah Krawiec | 267 Cottonwood Road | R | Immed. – 11/30/17 | Vacant |

13. Board of Ethics

| Name | Address | Party | Term | Replaces |
|--------------|----------------------|-------|---------------------|----------|
| John Donahue | 28 Maple Hill Avenue | R | Immed – 11/30/17 | Vacant |

15. Newington Housing Authority

| Name | Address | Party | Term | Replaces |
|--------------|------------------|-------|----------------------|----------|
| Ken Langille | 15 Dalewood Road | R | Immed. – 11/30/18 | Vacant |

28. Zoning Board of Appeals

| Name | Address | Party | Term | Replaces |
|---------------------------------|---------------------------|-------|----------------------|----------|
| Alternate: Timothy Hutvagner | 9 King Arthur Way Apt. 11 | R | Immed. – 11/30/17 | Vacant |

29. Streetscape Project Phase VI

| Name | Address | Party | Term | Replaces |
|---------------|---------------------|-------|----------|----------|
| Carol Anest | 30 Harding Avenue | D | NTC Term | vacant |
| Gail Budrejko | 21 Isabelle Terrace | R | NTC Term | vacant |

Councilors Serra and Nagel seconded the motion and the motion passed 9 – 0.

VII. TAX REFUNDS (Action Requested)

Councilor DelBuono moved the following:

RESOLVED:

That property tax refunds in the amount of \$1,151.48 are hereby approved in the individual amounts and for those named on the “Requests for Refund of an Overpayment of Taxes,” certified by the Revenue Collector, a list of which is attached to this resolution.

The motion was seconded by Councilor Marocchini and the motion passed 9 – 0.

VIII. MINUTES OF PREVIOUS MEETINGS (Action Requested)

A. Special Meeting: January 7, 2016

Councilor Nagel moved to accept the meeting minutes and was seconded by Councilor Serra. The motion passed 9 – 0.

B. Regular Meeting: January 12, 2016

Councilor Manke moved to accept the minutes and the motion seconded by Councilor Nagel. The motion passed 9 – 0.

IX. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

None

X. COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Budrejko stated the Open Space Committee had elected officers and the Town Planner would give them a list of activities the previous committee had accomplished. They would also be given an inventory of existing open spaces. They will also attempt to identify pieces of property that might be at risk of development as well as review how other towns handle their Open Space Committees. She indicated the TPZ would take action on a special exception regarding an adult day care at 26 Church Street. There had been a lot of discussion regarding traffic, parking and other concerns at the site. The Councilor said Aldi had applied and received a beer permit. There was discussion on TOD and a possible overlay zone on Fenn Road. There would also be a public meeting on an autistic adult day care, which would not be a drop off but a place for families to have activities together.

Councilors Manke and Serra attended the Parks and Rec meeting and said there was a discounted car wash on Main Street where part of the proceeds would go to the Extravaganza and also an energy solution program where for \$100 a resident would get approximately \$200 in energy savings and \$50 would go to the Town fireworks.

Councilor Klett indicated the ambulance department should be invited to a Council meeting to discuss the provider service.

XI. PUBLIC PARTICIPATION – IN GENERAL (In Person/Via Telephone: 860-665-8736)

Ed Young, 485 Church Street: A year and a half ago he told the council there had been no contract, no bond, no insurance or no Town Planning and Zoning for the farm. He said he had proof of what was on the farm prior to the staging area. He felt the FBI should be notified about the case since it involved a Federal water project.

Robert Young, 20 Coppermill Road, Wethersfield: He said the report was interesting and wished the question had been asked about who owns the soil underneath. He stated when you owned property it was your responsible to defend it and hoped the Town Council would continue to do that.

Rose Lyons, 46 Elton Drive: She asked when a department head had to go to the Council before applying for a grant and did it go back to the Council for acceptance of it. She did not remember Phase VI going back to the Council. She wanted to know when a committee had to be appointed to oversee it and when safety concerns at Market Square would be addressed.

Havital Miltz, 168 Nicholson Street: After sitting through the meeting she understood certain things happened in Town without a contract but did not understand how that could happen. She wanted to know how the Town paid \$60k for a roof without checking the company's financial condition since it had to be redone. She thought there should have been oversight on these projects.

John Bachand, 56 Maple Hill: He suggested Mrs. Lane be hired as Town Manager for a six month probationary period if she was interested. He emailed the Council a picture of the Young Farm and indicated the problem started when an 8-24 was not done. The TPZ would not have allowed the contractor to bury a parking lot. The material that was buried was inert and not going to cause damage and was not a hazard.

Patty Foley, 51 Crown Ridge: She stated she was not in favor of disbanding the committees and thought an oversight committee was needed to ensure better communication and to prevent issues from arising.

XII. REMARKS BY COUNCILORS

Councilor DelBuono said it was disturbing to learn there was 140 cubic yards of material missing from the Farm. The undisturbed area was at a depth of 16" so they had to assume there was 16" in the disturbed area originally. She indicated she would contact Mr. Young for any further information he might have on the issue. She said they had heard about questionable things in the past regarding no contracts, emails going back and forth to contractors and processes and procedures not being followed. What happened was in the past, and they needed to move forward to correct what they could. She hoped the Town Council would do a better job of that.

Councilor Klett thought that if there was additional information available through emails, that left the Council at a disadvantage. She indicated the previous Town Attorney was a friend of some of the Democrats and that was not how attorneys were hired. The Mayor hired the attorneys for the Town.

Mayor Zartarian indicated certain things had happened in the past and the Council needed to make sure they did not continue. He said there was no question that attorneys did have political connections but indicated the Town Attorney was a Republican, the Labor Attorney was a Democrat and the Assistant Town Attorney was a Democrat. In appointing the attorneys, he went beyond political lines to pick the most qualified people for the positions. The Mayor said that concerning the Town Manager's departure, he would not say anything further on the matter or on the severance contract.

The Town Attorney indicated the separation agreement had nothing unusual in it and that it was a public document and available through FOI. It was best to disclose it since it was standard policy for transparency.

XIII. EXECUTIVE SESSION RE: REAL ESTATE

Councilor Marocchini moved to adjourn to Executive Session at 10:50 p.m. and the motion was seconded by Councilor Klett. The motion passed 9 – 0.

Councilor Nagel moved to adjourn from Executive Session at 11:40 p.m. Motion seconded by Councilor Anest. Motion passed 9-0.

XIV. ADJOURNMENT

Councilor Manke moved to adjourn at 11:41 p.m. Motion seconded by Councilor Marocchini. Motion passed 9-0.

Respectfully Submitted,

Linda Irish-Simpson
Clerk of the Council

attach.



- Ecology
- Soil & Wetland Studies
- Water Quality Monitoring • GPS
- Environmental Planning & Management
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January 21, 2016

Town of Newington
Engineering Department
131 Cedar Street
Newington, CT 06111

ATTN: Christopher Greenlaw, P.E.
Town Engineer

RE: *Soils Investigations a MDC Staging Area*
Deming-Young Farm, Church Street, Newington, CT
REMA Job No.: 15-1886-NEW36

Dear Mr. Greenlaw:

As requested by the Town Manager's office, per direction of the Town Council, on December 15th, and 17th, 2015, Rema Ecological Services, LLC (REMA) conducted subsurface soil investigations, and soil sampling, on a roughly 0.8-acre area, within a portion of the above-referenced town-owned property (see Figure A, attached).

The subject area ("the site"), which encompasses roughly 0.8 acres, had been used as a staging area for a MDC sewer project in Newington, in 2013. Subsequently, sometime in 2014, the site was restored to a grassy field (see Figures 1, 2, and 3).

The primary purpose of the soil investigations and soil sampling was to conduct an evaluation of the restoration efforts at the site, and based on this, to make recommendations to improve, if necessary, upon the conditions encountered. Specifically, the objectives of the commissioned investigation included, but are not limited to, addressing the following:



1. Is there an abundance of foreign or alien (i.e. non-native) material within the topsoil layer or the subsoil of the staging area (e.g. metal, tile, plastic, asphalt, etc.)?
2. Is the topsoil used to restore the site native to the area or imported from a different source?
3. Are there significant differences between the topsoil in a “reference” non-disturbed area nearby with that of the topsoil used to restore the site?
4. Are there any deficiencies in the topsoil used to restore the site (e.g. depth, pH, macronutrients, organic matter, etc.)?

1.0 SUMMARY OF FINDINGS

- Foreign or alien materials, that is, non-native materials *are* present within the topsoil layer as well as below it within the subsoil. These materials include asphalt, fabric, sand, and stone. With the exception of the processed stone, which is estimated to be present within the subsoil in a little less than half of the subject site, other materials within the topsoil were scarce in abundance. Where observed, the layer of processed stone below the topsoil layer varied from 1 inch to 11 inches in thickness.
- Comparison of the topsoil used to restore the site with that of a reference site nearby, revealed it to be of native origin. The topsoil originally stripped and stockpiled within the northeastern section of staging area, is the same topsoil used to restore the site. This conclusion is based on both field observations and the laboratory results of the soil samples.
- The differences between the reference topsoil and that used to restore the site are not significant. For instance, organic content is similar, texture is very similar, and both macro- and micronutrient levels are similar.
- Based on a full soil nutrient¹ and textural analysis conducted by the University of Connecticut Soils Laboratory, the only deficiency observed at present for a robust hay/grass cover at the site is pH. Therefore, liming of the site is recommended in advance of the next growing season. Also, maintenance fertilization is recommended.

¹ Nitrogen analysis is typically not conducted in the non-growing season by the UCONN soils laboratory.



- We (REMA) would recommend that an additional 3 to 4 inch layer of topsoil be put down in the area (i.e. +/- 0.3 acres) where topsoil depths are less than 12 inches (see Figure A). This topsoil should be amended for pH and macro-nutrients, and have a minimum organic content (measured by loss on ignition) of 4.5%. Also a top-dressing (+/- 0.5 to 1 inches) of compost (2-year, minimum), should be harrowed into the topsoil, over the entire 0.8-acre site. Finally, the entire site should be re-seeded with a diverse cool season grass seed mix (e.g. orchard grass, red top, timothy, red fescue, purple top, red clover, etc.).

2.0 METHODS & RESULTS

On December 15th, 2015, REMA advanced 15 test holes at the subject site, using hand-tools (i.e. spade and auger). Thirteen of the test holes were spread across the site (i.e. TH-1 through TH-13), while two (i.e. TH-A and TH-B) were dug within an undisturbed area immediately to the east of the site (see Figure A, attached). The test holes were advanced through the topsoil to the subsoil at least to 24 inches, or until refusal. Measured parameters included thickness of topsoil and subsoil, soil texture, and percent coarse fragments (see Table 1, attached).

During this soil exploration it was noted that within the site there were test holes where topsoil thickness was at least 12 inches (6 test holes), while the balance had less topsoil (7 test holes). As a result of this, we obtained three separate composite samples, two for the site (i.e. Samples 'B' and 'C'), and one for the reference area (i.e. Sample 'A') (see Table 1). These samples were brought to the University of Connecticut Soils Laboratory (Storrs, CT) on December 17th, 2015 for full analysis (i.e. nutrient, organic matter, soil textural classification).

At the site, several test holes (i.e. 1, 2, 3, 4, and 12) not only had at least 12 inches of topsoil, but they also did not contain any foreign or alien materials. However, at the balance of the test holes, such materials were observed, specifically a layer of processed stone immediately below the topsoil. In many cases we could not advance our hand tools into this layer.



The UCONN soils laboratory results were forwarded to us on December 30th, 2015 (see attached). Comparing the two site samples (i.e. 'B' and 'C') with the reference site sample (i.e. 'A'), the following can be gleaned:

1. Percent organic matter is very similar for the reference and two site samples (i.e., 3.7, 4.0, and 3.6, respectively).
2. The textural analysis showed all the samples to be *silt loams*.
3. Macro-nutrient and micro-nutrient levels were similar for all samples.

These results, coupled with field observations (e.g. soil color) lead us to conclude that the topsoil stripped from the site before using it for an MDC staging area, is the same topsoil that was spread over the site to restore it.

On December 17th, 2015, REMA observed and recorded soil conditions at five (5) soil test pits at the site, and one at the reference area (see Figure A, attached, for locations). The soil pits were developed with the aid of a backhoe provided and operated by the Town of Newington Public Works Department. The pits were all advanced into the subsoil at least 3 feet² below the soil surface except where bedrock was encountered. Soil Resource Inventory Forms, per USDA-NRCS and Soil Taxonomy guidelines, were filled in the field for each of the soil test pit (see attached).

This testing produced similar results as the test holes, but also was instrumental in verifying the thickness of the underlying processed stone layers, and also allowed for the observation of native (i.e. original) subsoil conditions below such layers, including the dense (massive/ platy, very firm) Cd horizon, typical of the well drained Wethersfield loam (87) soil series mapped for the area by the USDA-NRCS³ (see attached Soil Survey and Soil Series Description). Based on the soil test pits, with the exception of the processed stone layers, very little foreign material was encountered. For example, in a couple of test pits (i.e. TP-1 and TP-5) a few small chunks of asphalt were observed. Their presence does not compromise, in our opinion, the overall restoration effort of the staging area.

² Test Pit #6, was an additional pit per request of Town citizens and was only advanced to 28 inches.

³ US Department of Agriculture, Natural Resources Conservation Service.



3.0 RECOMMENDATIONS

Based on aerial photography taken prior to the MDC Staging Area (e.g. CROG GIS 2009 and 2012 aerials), the site was given to grasses and periodically mowed. Thus, the intended use is to provide for a dense and sustainable cool season grass cover, very similar to many portions of this Town-owned property. REMA finds that the grass cover at the site has not “taken” in part due to the mild drought experienced in the region in 2015.

In order to provide for the intended use (i.e. mowed grassy field), but to also allow for other potential future uses, such as community gardens, a moist meadow habitat, or the development of other types of native habitats, similar to those seen in other portions of the overall property, REMA is of the opinion that some minimal improvements are necessary.

First, a little less than half of the site (i.e. 0.3 acres) has less than 12 inches of topsoil⁴, and also less than the topsoil thickness at the reference site (i.e. 16 to 17 inches). Therefore, we recommend that an additional 3-4 inch layer of good quality topsoil be placed in this area (see Figure A)⁵. This topsoil should have minimum organic matter content of 4.0% (loss on ignition), and be free of invasive plants, especially mugwort (*Artemisia vulgaris*). Second, the entire site should be limed per the UCONN soil lab recommendations (attached), and an organics based fertilizer be applied, as recommended by a soil fertility test. Third, a roughly 0.5 to 1 inch topdressing of 2-year old, high quality compost⁶, should be spread over the entire site and harrowed in (i.e. into the top +/- 4 inches). Fourth, a high quality cool season grass seed mix should be used for the entire site. This mix should be diverse and at a minimum include orchard grass, timothy, red top, red fescue, purple top, red clover, and showy ticktrefoil⁷. It can be special-ordered at a specialty provider such as the Hart Seed Company of Wethersfield, CT.

Finally, we would recommend that these site improvements be accomplished between May 1st and June 15th of the upcoming 2016 growing season, and that supervision and monitoring be conducted by a soil scientist, who would report back to the Town that the stated recommendations were carried out as outlined. The supervising soil scientist should obtain a

⁴ Average topsoil thickness over the entire site based on 18 sampling locations is 10.3 inches.

⁵ This is estimated at about 140 cubic yards over 0.3 acres.

⁶ This is estimated at about 75 cubic yards over 0.8 acres.

⁷ The last two species are legumes which will fertilize the soil fixing atmospheric nitrogen.



soil test from the actual source/vendor of the topsoil to be used, prior to transport to the site, verifying organic matter content and soil fertility.

We should note that ideally the restored cool season grass meadow should only be mowed once a year, in September, as a hayfield, to promote vigor, and allow it to be used as habitat for wildlife, particularly avians.

4.0 DISCUSSION & CONCLUSION

The MDC Staging Area restoration conducted by the contractor is typical of what is done throughout Connecticut, in our experience. A minimum six inches of topsoil is returned to the site, fertilized, and seeded to the typical “contractor’s seed mix” which is heavy on annual and perennial ryegrasses and Kentucky bluegrass. These areas are most often to be kept as mowed grass, and are fragmented habitats with marginal or no recreational uses. They are not often associated with large Town-owned properties, with a high potential for passive recreation, such as the subject property, with its expansive rolling meadows, and walking/running trails.

It is because of the landscape setting and the prior and ongoing landuses of the site, as part of a large open space area, that we have recommended the additional improvements. Should these improvements be carried out, we believe that the site will recapture its pre-existing quality and potential to provide passive recreational opportunities into the future.

Respectfully submitted,

REMA ECOLOGICAL SERVICES, LLC

A handwritten signature in black ink, appearing to read "George T. Logan".

George T. Logan, MS, PWS, CSE
Registered Soil Scientist/Professional Wetland Scientist
Certified Senior Ecologist

VIA E-MAIL

Attachments: Figures A, and 1 to 3; Soil Survey Map; Table 1 (Soil Test Holes); Soil Resource Inventory Forms (Soil Test Pits), Soil Series Description (Wethersfield); UCON Soil Lab results