



Tanya Lane  
Acting Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR ROY ZARTARIAN**

## MINUTES

**NEWINGTON TOWN COUNCIL**  
**Auditorium – Town Hall**  
**7:00 P.M.**

**June 14, 2016**

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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  
Bill DeMaio – Superintendent, Parks and Rec Department  
Jaime Trevethan, Asst. to the Town Manager – Administration  
Linda Irish-Simpson, Clerk of the Council

### **III. APPROVAL OF AGENDA**

Councilor Marocchini moved to approve the agenda and was seconded by Councilor Klett. The motion passed 9 – 0.

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

Beth Gagnon, 61 Day Street: She had a family member buried at the West Meadow Cemetery and was concerned that items were removed from the grave site without prior notice to the families. She indicated some but not all items were removed throughout the cemetery and wanted the Town Council to review the matter.

Steven Joslyn, 17 Spur Lane: He was disappointed to learn that small items like pictures were removed from the grave site of a family member which would not have interfered with mowing and care of the cemetery.

Christine Roberge, 295 East Cedar Street: She had a child there and was concerned when an item placed at the site was cut in half by the mower since it was on the mulch and not in the way of mowing. The items placed there were personal and it was disappointing to find the items removed without notice. She felt there was a right way and a wrong way to handle things at the cemetery and wanted the Town to have more care in the handling of the site.

Jeanne Picklesimer, 97 Vincent Drive: She encouraged the Town Council to include a lazy river in the plans for the renovated Churchill Park so that her handicapped child could enjoy the pool along with others of all ages.

Carol Grem, 58 Theodore Street: She was in favor of the renovations of Churchill Park since it was currently a poor representation of the Town.

Donald Roberg, 295 East Cedar Street: He daughter was buried at the cemetery and wanted consistency and was concerned about safety there.

Sandy Schaller, 26 Ridgewood Road: She felt the cemetery was homey and not sterile and was concerned the items from graves were taken with no notice to families.

Jane Gillis, 98 Crown Ridge: She felt it was a disturbing situation and indicated her mother's grave had no grass on it and her father was not the type of person to complain. She thought it was a shame in the manner in which it was handled and that something should be done about it.

Amy Alexander, 16 Brentwood Road: She was in favor of the renovations to Churchill Park. It was important that the park be funded and people with special needs should be able to access the park.

Joe Massa, 57 Vivian Street: He was in favor of renovating Churchill Park since he had moved his family here because of the various facilities it offered. He wanted it done in a fiscally responsible way and the Town needed to be smart about the renovation.

Rose Lyons, 46 Elton Drive: She asked the signage in the Town Hall be improved to make it clearer as to where meetings were being held. She asked for Jamie to refresh the Town Councilors on the blight process and indicated the Ethics Commission had not published a report to date. She said the renovation at Churchill Park did not need to be done all at one time but hoped that it would be made ADA accessible as soon as possible.

Michael J. Fox, 1901 Main Street: He asked for the number of individuals that made up the Environmental Commission be decreased from 11 to seven so that a quorum could more easily be made. He said a litter pick up would be held on September 10 and the planning would start in July.

Don Woods, 82 Ivy Lane: He was in favor of Churchill Park's renovation and thanked the Town Manager, and Town Council for going to the site. He felt instead of studying it to death the Town needed to move it forward and felt the Town would rally around it.

(inaudible) Bazzano, 44 Cinnamon Road: He was in favor of the park and felt there was tremendous support for it in Town.

John Bachand, 56 Maple Hill Drive: He felt the rules at the cemetery should be relaxed and an apology given to the families. He was in support of Tanya Lane being given the Town Manager's job. He felt a search was not necessary since the Town had a qualified candidate already.

**V. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION**

Councilor DelBuono appreciated the public’s comments regarding the cemetery and assured the residents the Town would be reviewing the matter. They wanted to know why it happened and how to address the issue in the future. Mayor Zartarian agreed with the Councilor’s comments and wanted to ensure there would be no reoccurrence in the future.

**VI. CONSIDERATION OF OLD BUSINESS (Action May Be Taken)**

**A. Update: Town Manager Search Process**

**1. Authorize Town Manager Search Process**

Councilor Anest indicated it was not about the candidate but about the process and in public hearings the public had indicated they wanted a search. She felt the residents should be heard. Councilor Klett was in favor of a search and was in favor of a larger amount of \$15k since the \$5k was too small. Based on the consultant’s report, a search was indicated and felt that if Tanya Lane was the best candidate, she would rise to the top with competition. She was in favor of the resolution.

Councilor DelBuono indicated she felt there had already been a process with input from the public and a consultant’s report. Tanya Lane had the qualifications and felt she fit the information received from the consultant’s report. Councilor Nagel asked where the figure of \$5k was gotten and Councilor Anest said that was a figure the committee had picked. She felt Tanya Lane was qualified but a search was needed.

Councilor Serra was in favor of the resolution since the public had indicated they wanted a search to be done. Councilor Budrejko was not in favor of the resolution and the additional expense. If the Town did not have an internal candidate that was qualified, it would be money well spent.

Mayor Zartarian said she had been in the position for five months and had hit the ground running doing both the Town Manager’s job and the Town Clerk’s job. If she was not qualified, she would not still be in the position.

Councilor Anest moved the following:

**RESOLVED:**

**That the Newington Town Council hereby authorizes the Town Manager Search Committee to determine and proceed with a recruitment process of a permanent Town Manager; and**

**BE IT FURTHER RESOLVED:**

**That the cost of said process shall not exceed \$5,000.**

Councilor Klett seconded the motion and the motion failed on a roll call vote 3 – 6.

Yes: Councilors Anest, Klett, Serra

No: Councilors Budrejko, DelBuono, Manke, Marocchini, Nagel, Mayor Zartarian

**2. Appoint Tanya D. Lane as Town Manager**

Councilor DelBuono moved the following:

**RESOLVED:**

**Pursuant to Section 501 of the Newington Town Charter, the Newington Town Council hereby appoints Tanya D. Lane as Town Manager of the Town of Newington effective 6/15/16. The town**

attorney is instructed to enter into negotiations with Ms. Lane. Once a contract is agreed upon and approved by the Town Council, the terms of the agreement shall be made retroactive to the date of the appointment. A copy of the agreement between the Town Council and Tanya D. Lane will be placed in the Town Clerk's office.

Councilor Marocchini seconded the motion and passed 6 – 3 on a roll call vote.  
 Yes: Councilors Budrejko, DelBuono, Manke, Marocchini, Nagel, Mayor Zartarian  
 No: Councilors Anest, Klett, Serra

**B. Fee Updates: Planning/Zoning & Zoning Board of Appeals**

This resolution was tabled by the council.

**C. Year End Transfers**

Councilor Anest 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>
170	Town Clerk	\$31,750
190	General Services	61,715
320	Highway Department	<u>75,000</u>
	Total	\$168,465

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*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>
120	Town Manager	\$80,115
160	Town Attorney	59,500
180	Personnel	24,000
280	Hydrants	800
430	Town Plan & Zoning	2,800
440	Zoning Board of Appeals	750
460	Conservation Commission	<u>500</u>
	Total	\$168,465

**BE IT FURTHER RESOLVED:**

That the Acting Town Manager is authorized to make additional transfers from unencumbered balance of appropriations within the General Fund to the Health Benefits Fund for unforeseen expenditures and to report at a later date on the amount of such transfers.

Councilor Manke seconded the motion and the motion passed 9 – 0.

Councilor Anest 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 appropriation in the Capital and Non-Recurring Expenditure Fund, the amount listed below:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88521	Town Hall Emergency Generator	\$26,044

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Ann J. Harter, Director of Finance

**RESOLVED:**

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

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88621	Fire Co. 2 & 3 - Replacement Emergency Generator	\$13,000
88111	General Property Improvements	<u>13,044</u>
	Total	\$26,044

Councilor Manke seconded the motion and the motion passed 9 – 0.

**D. Suspense List**

Councilor Nagel moved the following:

**RESOLVED:**

The Newington Town Council hereby authorizes transfers in the amount of \$84,955.11 to the Suspense Tax Book for the year 2014-2015. This action is being taken upon the recommendation of the Revenue Collector and as shown in a report dated June 10, 2016.

Councilor DelBuono seconded the motion and the motion passed 9 – 0.

Councilor Nagel moved the following:

**RESOLVED:**

The Newington Town Council hereby authorizes the outstanding balance from the 2000 Grand List in the amount of \$6,443.36 be removed from the Town's receivable assets as of June 30, 2016 as per the recommendation of the Revenue Collector.

Councilor Manke seconded the motion and the motion passed 9 – 0.

**E. Amend Resolution Creating the John Wallace Middle School Wing Reconstruction PBC**

Mayor Zartarian explained that the Council made an error when passing the resolution establishing the John Wallace PBC, and that the action at the current meeting is to correct the error. He stated that the proper composition of the PBC should be three Councilors and two BOE members.

Councilor Marocchini moved the following:

**RESOLVED:**

**That Town Council amends resolution 2016-74 to read as follows:**

**In accordance with Article X, Section 8-39 et seq., Project Building Committees, of the Newington Code of Ordinances, the Newington Town Council hereby establishes a John Wallace Wing Reconfiguration Project Building Committee.**

**Said committee is charged to work with the Town Manager (and/or his/her designee), Superintendent of Schools, and any other appropriate Town staff in the classroom wing reconfiguration renovations at John Wallace Middle School. Such improvements shall comply with the appropriate sections of the Fire Code, Health Code, Building Code and OSHA regulations, regulations of the Americans with Disabilities Act, and any other health and/or safety code regulations currently in force.**

**BE IT FURTHER RESOLVED:**

**That the John Wallace Wing Reconfiguration Project Building Committee shall be comprised of five ( 5 ) members, of which three ( 3 ) shall be representatives of the Town Council and two ( 2 ) shall be from the Board of Education.**

**BE IT FURTHER RESOLVED:**

**That the Newington Town Council hereby appoints the following members to the John Wallace Wing Reconfiguration Project Building Committee:**

NAME	ADDRESS	PARTY	
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No names submitted at this time.

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

**VII. CONSIDERATION OF NEW BUSINESS (Action May Be Taken by Waiving the Rules)**

**A. Discussion: West Meadow Cemetery**

Bill DeMaio gave an explanation of why the items at the cemetery were removed and that the Department was following the rules set by ordinance and the Town Council. He apologized to all of the families who were affected by the removal of items. The rules regarding the cemetery were last revised in 2010 and possibly would need to be reviewed by the Council.

Councilor Klett said it was unfortunate it took so long to get an answer for the families and questioned if it had been done in the past since this was the first time the Council was hearing of it. Mr. DeMaio indicated that perhaps in the past it had not been done as completely as this year but again, was following the guidelines established by the Council.

Councilor Budrejko indicated that what was tasteful to someone might be considered offensive to someone else and it was hard not to offend anyone. In the past some of the items had been removed but not all of them and doing it like it was done this year, was considered cruel. She felt the public could be notified via internet, CPTV and newspapers in the future.

Councilor Marocchini indicated there was no one appointed Sexton of the cemetery, and Mr. DeMaio said that was a position which had never been filled and was the responsibility of the Town Manager. Mayor Zartarian indicated a committee could be established to review the issue and Councilor Klett asked that the public be included in it.

#### **B. Discussion: Engineering Study of Churchill Park**

A presentation was made by Milone and MacBroom for the renovations suggested at Churchill Park. The presentation is attached.

The Councilors had discussions regarding the pool at Churchill and at Mill Pond as well as what the proposed boardwalk around the pond would be made of and if it would be ADA accessible. The engineers assured the Council everything would be ADA accessible and the boardwalk would be of a material that would be low maintenance. There would be more revenue generated at the Park for the Town through various fees charged.

Councilor Budrejko asked about the size of the pond and was told it would be approximately the same as the current size. She was told that because of the boardwalk, ice hockey would not be able to be played there.

Councilor Nagel asked if the entire renovation had to be done at the same time and was told that to do it in phases would be more costly and the entire project could be completed in 1 ½ years. The engineers indicated the cost of the project would be \$19 million. Mayor Zartarian asked for a complete breakdown of the costs from the engineers.

Mayor Zartarian asked for a motion to waive the rules for the Council to continue business past the 10:30 p.m. deadline. A motion was made by Councilor DelBuono and seconded by Councilor Marocchini. The motion passed 9 – 0.

#### **C. Memorandum of Understanding: Board of Education Non-Lapsing Account (Action Requested)**

Tanya Lane indicated the MOU was needed in order for the BOE to move forward, and this provided more detail. Councilor DelBuono suggested including an ending date on the MOU. Councilor Klett expressed concerns with the MOU in relation to the State Statute. Acting Town Manager Lane indicated that the MOU has been reviewed by Town Attorney Ben Ancona, who had no issues with it.

Councilor Marocchini moved to waive the rules and consider the MOU. The motion was seconded by Councilor Klett and the motion passed 9 – 0.

Councilor Manke moved the following:

**RESOLVED,**

**That the Newington Town Council authorizes Acting Town Manager Tanya D. Lane to execute a Memorandum of Understanding Between the Town Council and the Board of Education regarding the Non-Lapsing Education Fund, a copy of which shall be attached to this resolution.**

Councilor Klett seconded the motion and the motion passed 8 – 0 (Councilor DelBuono-abstained).

**D. Job Description: Civilian Evidence Officer**

Tanya Lane explained that this was a new job description from the Police Department and would be on the next Council agenda.

**VIII. RESIGNATIONS/APPOINTMENTS (Action May Be Taken)**

**A. Board of Ethics**

**1. Accept Resignation of Joanne Shulman**

Councilor Anest moved the following:

**RESOLVED:**

**That the Newington Town Council hereby accepts the resignation of Joanne Shulman from the Board of Ethics, in accordance with a communication dated May 20, 2016.**

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

- B. 2. Appoint Replacement (TBD)  
Development Commission**
- 1. Accept Resignation of Jennifer Spano – Alternate**

Councilor DelBuono moved the following:

**RESOLVED:**

**That the Newington Town Council hereby accepts the resignation of Jennifer Spano as an alternate member of the Economic Development Commission in accordance with a communication dated June 6, 2016.**

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

- 2. Appoint a Replacement (TBD)**
- 3. Accept Resignation of Sarah Jorgensen**

Councilor DelBuono moved the following:

**RESOLVED:**

**That the Newington Town Council hereby accepts the resignation of Sarah Jorgensen as a member of the Economic Development Commission and the Board of Parks and Recreation in accordance with a communication dated June 6, 2016.**

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

Councilor DelBuono moved the following:

**RESOLVED:**

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

**Economic Development Commission**

Name	Address	Party	Term	Replaces
Jennifer Spano	360 Maple Hill Avenue	R	IMMED.-11/30/17	S. Jorgensen – Resigned 6-2016

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

**X. TAX REFUNDS (Action Requested)**

Councilor Nagel moved the following:

**RESOLVED:**

That property tax refunds in the amount of \$865.10 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.

**XI. MINUTES OF PREVIOUS MEETINGS (Action Requested)**

**A. Regular Meeting, May 24, 2016**

Councilor Manke moved to accept the meeting minutes of May 24 and was seconded by Councilor Serra. The motion passed 9 – 0.

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

Tanya Lane indicated the State had reduced the aid to towns and Newington would look to delay some capital improvement projects.

She read a letter from the Town Attorney into the record regarding the Young Farm and the soil situation. The letter is attached.

Mayor Zartarian said he had received letters from two residents objecting to the way items were removed at the cemetery.

**XIII. COUNCIL LIAISON/COMMITTEE REPORTS**

Councilor Nagel said the Library Renovations Committee was in the process of having a feasibility study done and would inform the Council at a later date of the results. He also indicated the next CRCOG meeting would be held in September.

Councilor Klett said the CIP committee would held its next meeting on June 7, 2016.

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

Rose Lyons, 46 Elton Drive: Called in to say it had been an interesting meeting and liked the three minute rule.

**XV. REMARKS BY COUNCILORS**

Councilor DelBuono offered her congratulations to the new Town Manager. She felt she had done a good job and appreciated her openness and honesty as well as her willingness to listen.

Councilor Budrejko congratulated NCTV on their anniversary.

Councilor Manke thanked the Town Council and others for their expressions of sympathy on the death of his father.

Councilor Klett congratulated Tanya Lane on becoming the new Town Manager.

Councilor Anest also congratulated the new Town Manager and looked forward to working with her.

**XVI. ADJOURNMENT**

Councilor Marocchini moved to adjourn at 11:06 p.m. and the motion was seconded by Councilor DelBuono. The motion was passed 9 – 0.

Respectfully Submitted,

Linda Irish-Simpson  
Clerk of the Council

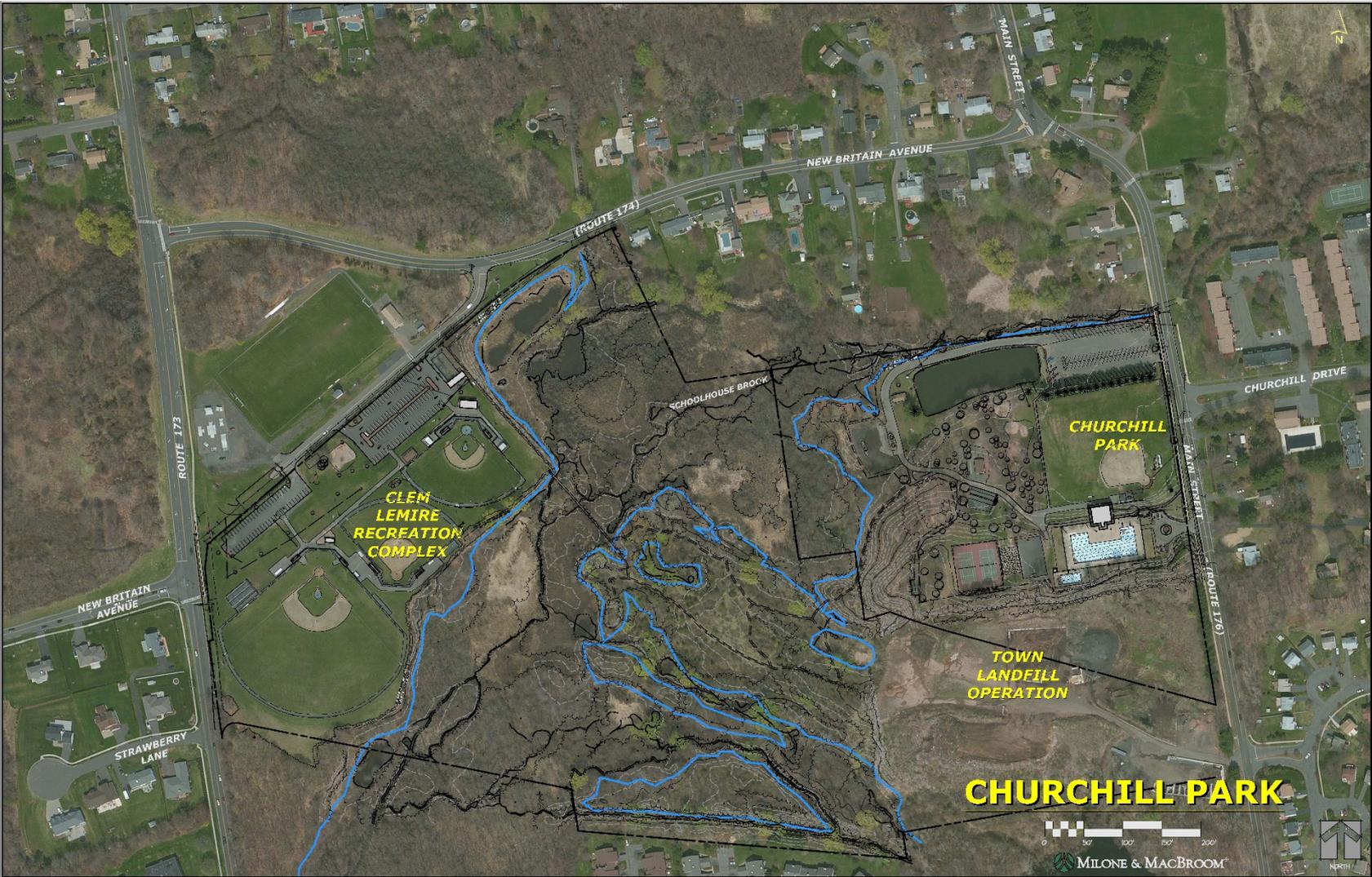
Cc: T. Lane, Town Clerk  
attach.

# Town Council Meeting

## Churchill Park Conceptual Design Improvements



# Aerial Photo – Site Context



# Aerial Photo – Churchill Park



# Entrance & Signage



# Pond



# Pond



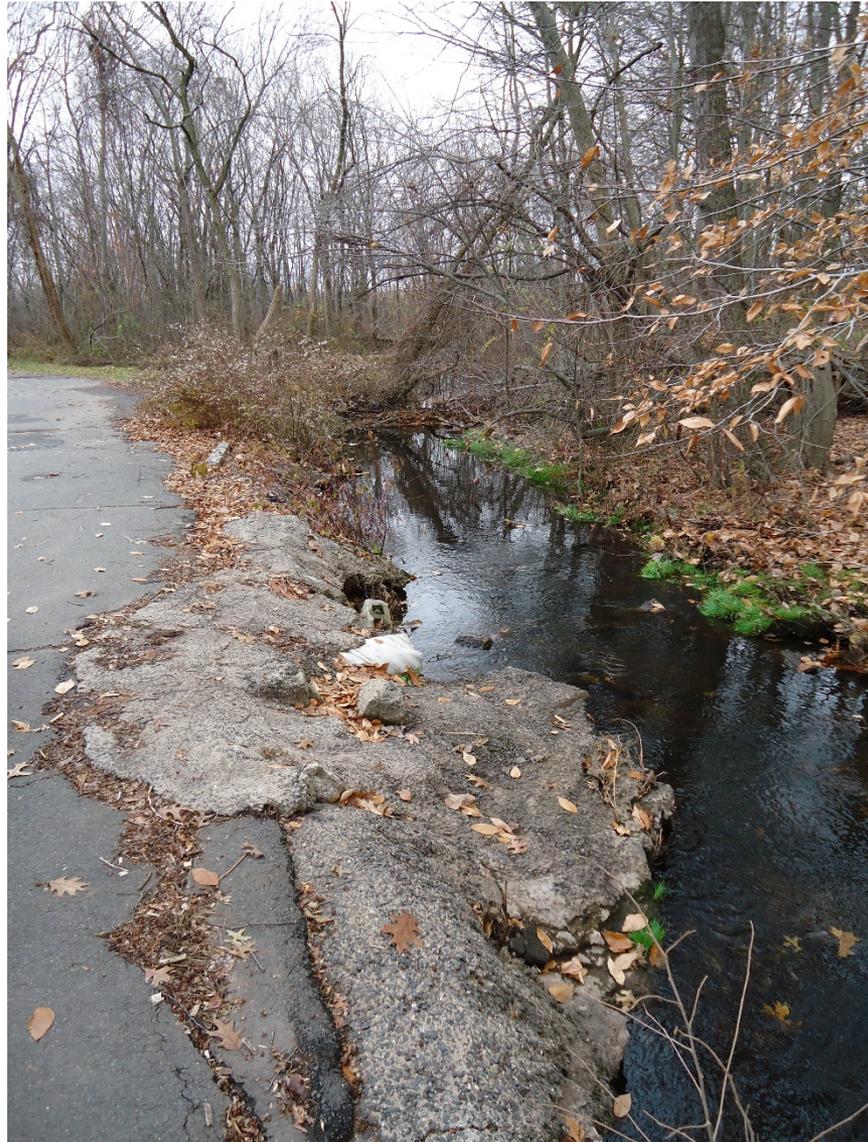
# Pond



# Pond Edge



# Schoolhouse Brook



# Parking & Pavement



# Overflow Parking



# Robert Stanley Nature Trail



# Structures



# Structures



# Playground



# Playground



# Playground & Mature Vegetation



# Site Furnishings



# Bocce & Horseshoes



# Accessibility



# Upper Picnic Area



# Courts



# Courts



# Courts



# Pool Parking



# Pool Access



# Pool



# Pool



# Pool



# Pool



# Pool



# Pool



# Pool



# Pool



# Pool



# Bath House



# Bath House



# Bath House



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# Softball Field



# Softball Field



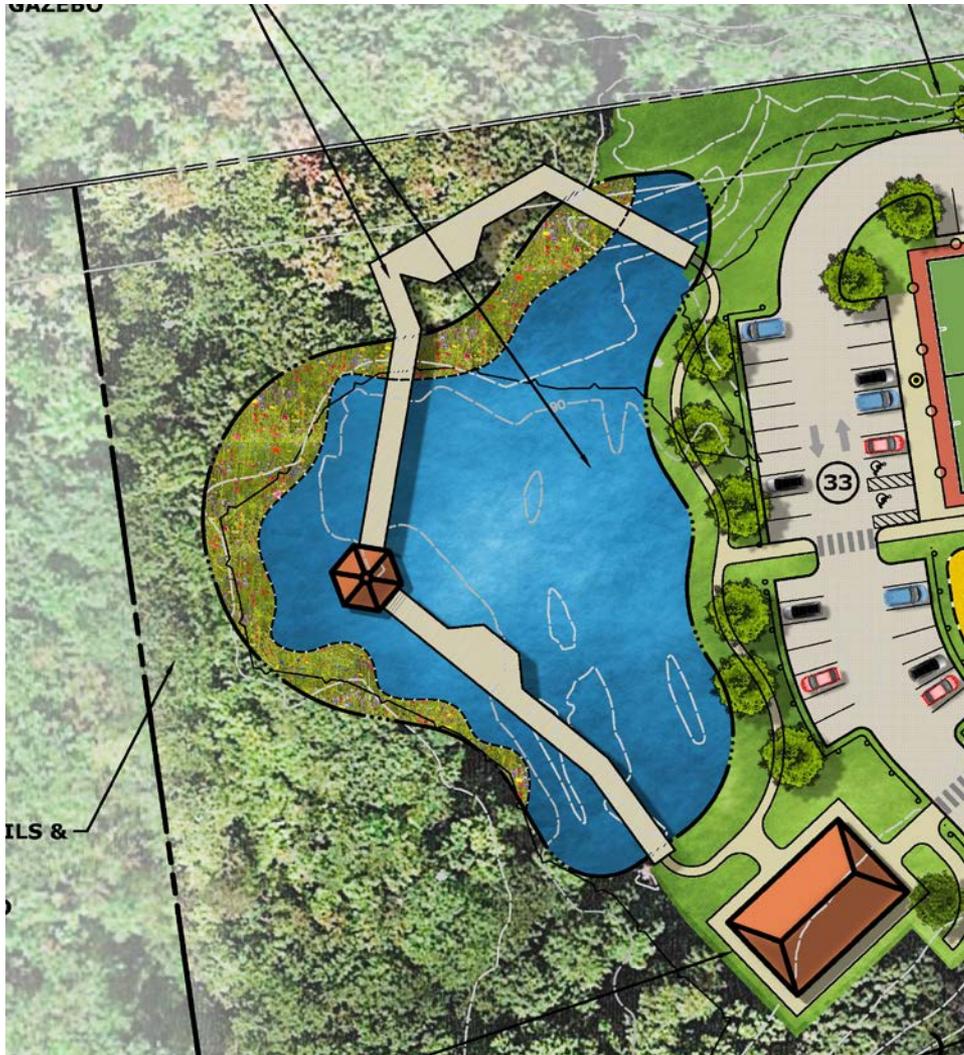
# Aerial Photo – Churchill Park



# Schematic Master Plan



# Pond and Wetland Mitigation



BEFORE



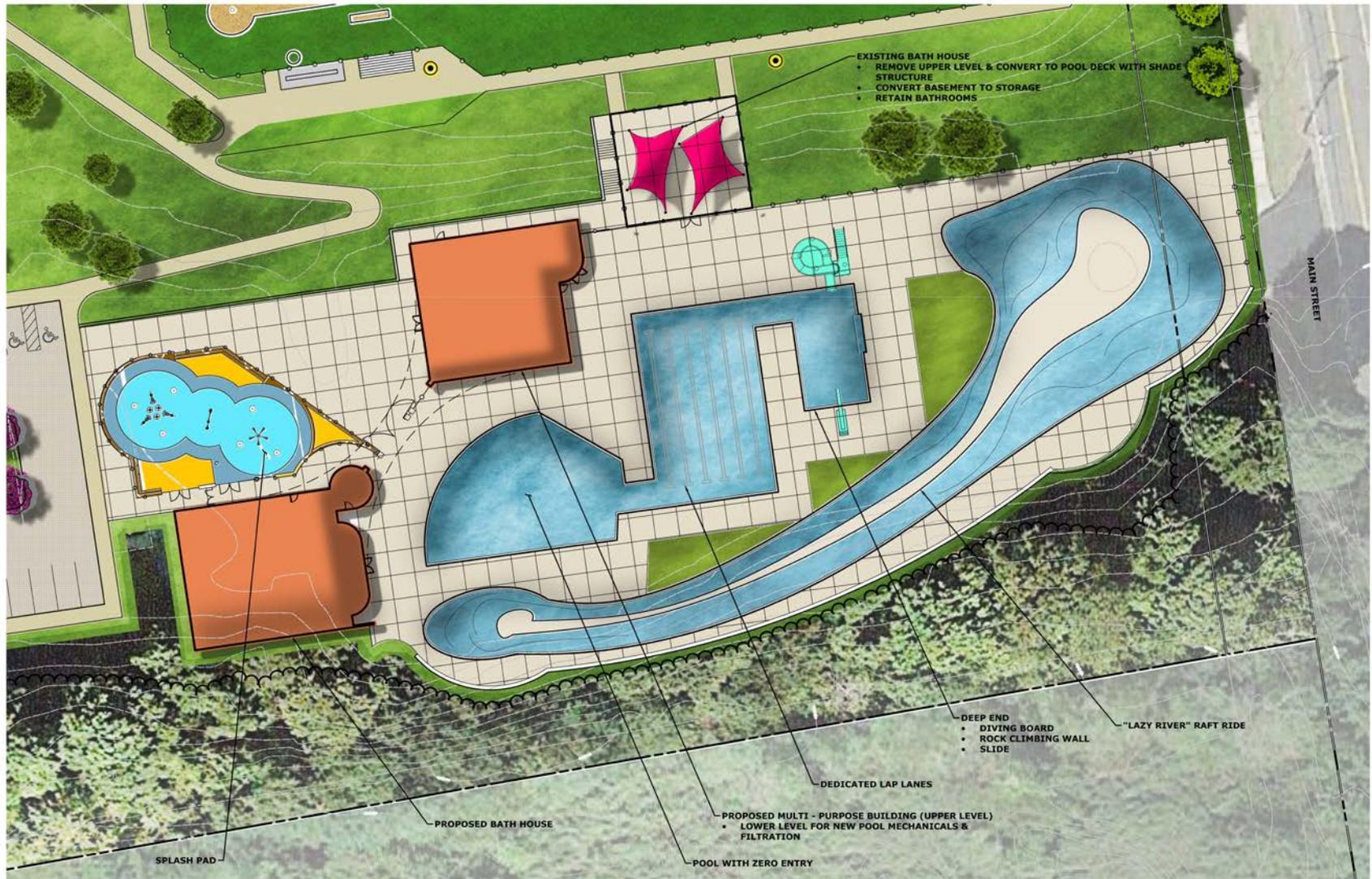
AFTER



# Lagoon Improvements at Rockwell Park

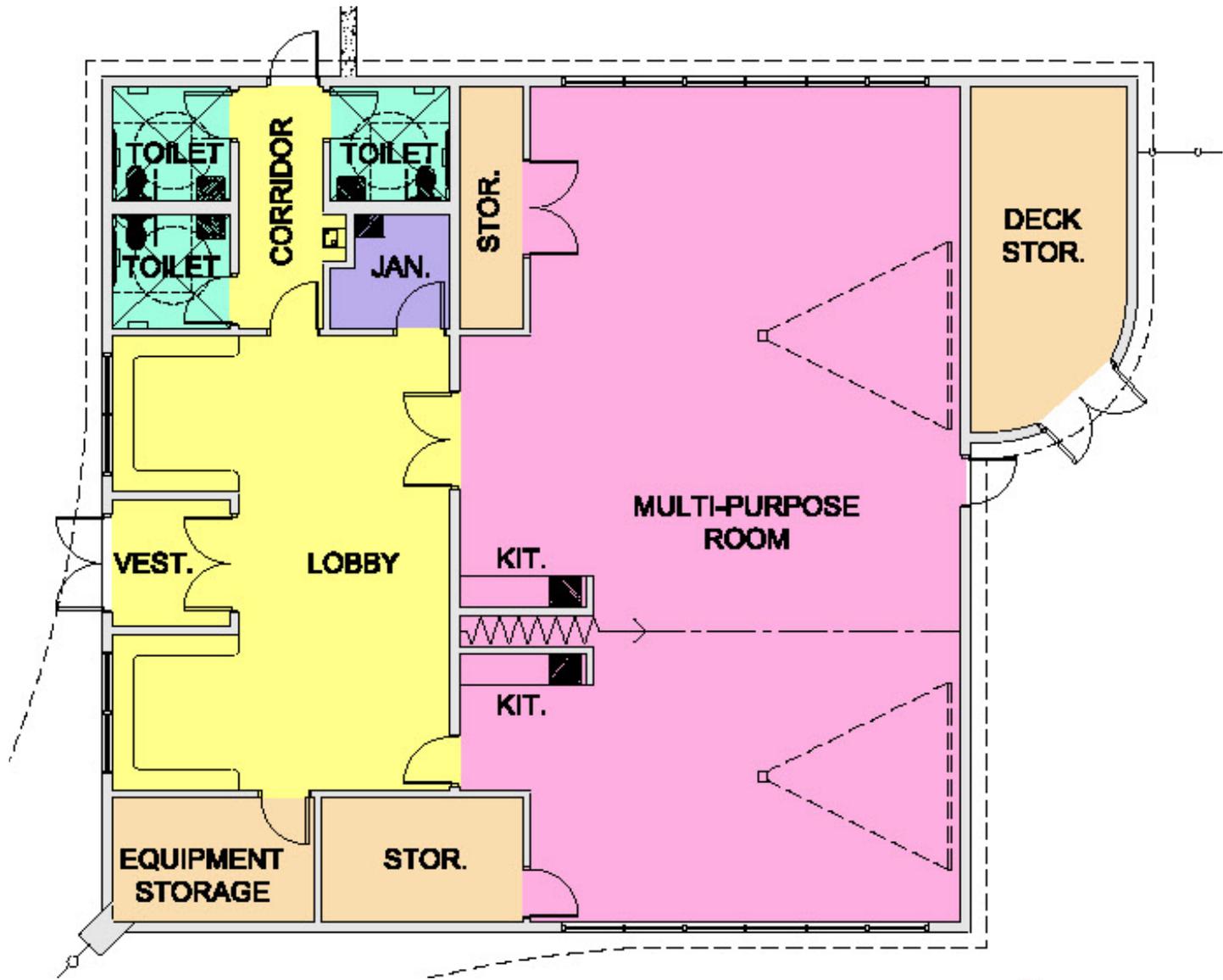


# Pool Area Enlargement

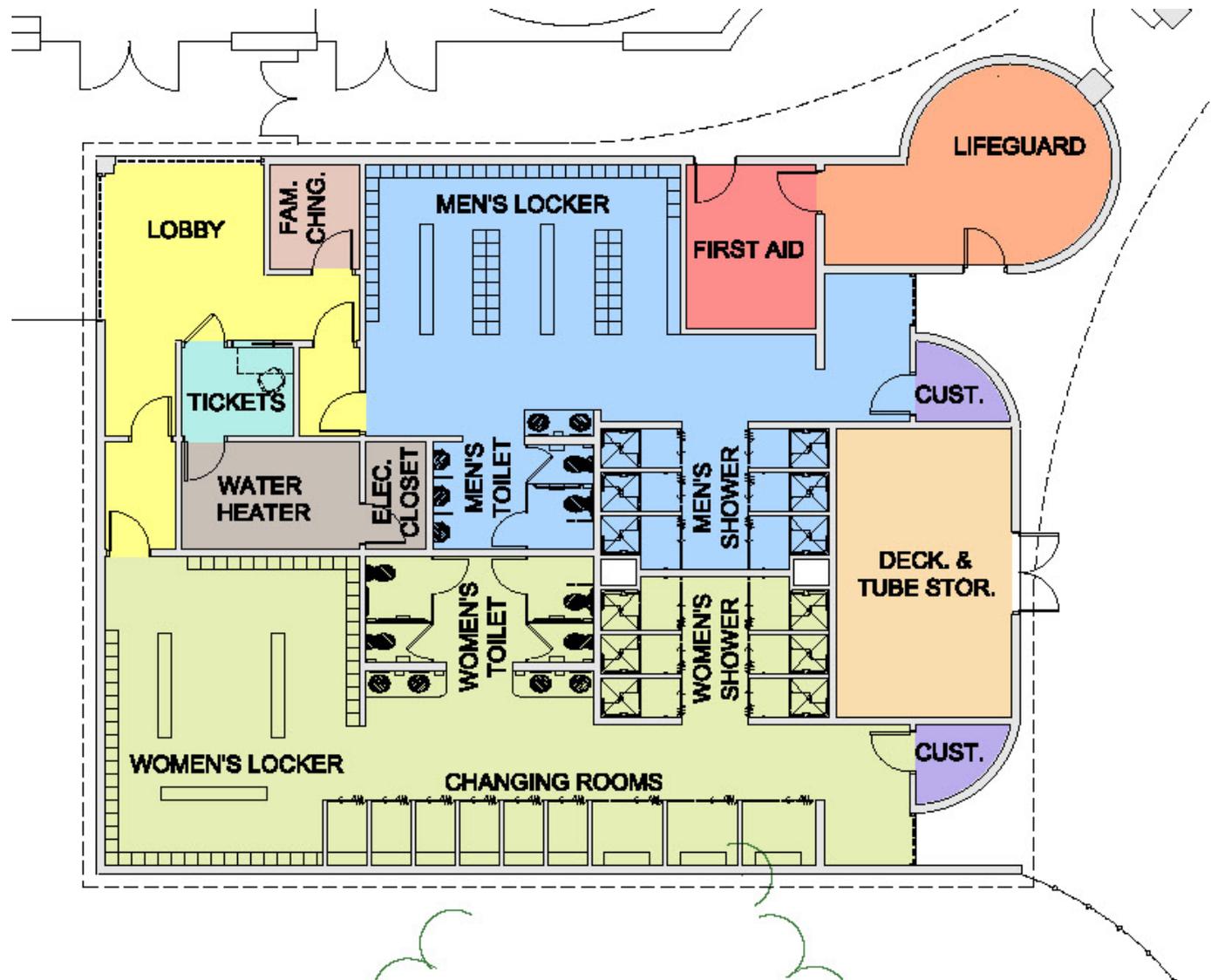




# Multi-Purpose Building – Floor Plan



# Bathhouse Floor Plan



# Q&A



**ANCONA & SIEGEL**  
ATTORNEYS AND COUNSELORS AT LAW

BENJAMIN ANCONA JR.  
JANE ANCONA SIEGEL

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JENNIFER A. SPANO, LEGAL ASSISTANT

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NEWINGTON, CT 06111  
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FACSIMILE 860/666-5522

June 12, 2016

Tanya D. Lane  
Acting Town Manager  
Town of Newington  
131 Cedar Street  
Newington, CT 06111

**Re: Young Farm Soil**

Dear Madam Acting Town Manager:

This letter is intended as a summary conclusion regarding my investigation of the Young Farm soil at 282 Church Street. After reviewing innumerable documents, emails, correspondence and reports, and having interviewed no less than ten witnesses, I have neither found malfeasance by a public official nor criminal conduct by a private party. I did find, however, a series of missteps and misdirections by the former town manager that otherwise could have avoided much of the conjecture associated with this issue. Furthermore, I must emphasize that the Young family's concerns are not without merit because the farm is simply not in the condition it was when the town took the property by eminent domain for open space purposes in 1999.

The foremost indiscretion was the former town manager's failure to initiate a Connecticut General Statutes §8-24 referral to the Town Plan and Zoning Commission. I believe that had the former manager recommended such a referral, the TPZ could have given guidance and insight regarding the proper usage of the property. The TPZ also could have provided possible suggestions regarding any placement or limitations of operation of the staging area or whether a staging area were consistent with the original intent of the 1998 open space grant at all. It must be emphasized that this is a perfect example as to the reason the legislature drafted §8-24 and why it's so important to look to our land use commissions for their specialized guidance. Had this referral been made, I believe most, if not all of the issues could have been avoided.

Secondly, had the former town manager sought additional advice and consent of the Council prior to the commencement of the project, the public, by proxy, would have gained a view to the purpose and intent as to why the farm was desired as a staging area and the reasons that made the use of the

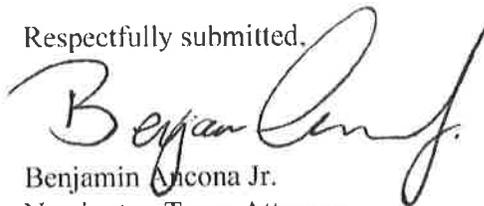
farm so beneficial to the nearby residents - - such as keeping large construction equipment off our roads as opposed to having them arrive in the morning and depart every afternoon. The Council also would have had input regarding the installation of a 2" water main and sewer lateral as consideration for the contractor's use of the area.

During my investigation, the most persuasive evidence that soil might be missing was presented by Edward Young. Mr. Young produced photographs that contrasted the elevations of the north side of the farmhouse where the staging area was constructed. Those photographs from the late 1990's show much higher ground elevations than exist today. However, there is also strong evidence that suggests it was the town that requested the contractor to lower the elevation at the conclusion of the project. The purpose of the request was to provide for easier ingress to a future potential driveway or parking area with the level of the farmland being commensurate with the elevation of the road. Again, the Young photographs are very compelling and there is no doubt that soil is missing from the staging area, but I don't believe the soil is actually missing from the farm; in fact, I believe much of it was redistributed to the east of the subject area.

Therefore, in concurrence with the study conducted by REMA Ecological Services, LLC, I am recommending that the Town of Newington request that VMS Construction Company remediate the subject area in accordance with the recommendations suggested on page 5 of REMA's January 21, 2016 report with a minimum 4 inches of topsoil placed over the subject area and that any additional REMA recommendations be followed.

In 1784, Thomas Deming constructed the farmhouse on property his family had owned since 1671. In 1932, the Frederick Young Family acquired the property and truly made the land what it is today. They did so by moving the soil in a manner that made the property more amenable to farming and as such, created the bucolic rolling hills that the citizenry now enjoy since the town's eminent domain taking in January of 1999. Accordingly, in my humble opinion, we must be good stewards of this gem of open space by respecting the labor of our predecessors and that prior to any future project, inform the council of any intended use of the property and pursue an 8-24 referral seeking the guidance of our Town Plan and Zoning Commission.

Respectfully submitted,



Benjamin Vinona Jr.  
Newington Town Attorney