



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR STEPHEN WOODS

NEWINGTON TOWN COUNCIL

**Auditorium (Main Level) – Town Hall
131 Cedar Street**

AGENDA

July 28, 2015

8:00 p.m. or Immediately Following Public Hearing

Note: A Public Hearing re: Town Hall Renovations will be held at 7:00 p.m. in the Auditorium (main level) – Town Hall

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- I. PLEDGE OF ALLEGIANCE
 - II. ROLL CALL
 - III. PUBLIC PARTICIPATION – IN GENERAL
(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)
 - IV. CONSIDERATION OF OLD BUSINESS (**Action May Be Taken**)
 - A. Discussion: Town Hall Renovations
 - V. CONSIDERATION OF NEW BUSINESS (**Action May Be Taken by Waiving the Rules**)
 - A. Indian Hill Lease Update
 - B. New Ordinance Introduction – Student Technology Insurance Fund
 - C. Consideration of Cancelling the August 25, 2015 Town Council Meeting
 - VI. RESIGNATIONS/APPOINTMENTS (**Action May Be Taken**)
 - A. Appointments to Boards and Commissions
 1. Affordable Housing Monitoring Agency
 2. Commission on Aging and Disabled
 3. Balf-Town Committee
 4. Board of Education Roof Replacement Project Building Committee
 5. Board of Ethics
 6. Capitol Region Council of Governments
 7. Central Connecticut Health District Board of Directors
 8. Committee on Community Safety
 9. Conservation Commission
 10. Development Commission
 11. Downtown Revitalization Committee
 12. Employee Insurance & Pension Benefits Committee
 13. Environmental Quality Commission

Phone: (860) 665-8510 Fax: (860) 665-8507
townmanager@newingtonct.gov
www.newingtonct.gov

14. Board of Ethics
15. Fair Rent Commission
16. Newington Housing Authority
17. Human Rights Commission
18. Library Renovations/Addition Project Building Committee
19. Newington School Career Technical Program Renovation Project Building Committee
20. Open Space Committee
21. Board of Parks and Recreation
22. School Improvements Project Building Committee
23. STEM Academy PBC
24. Senior & Disabled Center Roof Replacement Project Building Committee
25. Standing Insurance Committee
26. Town Hall Renovations Project Building Committee
27. Town Plan & Zoning Commission
28. Tri-Town Community Cable Access
29. Vehicle Appeals Board
30. West Meadow Cemetery Expansion Project Building Committee
31. Zoning Board of Appeals

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

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

- A. Regular Meeting, July 14, 2015

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

X. COUNCIL LIAISON/COMMITTEE REPORTS

XI. PUBLIC PARTICIPATION – IN GENERAL
(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)

XII. REMARKS BY COUNCILORS

XIII. ADJOURNMENT



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: July 23, 2015
Re: Town Hall Renovations Project Discussion

Public Hearings regarding the Town Hall Renovations project will be held on Tuesday, July 28 at 7:00 p.m. in the Town Hall Auditorium and Monday, August 3, 2015 at 10:00 a.m. at the Newington Senior and Disabled Center.

The regular Town Council meeting will follow the July 28 Public Hearing. There will be an item on the Council agenda to further discuss the Town Hall Renovations project. Members of the Town Hall Renovations Project Building Committee will be invited to attend.

Attach.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: July 23, 2015
Re: Indian Hill Lease Update

There will be an item on the July 28, 2015 Town Council agenda for staff to provide an update on the Indian Hill lease. More information will be discussed during the meeting. No Council action is required on this item at the July 28 meeting.

Law Offices of Peter J. Boorman, LLC

365 Willard Avenue, Suite 2E
Newington, Connecticut 06111

Tel. (860) 594-4433
Fax (860) 666-5112

June 19, 2015

Edward Johnson, President
Indian Hill Country Club
P. O. Box 310249
111 Golf Street
Newington, CT 06111

RE: IHCC / Town of Newington
Lease Modification
Calculation of Rent - July 1, 2015 – June 30, 2016

Dear Mr. Johnson:

Please be advised that I write to you once again in my capacity as the Newington Town Attorney and by way of follow up to our recent conferences. This letter is intended to comply with the relevant provisions of the March 27, 2014 modification of lease that required action in June, 2015. More specifically:

1. The parties agree that the annual rent for the period July 1, 2015 – June 30, 2016 is calculated based on an annual valuation of the real property and the personal property at \$2,500,000.00 which results in an annual rent of \$62,650.00 payable monthly at \$5,220.84.
2. The parties agree that IHCC shall continue/modify/implement the following enhancements (collectively hereafter referred to as “Enhancements”) upon full execution of this modification, all such enhancements to be in addition to all existing obligations under the Lease:
 - a) Increase resident play by non-member Newington Residents to include Saturday tee times starting at 1:30 pm with play continuing through dusk. Additionally, a Newington resident shall be permitted to bring up to 3 non Newington residents as his/her guests to complete a foursome for all times non-member Newington Residents are allowed access under the Lease, with rates for play to be the same for the guests as the non-member Newington Residents as set under the Lease. (Reference to paragraph C 10 of Lease).
 - b) Rates for the resident card registration fee shall remain at the current rate of \$25.00 for residents under 62 years of age and \$50.00 for residents over 62 years of age (Reference to paragraph C 10 of Lease).

- c) Continue "Newington Golf Days" to consist of 3 days each April where all Newington residents (no resident card required) and their guests can play the course at non-member Newington Resident rates with 50% of the greens fees to be donated by IHCC to the Newington High School Project Graduation (or similar non-profit TON activity if the Project Graduation no longer exists).
- d) Continue to develop an IHCC sponsored Golf League for Newington residents and their guests, with consultation from TON Park & Recreation department as to the design.
- e) Continue to further develop and enhance the existing children's program to increase participation and foster the growth of golf for the future.
- f) Continue to engage in a marketing campaign to increase overall IHCC membership with a goal of a total of 200 golf members by July 1, 2015.
- g) IHCC shall continue to keep accurate records of each of the above listed Enhancements with the intention to assess those records to quantify value received by TON.
- h) Implement a Newington Town Employee League.

The TON agrees to continue to promote, encourage and actively participate in fostering the Enhancements and the parties, together, further agree to take all reasonable steps to continue to insure the Enhancements are successful during the July 1, 2015 – June 30, 2016 period.

The parties further agree to value the Enhancements at \$1,220.84 per month during the July 1, 2015 – June 30, 2016 period. It is the intention of the parties to renegotiate the current model used under the Lease by June, 2016. If that renegotiation is not complete by June 30, 2016, then the parties shall renegotiate the value of Enhancements and determine applicability to further monthly reductions of rent (see #3 below) and/or further reductions to the rental arrearage (see #4 below). If no agreement is made as to further monthly reductions of rent then no further reductions shall apply and the Enhancements end. If no agreement is made as further reductions to the rental arrearage then no further reductions shall apply and the balance of arrearage to be paid by IHCC to TON shall be made in two equal payments, the first half no later than January 1, 2017, the second half no later than June 30, 2017.

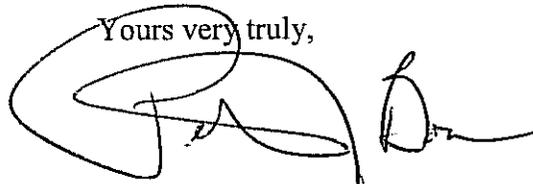
3. The parties agree to apply the value of the Enhancements (\$1,220.84 per mo.) to the monthly rental due (\$5,220.84) commencing with the July 1, 2015 payment, as follows: $\$5,220.84 - \$1,220.84 = \$4,000.00$. The parties agree IHCC continues monthly payments of \$4,000.00 to TON commencing with the July 1, 2015 payment and thereafter in a timely fashion (no late payments) through June 2016. Time is of the essence as to these payments.
4. The parties agree that a rental arrearage currently exists for the time period July 1, 2013 – December 1, 2013 of \$22,334.40. The parties herein agree to postpone payment by IHCC to TON of that arrearage until July 1, 2016, such payment further subject to the provisions below:

- a) No reduction shall occur unless IHCC complies with all obligations under the Lease as modified herein, specifically included, but not limited to, timely payment of all sums due to TON.
 - b) Beginning with the July, 2015 monthly rental payment and continuing through the June, 2016 (12 months) monthly rental payment, IHCC shall, upon payment of the monthly rent, be entitled to a monthly reduction to the arrearage of \$1,000.00. For the 12 month period the total reduction = \$12,000.00 resulting in a reduction of the arrearage to \$10,334.40 (\$22,334.40 - \$12,000.00) as of June, 2016.
5. IHCC shall continue to produce annual budgets that reflect a realistic ability to perform as indicated herein. Copies of those budgets shall be given to the TON upon request from the Town Manager. The TON and IHCC shall designate one representative each to meet quarterly (1st meeting no later than July 17, 2015) for a review of IHCC books to assess viability of IHCC for the period July, 2015 – June, 2016. At any time during the remainder of this Lease, should IHCC fail to be viable and no longer be able to perform as Tenant under the Lease, then the parties shall meet to address an orderly transition for the return of use and occupancy to the TON. IHCC agrees to fully cooperate with the TON as Landlord as to any such transition and further take all reasonable steps to insure a smooth transition.
6. TON and IHCC reaffirm all aspects of Lease except as modified above. As indicated above, it is the intention of the parties to renegotiate the current model used under the Lease by June, 2016. The parties recognize that the current model as set out in the current Lease is not sustainable. As such, it is necessary to explore all other options available with the intent of formulating a model by way of a lease that will maximize the continued success of the golf course itself as well as the facilities thereon.

Two original signature pages are provided herein. Once you have executed on behalf of Indian Hill Country Club, Inc. kindly forward one original back to me. At that time I will seek Town of Newington approval.

Please do not hesitate to contact me directly by telephone with any questions or concerns.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Peter J. Boorman', written over a horizontal dotted line.

Peter J. Boorman, Esq.
Newington Town Attorney

I, Edward Johnson, President of Indian Hill Country Club, Inc., acknowledge receipt of this letter and further, by my signature below confirm that I am a duly authorized agent of IHCC and as such, I agree to the terms specified above.

Handwritten signature of Edward Johnson in cursive script, with the date "6/22/15" written at the end of the signature.

Edward Johnson, President
Indian Hill Country Club, Inc.
Duly authorized

I, John Salomone, Town Manager for the Town of Newington, acknowledge receipt of this letter and further, by my signature below confirm that I am a duly authorized to execute on behalf of the Town of Newington and as such, the Town of Newington agrees to the terms specified above.

_____/ /15
John Salomone, Town Manager
Town of Newington
Duly authorized



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Finance Department

Ann J. Harter
Director of Finance

Memorandum

To: John Salomone, Town Manager
From: Ann Harter, Director of Finance
Date: July 23, 2015
Re: Student Technology Insurance Fund

Attached is a draft of an ordinance to establish the Student Technology Insurance Fund.

Similar to the Employee Leave Liability Fund, Public School Capital Improvement Projects Fund and Other Post-Employment Benefits Trust Fund, ordinances provide for the creation of funds.

The purpose of the fund is to account for fees collected and related expenses connected with issuance of computer devices associated with Newington Public Schools 1:1 Technology Initiative. As suggested by our auditors, this ordinance will provide guidance for accounting of the fund in the future.

Lou Jachimowicz and I collaborated to draft the ordinance and incorporated recommendations presented by Attorney Peter Boorman. I'm requesting that the draft ordinance be introduced by Town Council at the July 28, 2015 meeting.

New Ordinance Procedure

Newington Town Charter

§ C-405. Introduction of Ordinances.

All ordinances, together with a written statement of purpose, shall be introduced at a regular or special meeting of the Council in written form by a member of the Council. It shall be the duty of the Clerk of the Council immediately upon each introduction to file a copy of such proposed ordinance with the Town Clerk. It shall be the duty of the Town Clerk or his/her designee immediately upon receipt of such proposed ordinance to prepare sufficient copies of such ordinance, one copy of which shall be retained in the Town Clerk's office for public inspection, one copy posted on the Town bulletin board and website, and one copy distributed to each member of the Council and to the Manager. No discussion shall be had upon a proposed ordinance at the meeting at which it is introduced, except for an explanation by the Councilor moving such ordinance.

§ C-406. Public Hearings and Passage of Ordinance.

Before an ordinance, except an emergency ordinance, shall be voted upon, the Council shall hold at least one public hearing, five days notice of which shall be given by publishing the notice and the proposed ordinance in full at least once in a newspaper having circulation in the Town and by posting the notice and the proposed ordinance in full on the Town bulletin board and website with the full proposed ordinance also available in the Town Clerk's office. After such public hearing, the Council may make such changes as it considers advisable before voting upon said ordinance. Notice of the passage of an ordinance, described by title or subject matter and statement of purpose, together with such changes in the proposed ordinance, shall be published at least once in a newspaper having a circulation in the Town, and an ordinance, except an emergency ordinance, shall become effective 15 days after such notice is published, provided that, if a petition for a referendum is filed with the Town Clerk within the time specified in § C-410, the ordinance shall not become effective except in accordance with the provisions of § C-410. All adopted ordinances shall be filed with the Town Clerk and kept as a public record in the form of a suitably indexed volume or volumes of ordinances.

AGENDA ITEM: V.B.

DATE: 7-28-15

RESOLUTION NO. _____

INTRODUCTION:

I hereby introduce for the Town Council's consideration a proposed ordinance entitled "The Student Technology Insurance Fund," a copy of which has been filed with the Clerk of the Council.

Introduced by: _____

DRAFT ORDINANCE

Purpose.

The Student Technology Insurance Fund (the "Fund") is hereby established to account for and finance the Town's repair and replacement costs of computer devices associated with Newington Public Schools 1:1 Technology Initiative. Said fund shall serve as a means to set aside funds in accordance with Newington Public Schools 1:1 Technology Initiative.

Revenue.

The Newington Board of Education is authorized to establish fees and charges intended to generate income support for the Fund. No appropriations or transfers from the General Fund shall be deposited into the Fund. During the fiscal year, there shall be paid into the Fund:

- A. Fees charged to students and families to purchase insurance to cover accidental damage for the device as set by the Board of Education per school year;
- B. Reimbursements charged to students and families for repairs and/or replacement parts for maintenance completed by Newington Public Schools;
- C. Monies recovered from third parties, subrogation, direct recoveries or litigation;
- D. Interest earnings.

Expenditures.

The Director of Finance is authorized to draw upon the balance of the Fund to pay for uninsured losses and/or repair and replacement costs upon certification of Newington Public Schools' Chief Financial Officer as to the validity of the expenditure. No expenditures from said Fund shall be used for capital improvements or capital equipment other than successor computer devices associated with Newington Public School's 1:1 Technology Initiative. No other expenditures shall be made from the balance of the Fund, nor shall any transfers be made from the Fund for any purpose not authorized herein.

Fund balance.

The unexpended balance of the Fund together with interest earnings, may accrue and the balance thereof shall not be subject to lapsing at the close of any fiscal period. The balance of said Fund or any portion thereof may be invested separately or in conjunction with other idle Town funds, but any applicable interest earnings shall be credited to said Fund. The Town is not obligated to restore any monies from Town's operating General Fund budget. The Board of Education shall address additional funding as it deems appropriate.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: July 23, 2015
Re: Consideration of Canceling the August 25 Town Council Meeting

The subject of cancelling the August 25, 2015 Town Council Meeting is on Tuesday evening's agenda for discussion, followed by possible action at the August 11, 2015 meeting. The Council has, in the past, voted to cancel an August meeting if there are no pressing matters for consideration. A special meeting can be called in the event of any emergency or pressing matter that may arise after the cancellation.

AGENDA ITEM: VII

DATE: 7-28-15

RESOLUTION NO. _____

RESOLVED:

That property tax refunds in the amount of \$ 220.82 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.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

TAX REFUNDS – JULY 28, 2015

Robert or Brenda Castelle 167 Connecticut Ave. Newington, CT 06111	\$78.54
Rebecca Dlubac 3464 Edinburga Ave. Apt. 3 Riverside, CA 92507	\$66.24
Thomas Idiculla 212 Sterling Drive Newington, CT 06111	\$38.31
Frank Papa or Ernest Robert 26 Church Terrace Newington, CT 06111	\$15.64
John or Jody Paszczuk 16 Gail Circle Newington, CT 06111	\$22.09
Total	\$220.82