

TOWN OF HAMDEN, CONNECTICUT

LEGISLATIVE COUNCIL

MINUTES OF MEETING

May 4, 2015

A meeting of the Legislative Council was held on Monday, May 4, 2015 in the Legislative Council Chambers at the Memorial Town Hall. The meeting was called to order at 8:12 P.M. by the Council President Pro Tem. The Clerk took the roll which was followed by the Pledge of Allegiance and a moment of silence.

MEMBERS PRESENT: Eric Annes Berita Rowe-Lewis
Tom Rousseau Jack Kennelly
Carol Noble Betty Wemore
Al Gorman Marjorie Bonadies
Kath Schomaker Oswald Brown
Austin Cesare Mike Colaiacovo
Mick McGarry

MEMBERS ABSENT: Harry Gagliardi; Jim Pascarella

PRESIDING: Jack Kennelly, Council President Pro Tem

PUBLIC INPUT SESSION: There were 13 speakers

CORRESPONDENCE: None

APPROVAL OF PREVIOUS MINUTES: Mr. Kennelly requested a motion for approval of the minutes from the meetings held April 6, 2015, April 13, 2015 and April 16, 2015. Moved by Mr. Cesare, seconded by Ms. Schomaker and approved with 5 abstentions (Colaiacovo) (Wetmore) (Annes) (Rousseau) (McGarry)

REPORT OF THE PRESIDENT: None

REPORTS OF BOARDS AND DEPARTMENTS: None

REPORTS OF STANDING COMMITTEES: None

REPORTS OF COUNCIL LIAISONS: None

UNFINISHED BUSINESS: None

EXECUTIVE SESSION: None

CONSENT CALENDAR: Mr. Kennelly said the consent calendar will now include all items from the regular agenda with the exception of #3, and will also include the resolution for Franklin Road having passed in Committee tonight. Mr. Kennelly then requested a motion for approval. Moved by Ms. Schomaker, seconded by Mr. Cesare and approved with 1 abstention (Annes)

The following items having passed in committee were then made part of the Consent Calendar:

- 1. Refund of property taxes collected prior to July 1, 2014 – (3) totaling \$638.14**
- 2. Refund of property taxes collected between July 1, 2014 and June 30, 2015 – Over payments on current grand list – (26) totaling \$8,443.98**
- 3. Transfer of funds – Purchasing Dept. - \$7,500 (Postage) FROM FINANCE PROF./TECH. ACCOUNT**
- 4. Transfer of funds – Finance Dept. - \$82,000 (Accrued Benefits/Retirement) FROM E & C ACCOUNT**
- 5. Transfer of funds – Public Works & Parks - \$1,300 (Stand-by) INTERNAL TRANSFER**
- 6. Transfer of funds – Public Works & Parks - \$10,000 (Vehicle Maintenance) INTERNAL TRANSFER**
- 7. Transfer of funds – Public Works & Parks - \$22,235.02 (\$10,000 Repairs) (\$12,235.02 Snow Overtime) INTERNAL TRANSFER**
- 8. Transfer of funds – Public Works & Parks - \$200,000 (\$50,000 Overtime) (\$150,000 Waste Removal Contracts) FROM E & C ACCOUNT**
- 9. Transfer of funds – Fire Dept. - \$1,000 (Overtime) INTERNAL TRANSFER**
- 10. Transfer of funds – Fire Dept. - \$2,000 (Uniform Purchase Allowance) INTERNAL TRANSFER**
- 11. Transfer of funds – Police Dept. - \$1,000 (Traffic Overtime) INTERNAL TRANSFER**
- 12. Transfer of funds – Police Dept. - \$6,000 (Bicycle Unit Overtime) INTERNAL TRANSFER**
- 13. Transfer of funds – Police Dept. - \$10,000 (Telephone Service) INTERNAL TRANSFER**
- 14. Transfer of funds – Police Dept. - \$75,000 (Admin. Overtime) INTERNAL TRANSFER**
- 15. Transfer of funds – Arts, Recreation & Culture - \$4,725 (\$1,600 Prof./Tech) (\$3,125 Portable Toilets) INTERNAL TRANSFER**
- 16. Transfer of funds – Community Services - \$6,000 (Evictions) FROM E & C ACCOUNT**
- 17. Transfer of funds – Community Services - \$5,500 (Prof./Tech.) FROM E & C ACCOUNT**
- 18. Reappointment of Kirsten A. Jensen to the Inland Wetlands Commission for a term to expire April 30, 2018**

19. **Reappointment of Myron R. Johnson to the Veterans Commission for a term to expire April 3, 2018**
20. **Reappointments of Janet Hunter, Marita Gargiulo, Sandra Schiff, Charles Kortsep and Ricardo Henriquez to the Arts Commission for terms to expire May 31, 2018**
21. **§8-24 Review – 2040 Dixwell Avenue – Hamden H.S. Athletic Field Improvements**
22. **§8-24 Review – Skiff Street bus drop off area at Shepard Glen School**
23. **Resolution amending the 2014-2015 Fiscal Year Budget – Multiple Depts. - \$330,188**
24. **Resolution authorizing the Mayor to file the 5 Year Consolidated Plan and apply, accept and expend a Program Year 41 Community Development Block Grant for the Fiscal Year 2015-2016 in accordance with the Annual Action Plan for year 2015-2016**
25. **Resolution establishing fees to occupy space at Town events**
26. **Resolution authorizing the Mayor to expend funds from the Quinnipiac University Gift Fund**
27. **Second amendment to resolution authorizing the Town of Hamden to abate taxes on contaminated real property known as 385 Putnam Avenue and 415 Putnam Avenue, Hamden pursuant to Connecticut General Statutes §12-81r**
28. **Agreement between the Town of Hamden and Charles B. Feldman & Associates for personal property auditing and consulting services**
29. **Transfer of funds – Purchasing - \$50,000 (Natural Gas) FROM E & C ACCOUNT**
30. **§8-24 Review – Temporary easement for Franklin Road are Drainage Improvement Project - 45 Franklin Road**
31. **Resolution authorizing the Town to enter into temporary easement agreement for Franklin Road Area Drainage Project**
32. **Revised license agreement and resolution authorizing the Acting Mayor to enter into a license agreement with the State of Connecticut (825 Hartford Turnpike – High Meadows)**
33. **Memorandum of Understanding between the Town of Hamden and AFSCME, Local 1303-115 of Council 4 – (Library)**

REGULAR AGENDA

3. **Resolution authorizing the sale of property at 560 Newhall St. - Former Hamden Middle School**

-- Moved by Mr. Kennelly, seconded by Mr. Gorman. DISCUSSION: Mr. Cesare said although he appreciates the presentation tonight, he does not think this sale of this property for \$1 is in the best interest of the Town or the greater Newhall community. He said as an At-Large member he has an obligation to look at the whole Town and he doesn't feel this sale would be beneficial to the Town and

that we should vet it further, he believes there needs to be more communication with all stake holders at the table and at least more information provided. He said he has issues with the way this has been rolled out and he'd like more information on it so he'd like to make a motion to table it. The motion was seconded by Ms. Bonadies. A vote was taken and the motion failed with only 2 in favor (Cesare) (Wetmore)

DISCUSSION: Ms. Wetmore said she agrees with Mr. Cesare and she doesn't feel Council itself had enough. She said she also appreciates the presentation and some of the answers, but she still thinks there's a lot of gray areas and she can't even imagine 99 units just being dropped in the middle of her neighborhood so she can't imagine it being dropped in somebody's elses. She said she also wishes they'd have seen some of the other options since there were other options but she knows that's the normal standard that they usually don't see all options, but she just doesn't think this is a good fit for the neighborhood and she knows we need something on there, but she doesn't think 99 units of housing close to the street is what we need. Ms Schomaker said just to clarify, her information from Mr. Kroop is that there were really no other options, she did hear there were 3 responses to the RFP and we weren't informed what the other 2 were, but as a purchase agreement she's a little put off that the resolution mentions authorizing a sale because when she's been involved with real estate sales the purchase agreement is not the sale and it seems to her what they're voting on tonight is a purchase agreement that lets Mutual Housing then do whatever their due diligence is on what they plan to do on the site. She asked if there were conditions included in the purchase agreement that if are not met then this contract would not go forward? She said she's loosely aware that there has to be a bonifide community center with access for the community, she's aware that they have to let us lease the fields, she said they have to go before the Traffic Commission and she thinks that's a vitally important conversation because it goes to quality of life in the neighborhood and how many more cars are going to be streaming the streets and where they'll enter and egress and that sort of thing, but what are the conditions that need to be met as part of this contract? Ms. Catino said there are several conditions and this is called a purchase and sale agreement that starts the process for Mutual Housing and does not trigger the transfer of the deed. She said the transfer of the deed and the actual sale would take place probably two years from now provided that certain conditions precedent are met. Ms. Catino said they will have to go through Planning & Zoning, Traffic Commission and have to receive all the necessary local approvals in order to go through with the project and that's built into the agreement and a large public process that will have multiple public hearings associated with it. She said another trigger will be the grounds. The ground lease for the Town will have to come back to this body has to take into consideration not only the lease terms for the use of the fields and the back, will be a long term lease and also include an owner or operator for the community aspect of this like the gymnasium, who's going to come in, what's it going to be used for, etc. She said there is still a lot of community outreach that still needs to be done and we have to work with the developer to find the right fit that again will be before you with the ground lease to make sure that it is a community use. Ms. Catino said there's also another agreement to enter into which is a 3 way agreement with the Regional Water Authority, the Town and the developer and that will appropriately marry the remediation with the end use.

Ms. Schomaker stated Planning & Zoning is an open process and community members can show up at the meetings and speak for or against anything that's on their agenda, so that's one possibility for community members to show up and make their voices heard. She said traffic meetings are also open and community members may show up and talk about traffic flow as well as impacts of increased traffic on their quality of life around their neighborhood. She said she's very interested in hearing more about the gymnasium/community center and asked if one possibility of a third party operator was that of the Town being the third party operator. Ms. Catino said it's a possibility and she thinks the concept is a Boys & Girls Club or an organization that would run programs that could be used for community use as

well. She said the options are open right now. Ms. Schomaker said it's a very difficult situation and she understands the weariness but she also understands the rarity of the opportunity to do something at this site and she doesn't think there are other viable options.

Mr. Annes said he feels that we have a developer coming in with a very strong reputation and we have a zoning board that is very sensitive to community needs when they give final approval to projects so he thinks those two things should weigh heavily upon the Council's decision.

Ms. Rowe-Lewis said she was pleased to see the Council Chambers filled tonight because we need to hear the voices of the community more, but not just once in awhile, we need to hear the voices all the time. She said conceptually this is good as this is a building that sat vacant for about 10 years so she thinks it's something positive and there are some things that will need to be worked out but she thinks it will be a positive move for the community and all of us and she would have loved to have seen 6, 7 8 community meetings before it got to this point, but thinks we need to make sure going forward that the community is involved and heard because it is their retirement, it is their livelihood that is involved and they need to be heard. A vote was taken and the item passed with 2 opposed (Cesare) (Wetmore) and 1 abstention (Schomaker)

NEW BUSINESS:

Mr. Kennelly requested a motion to add the following two items to the agenda. Moved by Mr. Cesare, seconded by Mr. Gorman and approved unanimously.

1. Resolution authorizing the Public Works Salt Shed Project

-- Moved by Mr. Kennelly, seconded by Ms. Wetmore. DISCUSSION: Ms. Wetmore said this is going to be 30' high and asked if they changed the dimensions on this or is it still going to be 30' high and has it passed through zoning at 30' high? Mr. Leng said it's his understanding it's going through ZBA for adjustments but he's not sure of particulars. Ms. Wetmore asked if they would then have the chance to vote on it. Mr. Colaiacovo said his understanding is their vote tonight is just to say, yeah we need a salt shed, and it's up to the land use commissions to deal with the height and whatever. Ms. Gruen said that's absolutely correct. Mr. Kennelly moved a motion to call the question. Seconded by Mr. Annes and approved unanimously. A vote was taken and the item passed with 1 opposed (Wetmore)

2. Resolution authorizing the Carusone Field Parking Lot Project

-- Moved by Mr. Colaiacovo, seconded by Ms. Rowe-Lewis and approved unanimously.

There being no further business Mr. Cesare moved a motion to adjourn, seconded by Ms. Noble and the meeting was duly adjourned at 9:20 P.M.

Respectfully submitted,

Kim Renta,
Clerk of the Council