A Regular Meeting of the Council of the City of New London was called to order at 7:00 p.m. on Monday, June 2, 2014, in the Council Chambers, Municipal Building, 181 State Street, New London, Connecticut.

Present:
President Wade A. Hyslop, Jr. – Presiding
President Pro Tem Efrain Dominguez, Jr.
Councilor Michael Passero
Councilor Anthony Nolan
Councilor Martin T. Olsen, Jr.
Councilor Michael J. Tranchida

Also attended:
Jeff Smith, Director of Finance
CAO Natusch

1.0 Call to Order

Roll Call read, all councilors present.

2.0 Prayer and Pledge of Allegiance

Councilor Olsen led the prayer and the pledge.

Barry Weiner, Chair of the W/WPCA and President Hyslop presented W/WPCA Community Grants to the following organizations:


Mr. Weiner and President Hyslop presented the Aldo Valentini scholarships to the following recipients:

Genevieve Nutall, a senior at Waterford High School who plans to study evolutionary biology and agricultural science at UCONN.

Wessam “Sam” Hoda, a student at the New London Science & Technology High School who plans to study petroleum engineering at the University of New Haven.

3.0 Public Hearings - None
4.0 Minutes of Previous Meetings

Councilor Olsen moved to accept the minutes from the May 19, 2014 City Council regular meeting as presented at this evening’s meeting, seconded by Councilor Passero.

Councilor Passero, the minutes should reflect that I left the room at the beginning of the CAM for Item 7.1 e).

Minutes as corrected passed 7-0.

5.0a) Public Comment

Karen Paul, 281 State Street, New London, has been made aware that some disabled people in the city have a hard time getting around. The cutout on Meridian Street used to have a no parking sign but it was removed. Motorized wheelchairs have a hard time on the city sidewalks; they need repairs.

Jae Bouchard, 98 Plant Street, New London, how much we are owed on the Jennings School project? Who was supposed to submit the paperwork for that? It is very disturbing that no one will answer these questions. The City cannot issue bonds to pay city bills. We can’t get any answers.

Cecilia Baxter, 73 Washington Street, New London, the project I talked about at the earlier committee meeting is not yet finished, we are just letting council know what we are doing. Hopefully we will have a proposal by September.

Dan McSparran, 281 Elm Street, New London, Item 8.5, why are we not going out to bid for this item? Item 7.3 the City Pier, again we are waiving the bidding process. Item 7.6 B), the firemen’s pension fund, how much money is it? People are looking for some accountability and transparency. The City has several boards and commissions; we should either pay every secretary or none of them.

Nancy Baude, 22 Aitchison Drive, New London, the Green Harbor parking lot has EB workers’ cars parked there every morning, there are no signs. Blame me for Item 8.5, the groomer we were using on the field is not picking up the debris; new turf is very expensive and we are trying to make it last. If you hire a risk manager we have to let that person do their job without interference.

Dennis Downing, 17 Mahan Street, New London, has been hearing parents in New London are having a hard time getting their kids into schools because schools are filled with out of town students. The article in the paper on the gentleman who bid on the Lighthouse Inn is not very complimentary. I hope you think long and hard about this.

5.0b) Petitions – Petition for Referendum Ordinance Number 04-07-14-3

Councilor Olsen moved to receive for the record, seconded by Councilor Tranchida.
Councilor Passero to the Law Director, are we required to act on this tonight?

Attorney Londregan, there is no legal requirement to reconsider this tonight.

Motion to receive for the record passed 7-0.

5.0c) Responses to Public Comment

Councilor Nolan to Ms. Bouchard, please give your questions to the council assistant so we can get you answers.

Councilor Passero, the Jennings School reimbursement money was recovered, it was $3.5 million. Going forward, we have a contract with CREC who acts as our agent for these school construction projects. Regarding the City Pier bid waiver process, we did attempt to bid the project out before; essentially we only had one contractor put in a proposal.

5.0d) Reports & Communications

(1) Director of Law report

Councilor Olsen, is the Hearing in Damages still on for tomorrow in City vs. Mizhquiri, 18 Viets Street?

Attorney Londregan, yes but the defendants have made some remedial changes and corrections in an attempt to comply with the cease and desist order; I may request a 30 day continuance to get a stipulated judgment in place.

Councilor Passero, in the same matter, is the issue of a volleyball league part of this action?

Attorney Londregan, yes, the defendants deny they are running a league.

(2) Council Committee Reports

Councilor Hyslop, the Finance Committee met tonight there is action on tonight’s council agenda.

Councilor Passero, the Economic Development Committee met tonight and heard two presentations. There are three motions on tonight’s agenda regarding the Parcel J proposal.

Councilor Nolan, there was an Education, Parks & Recreation Committee meeting tonight in which Mrs. Baxter gave a presentation regarding the Martin Center as a Civic Community Recreation Center.
5.0e) **Mayor’s Office Communications**

Councilor Olsen to CAO Natusch, to your knowledge, has the Mayor issued a gag order on department heads from talking to any council members?

CAO Natusch, there is not a gag order for department heads. I believe that all along department heads have been instructed that they may provide information to councilors if authorized by the mayor, and then he amended that to say that if it’s for information you need to do your work as councilors, then yes. I don’t believe he has ever told a department head no, once asked by councilors. There was a recent communication to a department head that reiterated not to speak to councilors without being authorized (Chief Ackley).

Councilor Olsen, Friday I had two issues with the Police Department, one dealing with a public document I wanted added to tonight’s agenda, the Smeeton report, that was denied. I came to the police department Friday afternoon with a constituent query regarding parking on Bank Street and was told Chief Ackley and Deputy Chief Reichard were not available. Before I got home I had an email from Chief Ackley stating that based on orders from the Mayor, she must ask that all questions concerning law enforcement be directed to the Mayor. It is outrageous for a city councilor to not be able to ask the police chief for information regarding a constituent query.

CAO Natusch, the Smeeton document has already been given to Council so we don’t believe it was a denial of information. About the parking issue on Bank Street, you can always email the mayor or me for information. To get information for a constituent I believe councilors needs to be mindful not to be directly directive of department heads so that’s particularly appropriate that you go through the mayor’s office on this matter.

Councilor Passero, the version of the Smeeton report we received is protected so we cannot print it out. Our concern is with getting a document that can be shared with the public.

6.0 **Consent Agenda**: That the Consent Agenda Proposals set forth at the Regular Meeting of June 2, 2014 are either (1) accepted for the record; (2) Referred to the Committee named; (3) Waived from Committee to be acted upon as proposed; or (4) Consented to as proposed. Motion made by President Pro Tem Dominguez, seconded by Councilor Tranchida.

7.0 **Unfinished Business**

7.1 **For the information of Council to be received for the record and/or referred to Committee:**

b) Minutes of the Public Works Committee meeting of May 19, 2014;

c) Minutes of the Economic Development Committee meeting of May 19, 2014;

d) Memorandum dated May 27, 2014 from the Director of Law regarding Lyman Court (receive for the record, refer to the Public Works Committee);
e) Information regarding Water and Water Pollution Control Authority delinquent accounts.

CAM That the foregoing matters, 7.1 b) through 7.1 e) are received for the record and/or referred.

7.7 Actions of the Economic Development Committee at Its Meeting of June 2, 2014

A) Parcel J Development – DECD Resolution

CAM The City Council authorizes the Council President to sign the DECD resolution, Resolution Number 060214-1 in support of Klewin Construction’s Urban Action funding request for Parcel J.

C) Parcel J Development – Prime Developer Status

CAM The City Council authorizes the Mayor to grant a twelve-month extension of Prime Developer status to Klewin Construction for Parcel J.

7.8 Actions of the Education, Parks & Recreation Committee at Its Meeting of June 2, 2014

CAM

8.0 New Business

8.1 Bennie Dover Jackson Middle School Roof Project

CAM The City Council approves and authorizes the lowest qualified bidder, Silktown Roofing, to proceed with the Bennie Dover Jackson Middle School Roof project.

8.2 Bennie Dover Jackson Photovoltaic Solar Project – Resolution

CAM The City Council approves Resolution Number 060214-2 as provided by the Director of Finance to accommodate State Department of Education requirements.

8.3 Bennie Dover Jackson Photovoltaic Solar Project – Ordinance

CAM The City Council approves Ordinance Number 06-02-14-3 to provide funding for the purchase of solar panels and related equipment for installation on the roof of Bennie Dover Jackson Middle School. The ordinance is given its first and second readings in the process of passage, by title only, all Councilors having copies, and the third reading of the subject ordinance is adopted by Roll Call Vote.
8.4 **Bid Award – 2014 Roadway Improvement Work**

CAM The City Council approves the bid of Colonna Concrete and Asphalt Paving LLC and authorizes the Mayor to enter into a contract with the same in the amount of $1,089,325 for a phase of the 2014 roadway improvement work.

8.5 **Appropriation Ordinance - Donation for Equipment Purchase**

CAM The City Council approves Ordinance Number 06-02-14-4, An Ordinance Making Additional FY 2014 Appropriations in the amount of $7,953 representing donations received to purchase equipment to pick up litter on the fields at New London High School. The ordinance is given its first and second readings in the process of passage, by title only, all Councilors having copies, and the third reading of the subject ordinance is adopted by Roll Call Vote.

8.7 **Ordinance – City Hall Restoration**

CAM The City Council approves Ordinance Number 06-02-14-5 in the amount of $60,000 for professional services to complete a conditions assessment and architectural plans and specifications for a historic restoration of New London City Hall. The ordinance is given its first and second readings in the process of passage, by title only, all Councilors having copies, and the third reading of the subject ordinance is adopted by Roll Call Vote.

9.0 **Appointments** - None

10.0 **Executive Session** - None

CAM All items having the unanimous support of the City Council are hereby adopted with a single Roll Call Vote. The motions are seconded, the Chair calls the roll; and the Chair declares the motions to be unanimously voted and adopted.

*Items removed from consent agenda:*

Councilor Passero left the room

7.6 **Actions of the Finance Committee at Its meeting of June 2, 2014**

B) **Firemen’s Pension Fund**

CAM The City Council approves Ordinance Number 05-19-14-1, as amended, establishing a Firemen’s Pension Fund. The ordinance is given its first and second readings in the process of passage, by title only, all Councilors having copies, and the third reading of the subject ordinance is adopted by Roll Call Vote.

President Hyslop moved the CAM, seconded by Councilor Olsen.
Councillor Olsen, will the $5 million expense be made via bond?

Mr. Smith, yes or we can make payments to the state for the next 30 years. Tonight we are merely getting this process moving so we can move the firefighters into the MERS retirement fund.

Roll Call Vote: Nolan – Yes; Dominguez – Yes; Olsen – Yes; Hyslop – Yes; Tranchida – Yes; Richardson – Yes; passed 6-0.

7.7 Actions of the Economic Development Committee at Its Meeting of June 2, 2014

B) Parcel J Development – CHAMP Funding Request

CAM The City Council supports Klewin Construction’s CHAMP funding request for Parcel J.

Councillor Olsen moved the CAM, seconded by Councillor Tranchida.

Councillor Olsen, has reservations regarding the component of this CHAMP funding request that references low income housing.

Carolyn Medina, Housing Consultant for Klewin Construction on the Parcel J development, the affordability aspect of this is not low income, it is an IRS funded low income housing tax credit. This is housing for working individuals and small families. In the CHAMP application we have the opportunity to reserve a certain portion for individuals with incomes between $30,000-$45,000 a year. If anyone earns less than that they could not live in this building; these residents simply have to be income qualified. They pay their own rent, utilities, etc. This is not affordable housing; the income will be verified annually.

President Pro Tem Dominguez, this sounds like a great opportunity.

Councillor Passero, thinks this is a wonderful proposal and thinks we need this to get the downtown moving again.

President Hyslop, will support this. Parcel J needs developing.

Councillor Richardson, supports this project. We have a lot of hard working citizens who fall into this income restricted category.

Vote on the motion passed 7-0.

7.1 For the information of Council to be received for the record and/or referred to Committee:

a) Minutes of the Public Works Committee meeting of May 12, 2014.

Councillor Passero moved to accept for the record, seconded by Councillor Tranchida.
Councilor Passero, the word “roof” should be inserted between “Martin Center” and “including” on page 2 of the minutes.

Passed 7-0 with correction.

7.2 Request for Additional Funding – City Pier

CAM The City Council approves appropriation Ordinance Number 06-02-14-1 to increase the funding for the City Pier project in the amount of $15,000. The ordinance is given its first and second readings in the process of passage, by title only, all Councilors having copies, and the third reading of the subject ordinance is adopted by Roll Call Vote.

Councilor Olsen moved the CAM, seconded by Councilor Nolan.

Councilor Olsen, thinks we are spending unnecessarily here. Does not support this.

Roll Call Vote: Olsen – No; Dominguez – Yes; Tranchida – Yes; Hyslop – Yes; Nolan – Yes; Richardson – Yes; Passero – Yes, passed 6-1 (against: Olsen).

7.3 City Pier – Bid Process Waiver

CAM The City Council waives the bid process for the second phase of the City Pier project and authorizes Connecticut River Dock and Dredge to complete the necessary work.

Councilor Olsen moved the CAM, seconded by Councilor Passero.

Councilor Olsen, has the same reservations as with the previous motion.

Passed 6-1 (against: Olsen).

7.4 Seawall Repair – Pequot Avenue and Green Harbor Beach

CAM The City Council approves appropriation Ordinance Number 06-02-14-2 in the amount of $575,000 for the design, construction, testing and issuance costs to repair the damaged Seawalls along Pequot Avenue. The ordinance is given its first and second readings in the process of passage, by title only, all Councilors having copies, and the third reading of the subject ordinance is adopted by Roll Call Vote.

Councilor Passero moved the CAM, seconded by Councilor Richardson.

Councilor Passero moved to amend to refer to the Public Works Committee and the Finance Committee, seconded by Councilor Tranchida.

Vote on the amendment passed 7-0, vote on the motion as amended passed 7-0.
7.5 **Actions of the Public Works Committee at Its Meeting of May 12, 2014**

**CAM** The City Council directs the Public Works Director to issue an RFP for engineering services and design for a restoration of the Martin Center including the Senior Center roof system.

Councilor Olsen moved the CAM, seconded by Councilor Passero.

Councilor Olsen moved to amend to reflect the minutes just corrected to include the word “roof” between “Martin Center” and “including”, seconded by Councilor Passero.

Vote on the amendment passed 7-0, vote on the motion as amended passed 7-0.

7.6 **Actions of the Finance Committee at Its Meeting of June 2, 2014**

A) **Appointment of Auditor**

**CAM** The City Council appoints CohnReznick LLP to perform the annual operational audit of the City of New London (July 1, 2013 through June 30, 2014).

Councilor Olsen moved the CAM, seconded by Councilor Tranchida.

Councilor Olsen moved to amend that ongoing projects are fully incorporated into the comprehensive annual audit, and that a management report from the auditing firm be part of their conclusions, at both the administrative and council levels, seconded by Councilor Tranchida.

Vote on the amendment passed 7-0, vote on the motion as amended passed 7-0.

8.6 **Matters Brought to the Attention of Council By a Member of Council (Councilor Passero)**

**CAM** The City Council approves an expenditure of $200 from existing funds in the City Council budget to cover the cost of a secretary for the Police Community Relations Commission's meeting scheduled for June 3, 2014.

Councilor Richardson moved the CAM, seconded by Councilor Passero.

Councilor Richardson to Mr. Smith, how do we rectify that negative in the line item where this has been paid out of?

Mr. Smith, we can do a transfer within the council budget.

Councilor Passero, the larger issue is the policy decision of paying or not paying for this position. The PCRC thinks they have a legal obligation to have professionally done minutes because of the work they do. I'm not opposed to revisiting that policy decision but let's take this action tonight and then deal with that at another time.
Councilor Richardson, the PCRC does discuss citizen complaints so it is important to have accurate minutes for these. But we have a lot of boards and agencies and they should all have accurate minutes and representation.

President Hyslop, can they legally say they won’t meet if they don’t have a professional secretary?

Attorney Londregan, does not think so. Someone can substitute in.

Councilor Richardson, the PCRC did not meet last month because of this; we need to confront this issue.

Councilor Tranchida, has no problem paying for a secretary for this meeting, but we don’t want to set a precedent for all boards and agencies.

Councilor Olsen, supports this motion for the short term. It is important because this is the official record and may be in our long term best interests.

Vote on the motion passed 7-0.

11.0 Adjournment

Councilor Passero moved to adjourn, seconded by Councilor Tranchida, passed 7-0. Meeting adjourned at 8:55 p.m.

Attest: ________________________________

Dawn E. Currier, Acting City Clerk

Approved 06/16/2014