

**TOWN OF CROMWELL - TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
41 WEST STREET, CROMWELL, CT 06416
REGULAR MEETING MINUTES**

Wednesday, September 14, 2022 - 7:00 p.m.

Present: Mayor S. Fortenbach, Deputy Mayor J. Henehan, Councilman Demetriades, Councilwoman J. Donohue, Councilwoman P. Luna, Councilman Polke, Councilman A. Waters

Also Present: Town Manager Salvatore, Town Engineer Jon Harriman, Chief LaMontagne, Captain Sifodaskalakis, Public Works Director Lou Spina, Finance Director, Marianne Sylvester, Assistant Finance Director Sharon DeVoe

A. CALL TO ORDER

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

Mayor Fortenbach called a Moment of Silence for Allan Spotts.

B. PLEDGE OF ALLEGIANCE

The Town Council stood to recite the Pledge of Allegiance.

C. APPROVAL OF AGENDA

Motion made by A. Waters and **seconded** by P. Luna to move Items 1-3 Under New Business to after Item C. Approval of Agenda.

All in favor.

L. NEW BUSINESS

1. Appointment of New Council Member

Motion made by A. Waters and **seconded** by J. Henehan to appoint Jay Polke (R) to the Town Council.

All in favor.

Discussion: Councilman Waters stated that if we had 100 people looking to fill this position Jay Polke would be his Number One choice.

Town Clerk JoAnn Doyle swore in Councilman Polke.

2. Appointment of Mayor

Motion made by A. Waters and **seconded** by J. Polke to appoint Steven Fortenbach as Mayor.

All in favor.

Town Clerk JoAnn Doyle swore in Steve Fortenbach as Mayor.

3. Appointment of Deputy Mayor

Motion made by J. Donohue and **seconded** by A. Waters to appoint Jack Henehan as the Deputy Mayor.

All in favor.

D. COMMISSION CHAIRMAN REPORTS/LIAISON REPORT/STAFF REPORTS

1. CMS Building Committee Update

Rosanna Glynn was in attendance to present the Building Committee Update to the Town Council.

Mayor Fortenbach read an update from the Board of Education into the record.
See Attachment A.

E. MAYOR'S UPDATE

Mayor Fortenbach reported the following:

- He spoke at the 9/11 Remembrance at Frisbee Landing. It was well attended.
- He attended the first home game at Pierson Park. Cromwell had a strong victory.
- The Farmers Market continues to the end of the month. He encouraged folks to attend.
- In response to the RFP for the Climate Culture Study, nine proposals came in. The Selection Committee consists of: Deputy Mayor Henehan, Councilman Demetriades, Finance Director Marianne Sylvester, and Sherry McGuire from Human Resources. He informed the Council that as part of the process, we need to not speak about the process or the interviews with Town Staff.
- Going forward he would like the reports of the Police Chief, Town Manager, and Public Works Director to be included in the agenda packets in writing.

L. NEW BUSINESS

- 3. Review and discuss Amendment to Zoning Regulations regarding Special Use Permit Requirement for location and operation of Medical Marijuana dispensary facilities, medical and production facilities, and adult use cannabis retail and cultivation.**

Town Manager Salvatore explained that there will be an ordinance for the Town Council to consider that will outline that there will only be two distribution centers allowed in Town and they will be controlled by the Planning and Zoning Commission. A brief discussion was held regarding the ordinance, moratoriums, and timelines. No action was taken at this time.

F. TOWN MANAGER'S UPDATE

Town Manager Salvatore reported the following:

- He attended the Mayor's Services – The staff and the police officers did an outstanding job organizing and handling the funeral procession on Sunday and Monday. He complimented Berlin and Middletown on how they handled the traffic route for the services as well.
- We signed the white-collar union contract (UPSEU - Town Hall)
- We received proposals for the Climate Culture Study/Investigation RFP, and provided copies to the Selection Committee.
- The CMS Architect and Project Manager were selected. We are in the process of having the contracts vetted by the Town Attorney.
- The legal notice for the Charter Revision will be published this week in the Rare Reminder notifying residents that the proposed changes will be in the form of three questions at the State Election on November 8th for their approval.
- Kudos to ACO Gagnon for working with Eversource on having a separate pole and platform installed to move the osprey nest off the light tower
- We heard back from the Middletown Chief of Staff regarding Industrial Park Drive – They will plow but not maintain or rebuild.

G. FINANCIAL/FINANCE DIRECTOR'S UPDATE

1. Budget Report

Finance Director Marianne Sylvester was in attendance to present her Budget Report to the Town Council.

2. Tax Refunds

Motion made A. Waters and **seconded** J. Henahan to approve Tax Refunds 1-28.

All in favor.

3. Establish a separate fund for the State Bond Grants

Motion made by A. Waters and **seconded** by J. Henahan to establish a separate fund for State Bond grants: West Street Sidewalk and Pierson Park Project.

All in favor.

A. Waters and **J. Henahan** rescinded their motion to establish a separate fund for State Bond grants: West Street Sidewalk and Pierson Park Project.

Motion made by A. Waters and **seconded** by J. Henahan to establish a separate fund for West Street Sidewalks State Bond Grant.

All in favor.

Motion made by A. Waters and **seconded** by J. Henahan to establish a separate fund for Pierson Park State Bond Grant.

All in favor.

4. Appropriate a budget of \$750,000 for the West Street Sidewalk Project
a. Approval of Resolution for West Street Sidewalks

Motion made by J. Donohue and **seconded** by P. Luna to appropriate a budget of \$750,000 for the West Street Sidewalks Project.

All in favor.

Motion made by J. Demetriades and **seconded** by A. Waters to approve the Resolution for West Street Sidewalks. Mayor Fortenbach read the resolution. (*See Attachment B*).

All in favor.

5. Appropriate a budget of \$1,500,000 for the Pierson Park Project
a. Approval of Resolution for Pierson Park

Motion made by P. Luna and **seconded** by J. Polke to appropriate a budget of \$1,500,000 for the Pierson Park Project.

All in favor.

Motion made by J. Henahan and **seconded** by P. Luna to approve the Resolution for Pierson Park. Mayor Fortenbach read the resolution. (*See Attachment C*).

All in favor.

6. Discussion and action to approve an increase in the amount of \$24,500 in the existing 2022-2023 appropriation of \$197,500 within the CNR Fund for Police Vehicles due to an increase in the price of these vehicles.

Motion made by J. Henahan and **seconded** by P. Luna to approve the increase of \$24,500 within the CNR Fund for Police Vehicles due to an increase in cost.

All in favor.

H. CHIEF OF POLICE'S UPDATE

Police Chief LaMontagne was in attendance to present her update to the Town Council.

She added the following to her report:

- She acknowledged several individuals that helped with Mayor Spotts' Funeral services: Sargent Carlson, Sargent Bengtson and Detective Tolton.
- She also commended the members of the Cromwell Fire Department who stood vigil during the waking hours.
- She commended Sargent Kogut who coordinated the procession with the City of Middletown Lieutenant Bartolotta and the Town of Berlin's Officer Bobock. They, along with members of the Cromwell Police Department assisted in blocking off roads helping to move the procession along flawlessly.
- She sent letters to Middletown Chief Costa and McNally of Berlin acknowledging what they did for us. It was an honor.
- She recognized the 9/11 service held and the Honor Guard that stood forth including Sergeant Penn, Sargent Kogut, Detective Perricone, and Officer Brooks. It was a great honor to standby all of them and see the Town Council there.
- They hired a dispatcher and she begins employment on Monday with the Town Manager's approval.
- They are in the process of hiring two police officers.

I. PUBLIC WORKS DIRECTOR'S UPDATE

Public Works Director Lou Spina reported:

- He congratulated Councilman Polke, Mayor Fortenbach, and Deputy Mayor Henehan.
- West Street Sidewalks Informational Meeting for impacted properties took place tonight at 6 p.m. The feedback was 50/50. There were some concerns.
- Coles Road and Country Squire – Staff went out, drainage project is in its final stages. He commended staff for an excellent job.
- Highway garage/football building demolition – hazard assessment for lead and asbestos complete – no issues identified in the three buildings.
- Capital budget earmarked for the Police Department – we reviewed proposals on the windows. They hope to complete this by late fall. He added, if there is left over money they plan to paint the interior of the building.
- Shadow Brook/Shadow Lane – NRCS has not yet named the consultant to move forward with the grant opportunity to mitigate the flooding of the Brook.

Town Engineer Jon Harriman was in attendance to provide an update on the Evergreen Sidewalks. He informed the Town Council that the preliminary design is complete and there are potential impacts to private property. We would need a legal agreement with property owners. He has reached out to two of the three impacted properties and received a firm "not interested" or "not willing to negotiate". He recommends to not do this project right now but maybe looking at it somewhere in the future. He stated that this is an obtrusive project which is the concern, and that we have tried to find a way around it and suggested maybe a retaining wall but it is not ideal because of the impact to the trees on the private property. Mayor Fortenbach agreed that we should not move forward with this project. Town Engineer Harriman suggested that he would notify the residents.

K. CITIZEN COMMENTS

Mayor Fortenbach read a letter from Mr. William Prevatte into the record. See *Attachment D*.

Mayor Fortenbach read a letter from Michael Swol, 83 Evergreen Road into the record. See *Attachment E*.

Mayor Fortenbach read a letter from George Kunze, 85 Evergreen Road into the record. See *Attachment F*.

J. EXECUTIVE SESSION

MOTION made by J. Henehan and **seconded** by P. Luna to enter Executive Session and invite Finance Director Sylvester and Town Manager Salvatore for Items 1 and 2, and Public Works Director Spina for Item 1.
All in favor.

The Town Council entered Executive Session at 8:13 p.m.

Motion made by J. Donohue and **seconded** by P. Luna to come out of executive session. The Town Council came out of Executive Session at 8:57 p.m.
All in favor.

1. Ratify IUOE, Local #30 Union Contract (*possible action*)

Motion made by P. Luna and **seconded** by A. Waters to approve the union contract between the Town and IUOE Local #30 as discussed.
All in favor.

2. Non-Union Employees (*possible action*)

Motion made by J. Henahan and **seconded** by A. Waters to approve Non-Union employees 3% wage increase and proposed vacation schedule and changes in personal leave as discussed retro back to 7/1/2022.

All in favor.

M. APPROVAL OF MINUTES

1. August 4, 2022 Special Meeting

Motion made by J. Donohue and **seconded** by P. Luna to approve the August 4, 2022 Special Meeting Minutes with one correction, Steve Falco is a Democrat not a Republican.

All in favor.

Abstained: J. Polke

2. August 10, 2022 Special Meeting

Motion made by J. Donohue and **seconded** by P. Luna to approve the August 10, 2022 Special Meeting Minutes.

All in favor.

Abstained: J. Polke

3. August 10, 2022 Regular Meeting

Motion made J. Donohue and **seconded** P. Luna to approve the August 10, 2022 Regular Meeting Minutes.

All in favor.

Abstained: J. Polke

4. August 23, 2022 Special Meeting

Motion made J. Donohue and **seconded** J. Henahan to approve the August 23, 2022 Special Meeting Minutes.

All in favor.

Abstained: J. Demetriades and J. Polke

N. RESIGNATIONS

None.

O. APPOINTMENTS AND REAPPOINTMENTS

None.

P. INFORMATIONAL ITEMS

The Town Manager informed the Town Council that he included the following three documents in their packets for their information.

1. GFOA Certificate of Achievement
2. CMS Award Letters for Project Manager and Architectural Services
3. Letter of Commendation to Jon Harriman

Councilman Demetriades informed the Town Council that Cromwell Children's Coalition and Cromwell Creative District are having the Rising Stars Event on Saturday at Pierson Park for 20 outstanding students who have made a difference. He encouraged all to attend.

Q. ADJOURN

Motion made by J. Donohue and **seconded** by J. Henehan to adjourn.
All in favor.

The meeting adjourned at 9:24 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Amanda Calve". The signature is written in a cursive, flowing style.

Amanda Calve
Secretary

Calve, Amanda

Attachment A

From: Kelleher, Celina <ckelleher_boe@cromwell.k12.ct.us>
Sent: Wednesday, September 14, 2022 5:37 PM
To: Calve, Amanda; S Fortenbach (Personal)
Subject: BOE Report - 9/14/22

Good Evening,

The BOE would like to express our condolences to the council and town employees for the passing of Mayor Spotts. We said some words at the opening of our meeting and held a moment of silence in remembrance of his life and accomplishments as well as his selfless generosity.

The Facilities and Technology committee met and went over recent discussions about efficiencies between the school and town as well as the need for a building and grounds assessment.

Our regular meeting began with a reception to welcome new employees and also learned about convocation and the openings of all four schools. Everyone seems to happy to be back to school without restrictions. Covid numbers will not be reported out going forward but will be available daily on the CPS website. We ended the year with a \$1707.51 surplus balance and subsequently made a motion to request approval from the board of finance that it be returned to the capital non account fund.

We had a presentation from ESS (Effective School Solutions) which is a company that provides mental health support services within school districts. More to come on that in the near future.

Lastly, we recognized our teacher of the year Maia Pavlik and also Director of Facilities Tommy Litwinczyk on his retirement.

Our minutes will be available on our website next week and the entire meeting is available on you tube.

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RESOLUTION - WEST STREET SIDEWALKS

RESOLVED, that Anthony J. Salvatore, Town Manager, Town of Cromwell, be and hereby is authorized to execute on behalf of the Town of Cromwell, a Personal Service Agreement/Grant Contract under the Department of Energy and Environmental Protection with the State of Connecticut for a \$750,000 grant for the West Street Connectivity Project.

IN ADDITION, that Anthony J. Salvatore, Town Manager, is hereby authorized to enter into such agreements, contracts and execute all documents necessary to said grant with the State of Connecticut.

IT IS FURTHER CERTIFIED that Anthony J. Salvatore, was appointed Town Manager, on August 17, 2015. As the Town Manager, Anthony J. Salvatore serves as the Town Manager for the Town of Cromwell and on September 14, 2022 had both the authority and the office to sign on behalf of the Town of Cromwell a Personal Service Agreement for financial assistance to make improvements/renovations to West Street, within the Town of Cromwell.

RESOLUTION - PIERSON PARK

RESOLVED, that Anthony J. Salvatore, Town Manager, Town of Cromwell, be and hereby is authorized to execute on behalf of the Town of Cromwell, a Personal Service Agreement/Grant Contract under the Department of Energy and Environmental Protection with the State of Connecticut for a \$1,500,000 grant for the Pierson Park Improvement Project.

IN ADDITION, that Anthony J. Salvatore, Town Manager, is hereby authorized to enter into such agreements, contracts and execute all documents necessary to said grant with the State of Connecticut.

IT IS FURTHER CERTIFIED that Anthony J. Salvatore, was appointed Town Manager, on August 17, 2015. As the Town Manager, Anthony J. Salvatore serves as the Town Manager for the Town of Cromwell and on September 14, 2022 had both the authority and the office to sign on behalf of the Town of Cromwell a Personal Service Agreement for financial assistance to make improvements/renovations to Pierson Park, within the Town of Cromwell.

Attachment D

Dear City of Cromwell Connecticut Community and Karen (Mayor Alan Spotts Wife)

I extend my deepest upmost profound condolences and profound sympathies to Mayor Spotts Wife Karen

And the entire city of Cromwell Connecticut Community for losing the Mayor of the city of Cromwell Connecticut. A legend and a community man and a married man. Who gave his life to the city of Cromwell Connecticut

Mayor Alan Spotts died from a complication of heart surgery at Hartford Hospital.

Mayor Alan Spotts is my inspiration for being the Mayor of my future city. In the near near future.

And my profound condolences and profound sympathies to the city of Cromwell Connecticut and To Town Hall and the Mayor's Office.

A piece of the heart of Mayor Alan Spotts and a piece of his legacy went to Town Hall and the Mayor's Office. And to his wife Karen and to his staff and his administration at the City of Cromwell Connecticut Town Hall and to the Mayor's Office. I hope to be in the field of public service and public safety as a future Mayor of my city and my future community.

email back as soon as possible williamfd60@outlook.com.

--- Thank you very much ---

Respectfully,
Billy Prevatte

William M. Prevatte Volunteer Advocacy Ambassador Autism Speaks Representing Connecticut
21 Timothy Drive Middletown Connecticut, 06457
(860)759-9630(cell)
williamfd60@outlook.com (email)

Attachment E

August 29, 2022

Michael Swol
83 Evergreen Road
Cromwell, CT 06416

Town Engineering & Cromwell Town Council
Cromwell Town Hall
41 West Street
Cromwell, CT 06416

RE: Evergreen Road Sidewalk Expansion

To Whom it May Concern:

I am the property owner of 83 Evergreen Road and voicing my opposition to the Evergreen Road Sidewalk Connectivity Project which is scheduled to be discussed at the upcoming Town Council Meeting on September 14th.

After carefully reviewing the provided engineering plans, I strongly oppose the project based on the significant impact it will cause to my property. The engineering plan calls for removal of 3 large oak trees and the possibility of a retaining wall system to adequately achieve the proper sidewalk grade. This project will dramatically reduce the square footage of my existing property and cause a reduction in home value.

Thank you for taking the time to review my concerns. I am available to answer questions you may have.

Sincerely,

Michael Swol

Michael Swol

September 9, 2022

George Kunze
85 Evergreen Rd.
Cromwell, CT 06416
(860) 852-3413

Town Engineering & Cromwell Town Council
Cromwell Town Hall
41 West St.
Cromwell, CT 06416

RE: Evergreen Road Sidewalk Expansion

To Whom it May Concern:

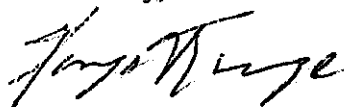
This letter is to voice my opposition to the proposed sidewalk expansion on the southerly side of Evergreen Road.

As the property owner of #85 Evergreen, I have many concerns which I had a chance to review with Hon Harriman, P.E., Town Engineer. I strongly oppose the project due to the high impact to my property in the following ways:

- A stand of six 12" diameter oak trees on the northeast corner of the property are scheduled to be removed as well as a 60' bed of mature plantings along the roadway.
- Our drilled well is within 5' of the town property line
- The existing driveway would require regrading the already steep gradient and our turn-around / parking area would require reconfiguration.
- The value of our home would drastically reduce if the project is to go forward.

Hopefully my concerns will weigh on your decision not to pursue funding for the project. Please feel free to contact me for any clarification or further discussion. I appreciate your attention to this matter.

Sincerely,



George Kunze