

**MONROE TOWN COUNCIL  
Monroe, Connecticut  
DRAFT MEETING MINUTES**

**November 28, 2016 – 8:00 PM – Council Chambers**

**Present:**

Chairman Frank Lieto

Vice Chairman Enid Lipeles

Councilmember Phyllis Kansky

Councilmember Nicholas Kapoor

Councilmember Kenneth Kellogg

Councilmember Dee Dee Martin

Councilmember Sean O'Rourke

Councilmember Terry Rooney

First Selectman Stephen J. Vavrek

**Absent:** Councilmember Kevin Reid

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**A regular meeting of the Monroe Town Council was held on November 28, 2016 at 8:00 p.m. in the Council Chambers of the Monroe Town Hall.**

**CONSENT CALENDAR**

Motion to approve the voting record of the Town Council Special Meeting Joint Session with the BOE, BOF and PZC held on November 7, 2016.

Motion to approve the minutes and voting record of the Town Council Meeting held on November 14, 2016 (Session 2016-20).

Motion to approve the Public Hearing Minutes on the Tax Abatement application held on November 14, 2016.

Donations to the Food Pantry from various residents and organizations in the amount of \$5,299.18.

Donations to Project Warmth from the Youth Commission Trick or Trunk event. Ms. Aguilera confirmed amount of \$620.00.

**REAPPOINTMENTS:**

**Patricia Tomchik, (D)** of 35 Farm View Road to the Parks & Recreation Commission for a term ending October 21, 2020

**Angelo Lisi (D)** of 30 Farm View Road to the Parks & Recreation Commission for a term ending October 21, 2020

**Ron Villani (R)** of 30 Nelson Brook Road to the Police Commission for a term ending October 13, 2019

**The Consent Calendar was passed unanimously at the November 28, 2016 Town Council Meeting.**

## **PUBLIC PARTICIPATION**

Mr. Hoster residing 272 Stanley Road. Voiced his opinion on start time for Town Council meeting beginning at 8 pm instead of 7 pm. Chairman Lieto stated that the meeting was held at 8 pm because Town Council has meetings earlier in the evening and this specific evening Town Council was hosting Public Hearings starting at 7 pm. Mr. Hoster also discussed the Tree Lighting at 7 pm on Saturday December 2, 2016 at Stepney. Mr. Hoster also wanted details about Honeywell Program, First Selectman Vavrek can provide you more details, and there are several follow ups.

Councilmember Martin would like to see calendar reminders at the bottom of agenda.

Chairman Lieto closed Public Participation after not seeing any additional participant

## **APPOINTMENTS**

**Joe Bacoulis (R)** of 56 Swendsen Drive to the Economic Development Commission for a term ending January 31, 2018

**Barbara Thomas (D)** of 3 Wheeler Road to the Conservation and Water Resources Commission for a term ending December 5, 2018

The appointments were passed unanimously at the November 28, 2016 Town Council Meeting.

## **ACTION ITEMS**

*Town Council Committee on Finance, Education, Health & Public Safety Matters*

Vice Chairman Lipeles stated that Board of Finance did not meet.

Councilmember Kansky stated no updates from Board of Education with exception of presentation of roofing project to be presented later this evening.

Councilmember Kellogg state Health and Public Safety Maters did have a Special Meeting to go over budget for next fiscal year, as well as the 3 ordinances discussed in Public Hearing.

Councilmember Kellogg goes on with EMS. They all had a special meeting to discuss the budget for the next fiscal year. They also continue to work on the proposal for the Lucas Automated CPR progress has been made but not clear when it will reach town council.

Vice Chairman Lipeles indicate FEHPS is having a meeting December 1, 2016 to tighten up the ordinances for the massage establishment requested by Chief John Salvatore.

Vice Chairman Lipeles stated nothing new from Fire.

Councilmember Rooney stated nothing new from Police.

*Town Council Committee on Planning & Zoning, Public Works and Parks & Recreation Matters*

Councilmember Rooney reported on Public works due to absence of Councilmember Reid. Meet November 3, 2016 with Barbara Fahr from EDC spoke about their plans and the trails as discussed in presentation during this meeting.

*Town Council Committee on Legislative & Administrative Matters*

Councilmember O'Rourke we have not met since our last meeting plan to do so December 8, 2016.

*Strategic Planning Committee*

Councilmember Kellogg has not met since last Town Council Meeting. They will be meeting December 1, 2016.

*EMS Facility Workgroup*

Councilmember Kellogg stated EMS's last meeting was November 21, 2016. EMS reviewed draft schematic design. Additional discussions with the Architect will be rescheduled for next week.

*First Selectman's Update*

First Selectman Vavrek thanked the council for coming in early to discuss the contracts and all. He also gave special thanks to Vice Chairman Lipeles for putting together the Senior Tax Relief. He thanked the Health Department reviewing the "codes" and fixing them.

The budget process has started departments have started to put them in. Thanked Ron Bunovsky for spearheading it and getting it on one cohesive sheet.

They are having staff meeting on SEP for Chalk Hill.

He introduced Matt Falda for MetroCOG Director; he is here to discuss the Multi Use Trail.

He sent an e-mail out earlier today about KERMA. He provided copies to those who needed one. Letter was in reference to why sidewalks need to be looked into which he stated would be addressed later in meeting.

Councilmember Kapoor directed a couple questions to First Selectman first being a follow up to the 25/111 expansion project up to Victoria Drive. First Selectman Vavrek responded that as of now it has only paid for the study; the actual work will be in result to study. Councilmember Kapoor inquired about follow-up meeting with State.

Matt Falda, 4 Cobble St Clinton, CT, Acting Director of Metro-COG for the Greater Bridgeport area, study is projecting current and future use based on next 25 years. Some reporting during last Spring and Summer has been presented to DOT for verification, now they are working on future economic growth for both Trumbull and Monroe's point of view in order to predict expansion needs to eliminate congestion problems in the area. There is no scheduled public meeting schedule at this time it will be when the next phase of study is completed sometime between the end of January to middle of February. This meeting will discuss current and future needs. Then there will be a follow up meeting in the spring to discuss preferred solutions.

Councilmember Kapoor asked which body of people will make decision on the area. Mr. Falda stated that DOT will have final say.

Vice Chairman Lipeles asked if the rotary at 110/25 had started as she had seen utility work being done. It was not in conjunction to rotary.

Councilmember Kapoor ask First Selectman to elaborate on letter presented October 11, 2016 stating comments from P&Z Director O'Hara, this letter was specifically about the Health Fair event happening at Chalk Hill on October 20, 2016, yet when he was here he also mentioned four other items that the Town has jurisdiction over, The Discovery Zone, The Food Panty, the truck at in Fawn Hollow parking lot and Wolfe Park auxiliary parking lot. What is the status are they all being worked on.

First Selectman stated all these items are being addressed during the Chalk Hill meetings. The staff is doing a lot of work to update these issues. Thanked Mr. O'Hara for all his diligence in locating outstanding compliance issues.

Councilmember Kapoor is there a time line. First Selectman will talk with staff about time line. Chairman Lieto discussed letter sent about Fire Apparatus as to have Town Council appoint a member of council to Strategic Planning Commission referenced in letter. Chairman Lieto appointed Councilmember Kellogg. Councilman Kellogg agreed. He requested one clarification on memo. Concerned that statement about fire study might include EMS as well. SPC and council while concept was well received by others, RFP does not include EMS or Police, there are still two separate studies. First Selectman stated he would discuss with Mr. Manjos when he returned from holiday.

Chairman Lieto saw no additional inquiries to First Selectman and moved on.

## **UNFINISHED BUSINESS**

### *Chalk Hill Updates*

First Selectman has been having Special Meetings to discuss compliance issues staff is working on SEP, no time line given. Group will be meeting again this week to discuss other uses that have been brought to our attention everything will be worked out together. They are working internally to put together a plan and when everything is together, there will be committee created with 2 members from each Board/Department in order to get everything needed by Mr.

O'Hara/Planning & Zoning.

Councilmember Kapoor reviewed that Planning & Zoning has given Town until April to run current programs confirming that is correct. In same discussion commission requested a plan to be in place before April deadline. What will committee be charged with and what is the expected time line as budget season is approaching.

First Selectman confirmed that items currently scheduled are able to run; anything new would need to be presented to Planning & Zoning. Confirmation from staff will need to be done before further discussion about April deadline takes place as he was not aware of that discussion. A proposal and time line will be out in about a month.

Councilmember Kellogg added that Chalk Hill is a standing item on the Strategic Planning agenda. Ms. Plunkett was invited to present report that was created back in 2010, that may help with decision on what to do with Chalk Hill. She has accepted.

*Revisions to Code of Ethics*

L&A has reviewed, Councilmember O'Rourke is waiting for final notes by Town Attorney which will be reviewed at next L&A meeting, and item was tabled.

*Rules of Procedure – Town Council*

Vice Chairman Lipeles motioned to adapt Rules of Procedure the 2016 version – Town Council it was second by Councilmember Martin and passed 8-0

*Proposed revisions to Chapter 470 “Taxation” of the Town Code.*

Public Hearing held prior to Town Council Meeting. Town Council approved revisions Vice Chairman Lipeles motioned to approve revisions it was second by Councilmember Kellogg and passed 8-0

*Proposed revisions to Chapter 291 “Food Handling Establishments”.*

Public Hearing held prior to Town Council Meeting. Vice Chairman Lipeles motioned to approve revisions it was second by Councilmember Kellogg and passed 8-0

*Proposed revisions to Chapter 305 “Health and Sanitation” of the Town Code.*

Public Hearing held prior to Town Council Meeting. Public Hearing held prior to Town Council Meeting. Vice Chairman Lipeles motioned to approve revisions it was second by Councilmember Kellogg and passed 8-0

*Proposed New Chapter 420 “Public Swimming Pools” of the Town Code.*

Public Hearing held prior to Town Council Meeting. Vice Chairman Lipeles motioned to approve revisions it was second by Councilmember Kellogg and passed 8-0

*Adapt proposed revisions to Chapter 291 “Food Handling Establishments” of the Town Code*

Public Hearing held prior to Town Council Meeting. Vice Chairman Lipeles motioned to approve revisions it was second by Councilmember Kellogg and passed 8-0

*Project Authorization Letter: Multi-Use Trail Sections II & III*

First Selectman Vavrek stated that this project has been in the works for some time. It is a project to connect four towns, Monroe, Trumbull, Newtown and Bridgeport. Mr. Schatzlein has been working with MetroCOG to develop a plan and potential costs. First Selectman refers letter date July 20, 2016 from State of Connecticut discussing the Multi-Use Trail and LOTCIP's commitment to Fund. Letter confirms that application has been approved. Visit [www.ct.gov/dot/lotcip](http://www.ct.gov/dot/lotcip) to review guidelines. Project approval is based on Contract items of \$1,215,077, contingencies of \$121,507, incidentals to construction \$121,507.00 totaling \$1,458,091. Enclosed in letter pack complete spreadsheet of costs excluding Engineer fees of \$150,000 which was presented to the Board of Finance on Regular Meeting Agenda dated October 19, 2016.

Presentation was done by Matt Falda and Scott Schatzlein, P.E. Presentation represented proposed trail extension beginning and end, possible wetland concerns, materials needed, cost and variances that all need to be considered. Town is responsible for all design and bid costs. State would be responsible for all construction, material and incidental costs. Town is currently not obligated to this project.

Councilmember O'Rourke wanted to know about who is responsible about wetland issues. Town is responsible. Will there be a survey and are they going to have to remediate wetland that is directly impacted.

Mr. Schatzlein reported that State will provide easement for wetland area behind bus depot. There is no cost for easement. There will need to be a wetland permit granted.

Councilmember Kellogg confirms that as of now they are to just approve the design phase. If designs are approved does that include bid phase? Mr. Falda indicated yes. When RFP goes out to LOTCIP for construction, Metro COG will review before it goes to State DOT who will do their own review of design. Once design is approved by State DOT, check will be cut for project as proposed, and then Town will go out to bid.

Councilmember Kellogg restates that his concern is if bids then come in higher than granted funds then the Town must take on difference. Mr. Falda stated that if that in fact happens they will make every effort to adjust costs on their end to cover costs appropriately on their end. Mr. Kellogg wanted clarification on timing. If bids come in much higher than expected, can the Town still bow out? Mr. Falda stated, yes, but fees for engineering design will still need to be paid by Town. Mr. Schatzlein stated that scope could be changed to accommodate some overage.

Councilmember Kapoor state project is great. Question to First Selectman, Letter is dated July 20, 2016 received on July 25, 2016 and signed as approved by the First Selectman on July 26, 2016 does this letter not need Council approval before signing?

First Selectman Vavrek stated he would need to review Council Minutes, but he thought it was. Discussion continued based on confusion of timing, conclusion was First Selectman will research request for clarification.

Councilmember Kapoor would like to add to Agenda for next meeting to revisit misstep that happened. Clarification needed for the design fee of \$150,000, the Town is responsible for cost therefore where do funds come from; \$150,000 is the threshold for a Town Meeting that would need approval from both Boards. Will there be an oversight committee?

First Selectman stated MetroCOG will be oversight committee. No other Town representatives would be needed but would be invited. This project has been on the Capital Projects list for some time. He will look in to it to obtaining more details.

Councilmember Kapoor would like more details including follow up from Board of Finance as their scheduled meeting was canceled.

Councilmember O'Rourke clarified with First Selectman that the letter in question is not binding. Chairman Lieto thanked First Selectman, Mr. Schatzlein and Mr. Falda for presentation as it was first brought to Council's attention through the Agenda in October for Board of Finance. Is there a deadline? Mr. Falda stated there are no deadlines, and no immediacy for funding.

#### *Town Hall Complex – Sidewalk Repair Contract.*

Project was cancelled by First Selectman because of concerns with Town Council. First Selectman wanted it to clarify why no bid waiver was required it was because Bidder is only company who does this in Connecticut. Repair will allow 5 year window to finally get this

replaced entirely. Safety Committee and Kerma deemed the necessity of project as to prevent any further accidents that could cause the Town money.

Councilmember Kapoor expressed concerns about how project was handled. That conflicting details were presented at previous meeting on October 24, 2016, in reference to not having contract numbers for cost and that letter would have been approved without them. The following meeting letter and bid was presented to Council and numbers were present for cost of project. First Selectman stated he misspoke he made a mistake, when he was presented the details in October 24, 2016 meeting. First Selectman's office then made sure Council was provided with details. He did not feel that \$13,000 for emergency project was needed to come before Council. He made a judgement call. Councilmember Kapoor wants better policies and procedures to be put in to place so these issues do not happen in the future.

Councilmember O'Rourke asked what the negative impact claims against insurance company would be.

Ms. Lombardi was asked to respond she stated there is a current claim being resolved. As far as negative impact it is too early to state.

Councilmember Kellogg requested more detail on now that project is cancelled until Spring what procedures will be put in place to assure public safety, until repair is done. Mr. Nowacki stated Park and Recreation Department maintenance has been put on heightened due diligence which will include frequent inspections and determinations if sections will need to be closed.

Councilmember Kellogg noted that there are no stop gaps measures that can be done, such as warning devises, no band-aids between now and then is it only heightened vigilance. Bidder – Foundation Support works also voiced concerns to Mr. Nowacki about time of the year that project was being done, as weather is a factor for proper application. Mr. Nowacki stated that they had only a short window and if application of product was not completed by December 1, 2016 that it would need to be pushed to the Spring.

Councilmember Kansky stated that by knowing there is a situation and someone gets hurt and have not addressed situation then with an insurance company you are liable with no recourse. Suggests warning your department that they are diligent, through the winter months.

Mr. Nowacki mentioned they have a meeting schedule November 30, 2016 to discuss necessary measure that will need to be taken, like potentially more cones.

Councilmember O'Rourke asked why project was suspended.

Mr. Nowacki stated temperature was a factor and short window of time for project needing to be done this week, and with speaking with First Selectman wanted to address concerns will council so project was delayed. Project may have been delayed regardless due to pending in climatic weather.

Chairman Lieto inquired when Mr. Nowacki was informed to cancel this project. Mr. Nowacki stated that discussion was that morning, with the First Selectman. Chairman Lieto asked First Selectman if he cancelled project due to concerns with Town Council. First Selectman stated yes. There needs to be a discussion on what contracts need to be seen by Town Council to eliminate future confusion. Chairman Lieto wanted for the record that each time this item appeared on the agenda there was no intention by Council to not move forward with project as all needed documents had been signed by the First Selectman. It was solely represented on the agenda for clarification. Secondly, it has always been the opinion of Council that all contracts to be approved by Council, with that Council does not want to be responsible for any decision to not move forward with project, and hopes that the necessary processes are in place to protect the Town from liability by postponing project.

Councilmember Kapoor addressed the First Selectman that he can always call Special meetings if time is of the essence and a meeting should have been called.

First Selectman Vavrek stated that both sides could communicate better.

### **NEW BUSINESS**

New business was done out of order to get public/staff participation done at a reasonable time.

#### *Monroe Reads Together 2017 Presentation*

Presentation was done by Mrs. Borchers and Mr. Zamary discussed the upcoming event dated March 17, 2017 at Jockey Hollow, where the author Liz Moore will be promoting the book “THE UNSEEN WORLD” it is the first fiction book to be part of Monroe Reads Together program. A short video was played that showcased the author’s inspiration to the book. All council members were provided a copy. Calendar for other events will be released soon.

#### *Board of Education Stepney Roof Presentation*

Gabriella DiBlasi, John Battista, Jack Zamary, James Agostine, all were present. Presentation was to discuss the roofing project for Stepney Elementary. It is a 30 year repair solution. Paper documents were given to all council members as well as attending public. The entire roof (excluding area over cafeteria) needs to be replaced. This project will include; all water damage to structure, insulation and interior areas that have been affected. During removal and replacement, all exterior fascia will be re-pitched, and replaced with the same material put on Fawn Hollow Elementary last summer. The exterior wall block will be waterproof coated to retard any future deterioration. Gym fascia would be repair/replaced. Old skylights would be uncovered and properly replaced; they could add natural light hopefully cutting down on electricity usage. Insulation permit was already filed and approved as to grandfather in existing code as new codes would have required and R Value of 25, School will be able to use R Value 20 which will save about \$250,000 to \$300,000 for project. Review project or any reports associated with Board of Education is on [monreops.org](http://monreops.org) site. In response to the Honeywell project, the most current reporting can be found there as well. Approximate timeline is organize bidding through winter, start fascia and other work that would not disrupt school to begin spring based on when bond is secured and taring of roof during summer after children are out of school as to not subject them to odors that can occur during the taring process. Similar to how Fawn Hollow was done. Numbers presented were stated to be worse case scenario, hoping that during bidding process they will be able to get these numbers way down. Chairman Lieto asked how Garland will fit into this process. Mr. Agostine responded that they are part US Community Bid List. Garland is a manufacturer of roofing materials. Labor and other materials (steel) will be bid out. We will use same bidding process but we will be including Union Shops as to not be inundated by the constant inquiries. It will prevent the disruption of project, unlike in the past.

Councilmember Kapoor thanked them for the Rule 27-ness. He thought it was awesome; the BOE is the only group that follows it to that extend. The effort presented is really appreciated.

This project total comes to approximately \$2.4 million, as Town Council has not had their budget meetings as of yet, but would like to see a Board of Finance report to see where this capital project fits in the pool of money. Chairman Lieto commented that he spoke to Mr. Manjos about capital projects meeting to occur by end of year, but if not then early January so your question should be answered well in advance to our budget meeting and the general consensus is that there is room in finance for a project of this size, but further discussions will be addressed in January. Councilmember Kapoor that Masuk went out to referendum for dollar amount of \$1.7 bond and fund raising for the turf field if referendum happens is that ok?

Mr. Agostine stated it would be ok. Mr. Manjos stated that this project should fall within the budget proposed based on the current roll off debit. The bond to be requested will include Town Council costs, unlike the Masuk turf project.

Mr. O'Rourke wanted to know if putting \$2.4 million in to a building that may not be needed in future. Will the roof out live the usefulness of this building Mr. Agostine stated that there are no plans to close the school for any reason. They would then relocate others in like STEM, this was based on AD Hoc report. Demographics do not seem to be trending in to the negative but in a small increase.

Mr. Agostine stated Stepney's building is very functional it does have a deficiency with single pane windows, but it has a new oil tank new furnace/ boiler system, participate in the Honeywell project, and once roof is done this building is in excellent shape

Chairman Lieto inquired about possibly performing the same roof scan that was done on Stepney Elementary to be done on Chalk Hill. Mr. Agostine state Garland can could perform test in Summer, as that is best time for any residual moisture to be seen more easily water radiates at warmer temperatures.

Each member of council indicated consensus to move project conception forward.

#### *Fire Apparatus Acquisition Contract*

Chairman Lieto stated Attorney Fracassini is negotiating the contract so item will be tabled. Councilmember thanked Mr. Krise for enduring a grueling exercise with FEHPS and looks forward to moving ahead.

#### *Wolfe Park Tennis Courts Contract*

Vice Chairman Lipeles motioned for approval and asks First Selectman to execute the agreement. Second by Councilmember Rooney and passed 8-0/

#### *National Association of County & City Health Officials (NACCHO) Grant Contract*

Discussion based on letter date November 22, 2016 Grant was approved for \$6,000.00. Vice-Chairman Lipeles motioned for approval, Councilmember Kellogg seconds and council passed 8-0.

*Highway Union Contract UE Local 222, CILU/CIPU, SUBLOCALCILU #44*

Vice Chairman Lipeles motioned for approval and asks First Selectman to execute the bargaining agreement. Councilmember Kapoor seconds and council passed 8-0. This contract was reviewed by Town Labor Attorney, Ms. Lombardi and Town Council, no other comments were recorded.

*Supervisor's Union Contract Local 818 OF Council #4 – AFSCME*

Vice Chairman Lipeles motioned for approval and asks First Selectman to execute the bargaining agreement, Councilmember Rooney seconds and council passed 8-0. This contract was reviewed by Town Labor Attorney, Ms. Lombardi and Town Council, no other comments were recorded.

*Donation to the Food Pantry in the amount of \$2,500.00 from a local business*

Vice Chairman Lipeles motioned for approval, Councilmember Martin seconds and council passed 8-0

*Donation to the Food Pantry in the amount of \$2,000.00 from a resident*

Vice Chairman Lipeles motioned for approval, Councilmember Rooney seconds and council passed 8-0

*Donation to the Edith Wheeler Memorial Library in the amount of \$2,800.00 from a local foundation* Vice Chairman Lipeles motioned for approval, Councilmember Martin seconds and council passed 8-0

*Approve Minutes for Special Joint Meeting November 7, 2016 full version.*

Vice Chairman Lipeles motioned for approval, Councilmember Martin seconds and council passed 8-0

**2<sup>nd</sup> PUBLIC PARTICIPATION**

Steven Kirsh 35 Applegate Rd. Ask that the Strategic Planning have the sidewalk project added as an action item for the entire repair to complex as this item was addressed in 2012 and now the town has lost money and has been sued, because we did not follow through on something we knew had to be done. It should not take five years to plan and complete.

No additional public participation.

**ADJOURNMENT**

**Motion: (Lipeles)**

Motion to adjourn

**Second: (O'Rourke)**

**Motion Passed 8-0**

Respectfully submitted,

Alison Noroian

Town Council Clerk