

**KILLINGLY TOWN COUNCIL
SPECIAL MEETING**

Date: Tuesday, September 6, 2016

Time: 7:00 p.m.

Place: Town Meeting Room
Killingly Town Hall

**AGENDA
KILLINGLY TOWN COUNCIL**

The Town Council of the Town of Killingly held a Special Meeting on Tuesday, September 6, 2016 at 7:00 p.m. in the Town Meeting Room of the Killingly Town Hall, 172 Main Street, Killingly, Connecticut. The agenda was as follows:

1. Call to Order

2. Roll Call

3. Citizens' Statements and Petitions

Pursuant to the Town Council's Rules of Procedure, Article IV, Section 2, all presentations by citizens shall be limited to an aggregate of forty-five (45) minutes, and each citizen's presentation shall not exceed five (5) minutes unless otherwise indicated by a majority vote of the Town Council.

4. Old Business

5. New Business:

- a) Interview(s) with candidate(s) for boards and commissions
- b) Discussion of candidate(s) for boards and commissions
- c) Discussion of NTE proposed power plant with Sen. Flexer and Reps. Rovero and Randall
- d) Discussion/progress report on \$1M DECD Downtown Façade Grant Project

6. Executive Session

- a) Discussion of potential litigation

7. Adjournment

1. Chairman D. Griffiths called the special meeting to order at 7:00 p.m.

2. On Roll Call, all counselors were present. Town Manager Hendricks and Council Secretary Buzalski were also present.

Ms. Pratt made a motion, seconded by Mr. A Griffiths, to move agenda item 5b) forward.

Voice vote: Unanimous.

Motion passed.

5b. Interviews for Boards and Commissions

Counselors interviewed **Gerard E. Cinq Mars**, 174 Sandy Point Lane. Mr. Cinq Mars is interested in being reappointed as a regular member on the **Water Pollution Control Authority** for an additional 3-year term. Mr. Cinq Mars has been on the **Water Pollution Control**

Authority since December 1997. The new term runs from November 1, 2016 and runs through October 31, 2019

3. Citizens Statements and Petitions:

Lois Latraverse, 64 Island Rd., spoke in opposition of the proposed power plant. Her concerns include air, water, traffic, and noise pollution.

Rene King, Thompson, CT, gave a presentation on the effect of two more power plants in the area.

Ben Williams, on behalf of the Windham Land Trust, strongly opposed the proposed power plant, citing environmental concerns to the Last Green Valley.

Claire Mineow, Arrowhead Lane, Dayville, opposed the proposed plant with an emphasis on health concerns.

Sandra Bove, 206 North Shore Rd, Dayville, opposed the project with concerns about the erosion of Killingly's rural beauty, additional pollution (especially noise), and environment.

Jason Anderson, 125 Lake Rd, Dayville, spoke in opposition of the proposed plant. After reviewing NTE's plan, he believes that they used outdated data and the traffic will be significantly higher than the NTE plan anticipates. Also, he anticipates higher travelling speeds and tractor trailers going through prohibited areas.

Earl McWilliams, 215 North Shore Rd, spoke in opposition of the proposed plant. He spoke about the height of the stack as planned being too short. This would result in excess downwash of pollution in the immediate area instead of pushing the pollution higher into the atmosphere.

Peter Kerensky, 196 Forest Lane, Killingly spoke in opposition, with emphasis on increased air pollution and the use of diesel fuel as a backup system.

John Labelle, 57 Island Rd, Dayville, opposed the project. He requested the Town Council conduct a public hearing, allowing citizens the opportunity to more thoroughly share information.

Frank Aleman, 40 Sawmill Rd, Dayville, opposed the proposed plant as having minimal economic benefits to the Town with increased pollution, health detriments and other issues. NTE is a three-year old company that has no experience running a power plant.

Carolyn Johnston, 96 Tinkerville Rd, Willington, and 49 Sawmill Rd, Dayville, gave the Chair a stack of petitions opposing the proposed plant.

Mr. Grandelski commented on citizens' statements and voiced his concerns about widening the road, and would Killingly be responsible for acquiring the land needed.

Mr. Griffiths said the consultant will speak with the Council after meeting with Planning & Zoning and Wetlands.

Town Manager Hendricks noted that the Siting Council does have the authority to supersede local ordinance to allow the proposed plant.

4. Old Business: None

5. New Business:

5c. Discussion of NTE proposed power plant with Sen. Flexer and Reps. Rovero and Randall

The Town Council discussed the proposed plant with Sen. Flexer and Reps. Rovero and Randall. Mr. D. Griffiths would like the Siting Council to take into effect the concentration of plants in studying the overall effect of having pollution come from many sources. Sen. Flexer

and Reps. Rovero and Randall have heard from many of the citizens who spoke and are actively working to ensure the Siting Council and the DEEP are hearing these concerns. They are working to have the Siting Council hold their hearings in Killingly. Rep. Randall thanked everyone who came out to voice their concerns. Rep. Rovero said that they cannot recommend this project because of concerns about Eminent Domain issues.

5d. Discussion/progress report on \$1M DECD Downtown Façade Grant Project

Town Manager Hendricks gave a progress report on the Downtown Façade Grant Project and answered questions and comments from Council members.

6. Executive Session

6a. Discussion of potential litigation

Ms. Pratt made a motion, seconded by Ms. LaBerge, to move to Executive Session with Town Manager Hendricks to discuss potential litigation.

The Town Council moved to Executive Session at 8:46 p.m.

The Town Council returned from Executive Session at 9:20 p.m.

7. Adjournment

Mr. A. Griffiths made a motion, seconded by Ms. LaBerge, to adjourn the meeting.

Voice Vote: Unanimous. Motion passed.

The meeting ended at 9:20 p.m.

Respectfully submitted,

Elizabeth Buzalski
Council Secretary

**KILLINGLY TOWN COUNCIL
REGULAR MEETING**

DATE: TUESDAY, September 13, 2016

TIME: 7:00 P.M.

PLACE: TOWN MEETING ROOM
KILLINGLY TOWN HALL

AGENDA

- 1. CALL TO ORDER**
- 2. PRAYER**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL**
- 5. ADOPTION OF MINUTES OF PREVIOUS MEETINGS**
 - a) Special Town Council Meeting: 08/02/16
 - b) Special Town Council Meeting: 08/04/16

- c) Regular Town Council Meeting: 08/09/16
- d) Special Town Council Meeting: 08/25/16
- 6. **PRESENTATIONS, PROCLAMATIONS AND DECLARATIONS**
 - a) Recognition of retirement of Darlene Gannon
- 7. **UNFINISHED BUSINESS FOR TOWN MEETING ACTION**
- 8. **CITIZEN'S STATEMENTS AND PETITIONS**

Pursuant to the Town Council's Rules of Procedure, Article IV, Section 2, all presentations by citizens shall be limited to an aggregate of forty-five (45) minutes and each citizen's presentation shall not exceed five (5) minutes unless otherwise indicated by a majority vote of the Town Council.
- 9. **COUNCIL/STAFF COMMENTS**
- 10. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
- 11. **DISCUSSION AND ACCEPTANCE OF MONTHLY BUDGET REPORTS**
 - a) Summary Report on General Fund Appropriations for Town Government
 - b) System Object Based on Adjusted Budget for the Board of Education
- 12. **REPORTS FROM LIAISONS**
 - a) Board of Education Liaison
 - b) Borough Council Liaison
- 13. **CORRESPONDENCE TO COUNCIL**
- 14. **UNFINISHED BUSINESS FOR TOWN COUNCIL ACTION**
 - a) Consideration and action on a resolution designating the proposed new bridge in Cat Hollow Park as the Whetstone Brook Bridge (tabled 8/9/2016)
- 15. **NEW BUSINESS**
 - a) Consideration and action on a resolution authorizing the Town Manager to execute a three-year agreement with Action Air Systems, Inc., for annual HVAC maintenance services at various Town buildings.
 - b) Consideration and action on a resolution approving a memorandum of agreement with the Board of Education establishing the terms of use of the unexpended education funds account.
 - c) Consideration and action on a resolution establishing an appointed constabulary of certified/licensed law enforcement personnel in the Town of Killingly
 - d) Discussion re: Council liaisons to Zoning Board of Appeals
- 16. **COUNCIL MEMBER REPORTS AND COMMENTS**
- 17. **COMMUNICATIONS:**
 - Town Manager
 - Town Attorney
- 18. **EXECUTIVE SESSION:**
 - a) Discussion of potential litigation
- 19. **ADJOURNMENT**

**KILLINGLY TOWN COUNCIL
SEPTEMBER 13, 2016**

- 1. Chairperson D. Griffiths called the meeting to order at 7:00 p.m.
- 2. Prayer by Ms. LaBerge.
- 3. Pledge of Allegiance to the flag.

4. Upon roll call all Councilors were present. Also present were Town Manager Hendricks, Town Attorney St. Onge, Board of Education Liaison Burns and Council Secretary Buzalski.

5. Adoption of minutes of previous meetings

5a. Ms. LaBerge made a motion, seconded by Ms. Pratt, to adopt the minutes of the Special Town Council Meeting of August 2, 2016.

Discussion followed.

Voice Vote: Unanimous. Motion passed.

5b. Ms. Ricci made a motion, seconded by Ms. LaBerge to adopt the minutes of the Special Town Council Meeting of August 4, 2016.

Discussion followed.

Voice Vote: Unanimous. Motion passed.

5c. Ms. Pratt made a motion, seconded by Ms. LaBerge, to adopt the minutes of the Regular Town Council Meeting of August 9, 2016.

Discussion followed. Ms. LaBerge made a correction, under Citizens' Statements and Petitions, to the spelling of Frank Aleman's name.

Voice Vote: Unanimous. Motion passed, with corrections.

5d. Ms. Ricci made a motion, seconded by Ms. LaBerge to adopt the minutes of the Special Town Council Meeting of August 25, 2016.

Voice Vote: Unanimous. Motion passed.

6. Presentations, proclamations and declaration

6a. Recognition of retirement of Darlene Gannon

Chairman D. Griffiths presented Darlene Gannon a clock in recognition of her twelve years of service to the Town of Killingly.

7. Unfinished Business for Town Meeting Action: None

8. Citizens' Statements and Petitions:

Stuart Rivers, 300 River Road, spoke in opposition of agenda item 15c on establishing a local constabulary.

Fred Ruhlemann, 255 Mashentuck Road, Danielson, supports establishing a local constabulary.

Laurie Leclerc, 81 Thompson Pike, feels there are lots of questions unanswered about establishing a local constabulary and the community should have more opportunity to voice their opinions about this issue.

Mike Teed, 21 Furnace St., thanked everyone for coming out to support Tomato Fest and spoke in support of a local constabulary.

Hoween Flexer, 5 Francis St, supports moving forward on the constabulary issue, but feels that Killingly is not a dangerous place, unlike the perceived perception.

Tammy Wakefield, 130 North Street, reiterated her committee's position supporting a local constabulary. She said that her committee had begged for citizen input. She also cited Danielson Barracks call statistics, which support the need for supplementation of the State Police in Killingly.

John LaBelle, Highland Rd, Dayville, wants a five-year business plan on establishing a constabulary. He also feels that the proposed power plant by NTE does not adequately address fuel safety and would like a public hearing on the issue.

Amanda Lawton, 182 Ware Rd, Dayville, had questions on the constabulary and wants to see a line-item budget for that.

Amy Shatney, 167 Maple St., spoke as a member of the Special Commission on Law Enforcement and reminded the citizens that members of the Commission are willing and available to answer any question citizens may have about establishing a constabulary.

John Sarantopoulos, 37 Tunk City Road, believes the Council should reserve judgement on the NTE power plant project until after receiving the report. He also has heard nothing factual that this plant will be detrimental to the Town. On the constabulary issue, he feels that the Commission has made every effort to inform the public.

Jason Anderson, 125 Lake Rd, spoke in opposition of the NTE proposed plant, citing the negative effect on Killingly property values.

Dennis Alemian, as a Killingly citizen, was offended by a citizen's use of the word "genocide" in relation to the proposed power plant.

Stuart Rivers, 300 River Road, feels that the Special Commission on Law enforcement was only set up to get a police force, not to study a police force.

Laurie Leclerc, 81 Thompson Pike, wants a line-item budget presented to the public for the constabulary issue.

Sandra Bove, North Shore Rd, opposes the power plant project because the water supply is not sufficient and is concerned about the pollution it would cause.

Everett Coddere, Putnam Pike, stated that constables are not Troopers and opposes the power plant project.

Jason Anderson, as a member of Not Another Power Plant, apologized for the use of the word "genocide".

Jennifer Thomas, 300 Chestnut Hill Rd, stated that NTE does not have any power plants running.

9. Council/Staff comments:

Mr. Ide spoke in support of establishing a constabulary.

Mr. A. Griffiths feels that firehouse meetings would be a good place to have discussions about establishing a constabulary.

Mr. Grandelski spoke in opposition of the power plant.

Ms. LaBerge spoke in opposition of the power plant.

Mr. D. Griffiths wants to look into the cumulative effects of having ten power plants in the area.

10. Appointments to Boards and Commissions:

Ms. Ricci made a motion, seconded by Mr. Hallbergh, to reappoint **Gerard E. Cinq Mars**, 174 Sandy Point Lane, as a regular member of the **Water Pollution Control Authority** for an additional 3-year term. Mr. Cinq Mars has been on the **Water Pollution Control Authority** since December 1997. The new term runs from November 1, 2016 and runs through October 31, 2019.

11. Discussion and Acceptance of Monthly Budget Reports:

11a. Summary Report on General Fund Appropriations for Town Government:

Mr. Grandelski made a motion, seconded by Ms. LaBerge, to accept the summary report on general fund appropriations for Town Government.

Discussion followed.

Voice Vote: Unanimous. Motion passed.

11b. System Object Based on Adjusted Budget for the Board of Education:

Mr. Ide made a motion, seconded by Ms. Pratt to accept the system object based on adjusted budget for the Board of Education.

Discussion followed.

Voice Vote: Unanimous. Motion passed.

12. Reports from Liaisons:

12a. Report from the Board of Education Liaison:

Board of Education Liaison Burns reported on activities of the Board of Education and the Schools and responded to questions and comments from Councilors.

12b. Report from the Borough Liaison:

Council Member LaBerge had no report, as there were no meetings last month.

13. Correspondence to Council:

Town Manager Hendricks noted that he received some emails commending our Resident Troopers and positive comments on the customer service at the Town Hall.

14. Unfinished Business for Town Council Action:

14a. Consideration and action on a resolution designating the proposed new bridge in Cat Hollow Park as the Whetstone Brook Bridge (tabled 8/9/2016)

Ms. Ricci made a motion, seconded by Ms. LaBerge, to take from the table a resolution designating the proposed new bridge in Cat Hollow Park as the Whetstone Brook Bridge (tabled 8/9/2016)

Voice Vote: Unanimous. Motion passed.

Ms. LaBerge made a motion, seconded by Ms. Ricci, to adopt the following:

**RESOLUTION DESIGNATING THE PROPOSED NEW FOOTBRIDGE IN CAT
HOLLOW PARK AS THE WHETSTONE BROOK BRIDGE**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the footbridge in Cat Hollow Park shall hereafter be known as the Whetstone Brook Bridge.

KILLINGLY TOWN COUNCIL

David A. Griffiths

Chairman

Dated at Killingly, Connecticut

this 13th day of September 2016

Discussion followed.

Voice Vote: Majority, Mr. Ide abstained. Motion passed.

15. New Business:

15a. Consideration and action on a resolution authorizing the Town Manager to execute a three-year agreement with Action Air Systems, Inc., for annual HVAC maintenance services at various Town buildings.

Mr. Alemian made a motion, seconded by Ms. LaBerge to adopt the following:

**RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A THREE-
YEAR AGREEMENT WITH ACTION AIR SYSTEMS, INC., FOR ANNUAL HVAC
MAINTENANCE SERVICES AT VARIOUS TOWN BUILDINGS**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that, in accordance with Section 602 of the Killingly Town Charter, the Town Council may authorize the Town Manager to enter into and deliver to the United States Government or any agency thereof, the State of Connecticut or any agency or political subdivision thereof, or any other body politic or corporate any and all documents which it deems to be necessary or appropriate; and

BE IT FURTHER RESOLVED that Town Manager Sean Hendricks, Chief Executive Officer for the Town of Killingly, is hereby authorized to execute and deliver a contract for services to Action Air Systems, Inc. and is further authorized to execute and deliver to Action Air Systems, Inc. any and all related documents on behalf of the Town of Killingly and to do and perform all acts and duties deemed necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such contract or related documents.

KILLINGLY TOWN COUNCIL
David A. Griffiths
Chairman

Dated at Killingly, Connecticut
this 13th day of September, 2016
Voice Vote: Unanimous. Motion passed.

15b. Consideration and action on a resolution approving a memorandum of agreement with the Board of Education establishing the terms of use of the unexpended education funds account.

Mr. A. Griffiths made a motion, seconded by M. Ide, to adopt the following:

MEMORANDUM OF UNDERSTANDING

A memorandum of Understanding between the Town Council of the Town of Killingly and the Board of Education of the Town of Killingly, regarding the management of the Unexpended Education Funds account established in accordance with Ch. 10-248a of the Connecticut General Statutes.

The Town Council of the Town of Killingly, acting herein by David A. Griffiths, its Chairperson, and the Board of Education of the Town of Killingly, acting herein by Jennifer Thompson, its Chairperson, do hereby agree to the following procedures regarding the funding, operation, and utilization of the non-lapsing, unexpended education funds account that was authorized by the Town Council on June 14, 2016:

1. Transfer of funds into the subject account is at the discretion of the Town Council. There is no requirement that funds be transferred to this account in any given year.
2. The Board of Education shall submit to the Town Council a formal request for any expenditure of funds from the account. Such a request shall include a total amount of the request together with the specific use(s) to which requested expenditure shall be put.
3. The Town Council has no authority to deny the formal request.
4. Authorized expenditures from the account shall be directed through the Town of Killingly Finance office.
5. Monthly reports on the status of the accounts and any expenditures from said account shall be provided to the Killingly Town Manager for transmittal to the Town Council.
6. Any requests pursuant to this agreement by the Board of Education shall include a certification that the requested transfers will not exceed the one percent (1%) statutory limitation of the total budget appropriation for the prior fiscal year and the proposed transfer of unexpected funds will not exceed the Board's surplus for the prior fiscal year.

7. The total accumulation of funds in the subject account shall not exceed one million dollars (\$1,000,000).

IN WITNESS WHEREOF, we have hereunto set our hands this ___ day of ____, 2016

TOWN OF KILLINGLY
TOWN COUNCIL

BOARD OF EDUCATION

By: _____
Chairperson

By: _____
Chairperson

WITNESSES

WITNESSES

Discussion followed.

Mr. Alemian made a motion, seconded by Mr. Grandelski suspend the rules to allow Mr. Burns and Ms. Flexer to speak.

Voice vote: Unanimous. Motion passed.

Discussion followed.

Mr. Hallberg made a motion, seconded by Ms. Ricci, to table the motion.

Voice vote: Unanimous. Motion passed.

15c. Consideration and action on a resolution establishing an appointed constabulary of certified/licensed law enforcement personnel in the Town of Killingly

Mr. Ide made a motion, seconded by Mr. Alemian, to adopt the following:

**RESOLUTION ESTABLISHING AN APPOINTED CONSTABULARY OF
CERTIFIED/LICENSED LAW ENFORCEMENT PERSONNEL IN THE TOWN OF
KILLINGLY**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that a constabulary of appointed certified/licensed law enforcement personnel be established in the Town; and

BE IT FURTHER RESOLVED that Town Manager Sean Hendricks, Chief Executive Officer for the Town of Killingly, is hereby authorized to initiate the process whereby the Town will recruit, hire, train, and equip constables, who will serve as law enforcement officers in the Town of Killingly, under the operational control of the senior Resident Trooper.

KILLINGLY TOWN COUNCIL
David A. Griffiths
Chairman

Dated at Killingly, Connecticut
this 13th day of September, 2016

Discussion followed.

Mr. Hallberg made a motion to amend the motion, seconded by Ms. Ricci, changing the resolution to an ordinance that would initiate the establishment of a constabulary.

Roll call vote: Mr. Ide – No, Ms. LaBerge – Yes, Ms. Pratt – abstain, Ms. Ricci – Yes, Mr. Alemian – No, Mr. Grandelski – No, Mr. A. Griffiths – No, Mr. Hallbergh – Yes, Mr. D. Griffiths – No

5-3 Opposed. Motion failed.

On the original motion, roll call vote: Ms. LaBerge – No, Ms. Pratt – No, Ms. Ricci – No, Mr. Alemian – Yes, Mr. Grandelski – No, Mr. A. Griffiths – No, Mr. Hallbergh – No, Mr. Ide – Yes, Mr. D. Griffiths – No

7-2 Opposed. Motion failed.

15d. Discussion re: Council liaisons to Zoning Board of Appeals

Mr. A. Griffiths and Ms. LaBerge requested that the Primary and Alternate Council Liaisons to the Zoning Board of Appeals be switched. Chairman D. Griffiths agreed.

16. Council Member Reports:

Mr. Alemian asked Town Manager Hendricks about having a greeter at the Town Hall.

Mr. Grandelski reported on the Housing Authority and the Conservation Committee meeting.

Mr. Hallbergh reported on the WPCA, Economic Development and Bike Night.

Ms. LaBerge reported on the Board of Recreation.

Ms. Ricci reported on the Veterans' Coffeehouse, Planning & Zoning and Inland/Wetlands.

Ms. Pratt reported on the Ordinance Subcommittee.

Ms. Pratt made a motion, seconded by Mr. Alemian, to add an agenda item to send the establishment of a Town Constabulary to the Ordinance Subcommittee for the drafting of an ordinance to be presented to the Town Council on October 11th while we continue to move forward with firehouse meetings and a non-binding referendum.

Discussion followed.

Voice vote: Unanimous. Motion passed.

Ms. Pratt made an amendment to the motion, seconded by Mr. A. Griffiths, to read send the establishment of a Town Constabulary to the Ordinance Subcommittee for the drafting of an ordinance to be presented to the Town Council on October 11th while we move forward with a minimum of two firehouse meetings and a non-binding referendum.

Discussion followed.

On the amendment to the motion, roll call vote: Ms. Ricci – Yes, Mr. Alemian – Yes, Mr. Grandelski – Yes, Mr. A. Griffiths – Yes, Mr. Hallbergh – Yes, Ms. LaBerge – Yes, Ms. Pratt – Yes, Mr. D. Griffiths – Yes. Unanimous. Motion passed.

Chairman D. Griffiths opened the meeting for Citizens' comments on the new agenda item.

There were no comments.

On the amended motion, roll call vote: Ms. Ricci – No, Mr. Alemian – No, Mr. Grandelski – Yes, Mr. A. Griffiths – Yes, Mr. Hallbergh – Yes, Ms. LaBerge – Yes, Ms. Pratt – Yes, Mr. D. Griffiths – Yes

Griffiths – Yes

6-2 For. Motion passed.

Mr. A Griffiths reported on the Ag Commission and the ZBA.

Mr. D. Griffiths reported on the NDDH and Inland/Wetlands.

17. Communications:

17a. Town Manager: None

17b. Town Attorney: None