

BLOOMFIELD TOWN COUNCIL
Monday, January 25, 2016
Council Chambers – 7:30 p.m.

Joan Gamble, Mayor
Sydney T. Schulman, Deputy Mayor
Patrick A. DeLorenzo Wayne Hypolite
Joseph P. Merritt Joel J. Neuwirth
E. Leon Rivers Derrick A. Seldon
Joseph Washington

- I. Pledge of Allegiance
- II. Roll Call
- III. Announcements and Presentations
- IV. Citizens' Statements and Petitions
Statements by members of the public may be oral or written and shall start with the speaker's name and address and shall continue for no longer than five (5) minutes, unless permitted by the Mayor or councilor presiding.
- V. Report from Council Subcommittees
 - A. Community Services – Councilor Derrick Seldon
 - B. Administration & Education – Councilor Leon Rivers
 - C. Golf – Councilor Leon Rivers
 - D. Finance – Councilor Wayne Hypolite
 - E. Public Safety – Councilor Joe Washington
 - F. Committee on Committees – Councilor Joe Washington
 - G. Land Use & Economic Development – Deputy Mayor Syd Schulman
- VI. Council Business

Old Business:

13/14-12: Consider and Take Action Regarding the Sale of 97 Granby Street

15/16-44: Niagara Bottling

New Business:

15/16-45: Consider and Take Action Regarding Proposed Amendment to Section 6-2: Permit fees; waivers

15/16-46: Consider and Take Action Regarding Adoption of Schedule – Budget Meeting

15/16-47: Consider and Take Action Regarding Reappointment of the Conservation, Energy and Environment Committee Members (CEEC)

15/16-48: Consider and Take Action Regarding Appointments to the Bloomfield Parks and Recreation Committee

15/16-49: Consider and Take Action Regarding Appointment to the Commission on Aging

15/16-50: Consider and Take Action Regarding Reappointment of the EMS Committee Members

VII. Report from Mayor and Town Manager

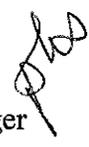
VIII. Financial Report

IX. Approval of Minutes

A. January 11, 2016

X. Council Comments

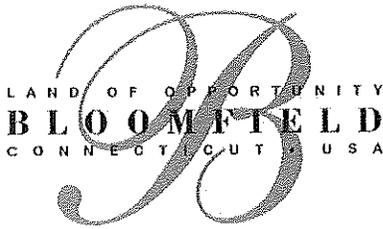
XI. Adjournment

TO: Town Councilors
FROM: Philip K. Schenck, Jr., Town Manager 
DATE: January 22, 2016
RE: FY 13/14-12: SALE OF 97 GRANBY STREET

Please review the attached memorandum for Jose Giner dated January 22nd.

Should Council wish to move forward, the following motion would be in order.

Move to authorize the Town Manager to put out a Request for Proposals (RFP) with respect to the sale of the 97 Granby Street property along with the recommendations of the Land Use and Economic Development Committee as outlined in Mr. Giner's January 22nd memorandum.



*Department of
Planning & Zoning*

TOWN OF BLOOMFIELD
800 BLOOMFIELD AVENUE
BLOOMFIELD, CT 06002-0337
860-769-3515

Memorandum

To: Phil Schenck, Town Manager
From: José Giner, AICP, Director of Planning and Economic Development
Date: January 22, 2016
Re: 97 Granby Street

At its January 19 meeting the Land Use and Economic Development Committee voted to recommend that the Town put out a Request for Proposals (RFP) with respect to the sale of the 97 Granby Street property that the Town owns. The Committee further recommended that notice be given to the abutters and that the abutting property owners be given rights of first refusal with respect to any offers that the Town may receive as a result of the RFP.

There was some discussion also regarding what conditions that the Town might want to include in its offering, including the provision that the Town have access to the site for construction staging during the life of the Granby Street reconstruction project. The Committee recommended that if the Council approves this process that the details be worked about by staff and the Town Attorney.

TO: Town Councilors
FROM: Philip K. Schenck, Jr., Town Manager
DATE: January 22, 2016
RE: FY 15/16-44: NIAGARA BOTTLING

PKS

TO: Town Councilors

FROM: Philip K. Schenck, Jr., Town Manager 

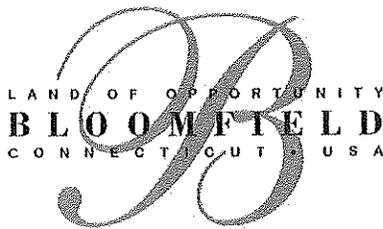
DATE: January 22, 2016

RE: FY 15/16-45: AMENDMENT TO SECTION 6-2: PERMIT FEES;
WAVERS

Attached for your review and recommendation is a draft copy of the proposed changes to Section 6:2, Permit fees; Waivers. Please see the attached memorandum from Jose Giner dated January 22nd. This has already been vetted by Attorney Needelman.

Should Council wish to move forward, the following motion would be in order:

Move to refer this matter to the appropriate subcommittee and/or schedule a public hearing for the purpose of soliciting public input concerning an amendment to Chapter 6, Section 6-2 Permit fees; waivers.



*Department of
Planning & Zoning*

TOWN OF BLOOMFIELD
800 BLOOMFIELD AVENUE
BLOOMFIELD, CT 06002-0337
860-769-3515

Memorandum

To: Phil Schenck, Town Manager
From: José Giner, AICP
Date: January 22, 2016
Re: Consideration of Changes to the Building Permit Fee Ordinance

Attached is a Draft of proposed changes to the Building Permit Fee Ordinance that would allow us to charge partial fees for large projects. The need has come about because of a recent request by Seabury for a way to “break up” the permit fee. In this instance they can’t close on their financing until they have a permit (or at least a letter saying the review is completed and the permit will be issued pending payment). Seabury said that they would like to submit a percentage upfront for review and the balance at permit issuance. If not, they have to dig \$350,000 out of their operating budget somehow.

This is something we can apply to other large projects without much risk to the Town since the percentage charged would be large enough to cover the direct costs of staff review and a final building permit would be withheld until the balance was paid.

We are proposing to limit this to larger projects only because it will complicate bookkeeping and tracking on our end if we did all of our permits this way. This may give those large projects a softer blow on the fees that we cannot waive.

At the same time we are asking to set a minimum fee for small permits to cover our costs. This is standard with many other Towns.

To that end I recommend that the Council schedule a Public Hearing and/or refer this to the appropriate subcommittee to get the process started:

Proposed Changes to the Town of Bloomfield Permit Fee Ordinance.

Sec. 6-2. - Permit fees; waivers. (deleted language in ~~strike through~~ - new Language in **bold underline**)

- (a) The fee for a permit required by the state building code shall be fifteen dollars (\$15.00) per one thousand dollars (\$1,000.00) of value or fraction thereof; provided, however, that the minimum fee for a building permit shall be ~~fifteen dollars (\$15.00)~~ **thirty dollars (\$30.00)** regardless of value.
- (b) That fee in subsection (a) above is waived for a permit required by the state building code that is issued to the Town of Bloomfield, the Bloomfield Center Fire District or the Blue Hills Fire District; except that the fee required by the Connecticut General Statute Section 29-263 shall be paid by each of these agencies.
- (c) **(NEW) Upon request, the Building Official may allow applicants for projects exceeding \$10 million in construction value to post 20% of the estimated permit fee as an initial down payment to cover plan review and administrative costs, with the balance due prior to the issuance of a permit.**

TO: Town Councilors
FROM: Philip K. Schenck, Jr., Town Manager 
DATE: January 22, 2016
RE: FY 15/16-46: ADOPTION OF BUDGET SCHEDULE

For planning and review purposes, below is a proposed schedule for our annual budget meetings. We have tried to avoid all religious conflicts as well as federal holidays. Please review this proposed schedule and if you wish to adopt it, the following motions would be in order.

Move that the following schedule for the budget meetings for the 2016/2017 budget be approved.

2016/2017 Budget Schedule
Bloomfield Town Council

Thursday, March 10 th	7:00 p.m.	Budget overview by Town Manager; Board of Education**
Tuesday, March 15 th	7:00 p.m.	Planning; Boards & Agencies; Library; Senior Services; Social & Youth Services; and Leisure Services
Thursday, March 17 th	7:00 p.m.	Revenue, Expenditures and Capital Improvements; and Facilities & Public Works
Tuesday, March 22 nd	7:00 p.m.	Public Hearing; Public Safety; General Government
Thursday, March 24 th	7:00 p.m.	Council Deliberation/Action
Tuesday, March 29 th	7:00 p.m.	Council Deliberation/Action (if needed)
Monday, May 2 nd	7:00 p.m.	Annual Town Meeting***

Unless otherwise noted, all of the above meetings will be held during 2016 in Conference Room #5, Bloomfield Town Hall, 800 Bloomfield Avenue, Bloomfield, Connecticut for the purpose of discussion of the Town Manager's proposed budget for fiscal year 2016/2017.

**Town Council Chambers

***Bloomfield High School Auditorium

PROPOSED - NOTICE OF SPECIAL MEETINGS
Bloomfield Town Council

In accordance with Section 3 of the Rules of Procedure, the Bloomfield Town Council will hold special meetings for the purpose of discussing the proposed 2016/2017 budget on the following days:

2016/2017 Budget Schedule
Bloomfield Town Council

Thursday, March 10 th	7:00 p.m.	Budget overview by Town Manager; Board of Education**
Tuesday, March 15 th	7:00 p.m.	Planning; Boards & Agencies; Library; Senior Services; Social & Youth Services; and Leisure Services
Thursday, March 17 th	7:00 p.m.	Revenue, Expenditures and Capital Improvements; and Facilities & Public Works
Tuesday, March 22 nd	7:00 p.m.	Public Hearing; Public Safety; General Government
Thursday, March 24 th	7:00 p.m.	Council Deliberation/Action
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**Town Council Chambers

***Bloomfield High School Auditorium

TO: Town Councilors

FROM: Philip K. Schenck, Jr., Town Manager 

DATE: January 22, 2016

RE: FY 15/16-47: REAPPOINTMENT OF THE CONSERVATION,
ENERGY AND ENVIRONMENT COMMITTEE MEMBERS

On Tuesday, January 19th, the Committee on Committees met and recommended the following reappointments (Term ending November 2017):

Move to make the following reappointments to the Conservation, Energy and Environment Committee:

Alan S. Budkofsky (R)	41 Burnwood Drive
George Kevin Gough (D)	5 Bear Ridge Drive
Wesley David Hager (D)	8 Duncaster Road
Marie F. MacDonald (R)	6 Timothy Lane
David M. Mann (D)	1 Adams Road
Vikki Reski (D)	52 Duncaster Road
Valerie A. Rossetti (G)	88 Kenmore Road
Zellene Sandler (D)	22 Rundelane
Venessa Spence (U)	76 Wintonbury Avenue

TO: Town Councilors

FROM: Philip K. Schenck, Jr., Town Manager 

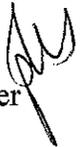
DATE: January 22, 2016

RE: FY 15/16-48: APPOINTMENTS TO THE BLOOMFIELD PARKS
AND RECREATION COMMITTEE

On Tuesday, January 19th, the Committee on Committees met and recommended the following appointments (Term ending November 2017):

Move to make the following appointments to the Parks and Recreation Committee:

Donna M. Banks (D)	9 Diana Drive
Louis B. Blumenfeld (D)	10 Stuart Drive
Clifton Cooper (D)	26 Joyce Street
Marc Jordan DeSousa (R)	42 Silo Way
Gail Nolan (R)	157 Duncaster Road

TO: Town Councilors
FROM: Philip K. Schenck, Jr., Town Manager 
DATE: January 22, 2016
RE: FY 15/16-49: APPOINTMENT TO THE COMMISSION ON AGING

On Tuesday, January 19th, the Committee on Committees met and recommended the following appointment (Term ending November 2017):

Move to make the following appointment to the Commission on Aging.

Susan Odoms (R)

24-B Dorothy Drive

TO: Town Councilors
FROM: Philip K. Schenck, Jr., Town Manager 
DATE: January 22, 2016
RE: FY 15/16-50: REAPPOINTMENT OF THE EMERGENCY MEDICAL SYSTEMS COMMITTEE MEMBERS

On Tuesday, January 19th, the Committee on Committees met and recommended the following reappointment (Term ending November 2017):

Move to make the following reappointment to the Emergency Medical Systems Committee.

Louis B. Blumenfeld (D)	10 Stuart Drive
Patrick J. Braun (D)	21 Milburn Drive
Phillips Brown (D)	24 Woods Road
James W. Dailey, Jr. (R)	32 Nolan Drive
Margaret S. Ehrhardt (U)	255 Tunxis Avenue
Katherine Haller (R)	32 Scott Drive
Mary K. Laiuppa (U)	294 School Street
Susan H. Zetoff (D)	50 Foothills Way

DRAFT

BLOOMFIELD TOWN COUNCIL

There was a regular meeting of the Bloomfield Town Council held at 7:30 p.m. on Monday, January 11, 2016 in Council Chambers, Bloomfield Town Hall, 800 Bloomfield Avenue, Bloomfield, CT.

Present were: Mayor Joan Gamble, Deputy Mayor Sydney Schulman, Councilors Wayne Hypolite, Derrick Seldon, Joel Neuwirth, Leon Rivers, Joseph Washington and Joseph Merritt

Also present were: Philip K. Schenck, Jr., Town Manager, Sharron Howe, Acting Town Manager, Attorney Marc Needelman and India M. Rodgers, Clerk of Council

Guest present were: Scott Jellison, CEO of the Metropolitan District Commission (MDC), William DiBella, Chairman of the MDC Board

Absent was: Councilor Patrick DeLorenzo

PLEDGE OF ALLEGIANCE

The meeting began with the pledge of allegiance to the flag.

ANNOUNCEMENTS & PRESENTATIONS

Mayor Gamble announced the formation of the Filley Park Fundraising Committee. The following names listed below have been selected to participate:

- Albert Rechin (D) – 162 Thistle Pond Drive
- Keith Bell (Unaff) – 20 Watts Hill
- Jim Lehman (R) – 60 Loeffler Road
- Jane Berg (D) – 18 Silo Way
- Doug Barnard (Unaff) – 20 Longview Drive
- Ernestine Griffin (D) – 45 Prospect Street
- Nicole H. Hughes (D) – 5 Central Avenue
- Juine O'Connor (R) – 13 Juniper Road
- Carol Weaver (Unaff) – 9 Clover Lane
- Shirley Williams (D) – 20 Jonathan Place
- Cindy Harrison-Odom (D) – 79 Barry Circle
- Robert Berman (R) – 8 Hiram Lane
- Denise A. Robertson (D) – 14 Hill Farm Roaf

CITIZEN STATEMENTS & PETITIONS

1. **Hannah Roditi, 12 Beacon Hill Drive** raised issues regarding walking on the golf course and requested that the Council finance an official walking trail around the golf course. (see attached narrative for reference)

The following persons listed below expressed concerns in opposition regarding the proposed new construction facility for the Niagara Bottling Company.

2. **Kevin Gough, 5 Bear Ridge Drive** expressed his discontentment regarding the public secrecy and absence of proper due process surrounding this proposal. He stated that this process was not vetted with independent review by town staff and officials, failure to elicit input from the CEEC and no forum for public input or feedback before the Town Council. Mr. Gough stated the need consider the effects of the following:

- Conservation of public assets regarding the water and the Farmington River Watershed
- Wasted energy in manufacturing on shipping and making plastic bottles
- Other hidden energy costs in road repairs and infrastructure degradation
- Environment of increased plastic waste, toxicity and pollution

Mr. Gough respectfully asked the Council to reverse their action and vote on December 14, 2015 to support the tax abatement proposal for Niagara Bottling. He also suggested that the Council send the Niagara Bottling proposal to the CEEC for review and seek public comment.

Mr. Gough also requested confirmation regarding if the Niagara Bottling tax abatement agreement has been officially signed.

3. **David Mann, 1 Adams Road** spoke briefly about the efficacy of tax abatements. He stated that there should be a criteria evaluation established prior to negotiating with developers.
4. **Guthrie Sayen, 27 Rundelane** spoke in opposition of this project referencing bottling companies presenting as economic saviors for towns that are seeking to expand their tax base. He opposes the permitting of any bottling water manufacturer and its effects on climate change and recycling polluters.
5. **Donna Landerman, 6 Rundelane** expressed outrage and spoke regarding the environmental disaster of bottling plants most in liter and landfills, water waste, pollution, energy efficiency of transporting and creating bottles and public health issues.
6. **Zellene Sandler, 22 Rundelane** is the President/Ex-Officio member of the Hartford Audubon Society and member of the CEEC. She spoke on the plastic bottling industry in regarding to the injection of trash in the ocean and its effects on various bird species.

7. **Valerie Rossetti, 88 Kenmore Road**, spoke regarding the privatization of water as a prime resource. What happens when this resource become scarce? It was noted that the State of Connecticut does not regulate or prioritize the type of customer during a drought. The major concern is water capacity issues for all users. Ms. Rossetti stated that once this water is gone there is no end date on the MDC agreement to sell Niagara water.
8. **Melissa Everett of Enfield and CT Energy and Sustainability Manager for Clean Water Action and Clean Water Fund**, stated that as a non-profit for the past 40 years, their primary work has been in national water policy, however they are very concerned about water supply issues in the state. Ms. Everett stated that the State of Connecticut is formalizing a water plan and also developing a climate change in seriousness of these issues. She requested that the Council really look at the entirety of environmental water impact and to utilize the wisdom and expertise of the community for the best outcome.
9. **Jennifer Schwartz-Berky, 35 Elm Street, Kingston, NY**, Mrs. Schwartz-Berky is a representative from District 7, Hudson Valley, NY legislature was involved in negotiations with Niagara Bottling in their town prior to their interest in Bloomfield. Her primary work is to have transparency in government and citizen engagement. Mrs. Schwartz-Berky also expressed concerns about Niagara's lack of information provided to the public referencing cost benefit analyses, emissions, and the potential impacts in environmental forums to speed up formal reviews. She urged the Council to do due diligence, research and obtain valuable information in order to make an informed decision.
10. **Chip Caton, Wintonbury Land Trust** is adamantly opposed to this project. He proposed to reverse the decision to bring Niagara to Bloomfield. Mr. Caton also noted the importance of identifying a brand for Bloomfield. Bloomfield has the opportunity to be branded as the greenest, most progressive town in Connecticut. As a representative of the Wintonbury Land Trust, it was noted that Bloomfield is restoring farmland, promoting solar panel installation, advocate for the East Coast Greenway and revitalization of Filley Park. Mr. Caton stated that with this noteworthy brand, Bloomfield will attract a younger population, more revenue and a better place to live. The suggested tag line, "Bloomfield – Green is our Nature".
11. **Tollie Miller, 88 Kenmore Road** gave a brief history of the environmental concerns and past projects in working with the CEEC as a trusted citizens group to the Council. Ms. Miller has requested that the Council act by not finalizing the tax abatement agreement. She also requested that the Council take time to obtain and elicit public input before continuing with this project. Ms. Miller commented on the failing process to the citizenry, referencing the CEEC's involvement and the seriousness of public opinion regarding the Niagara Bottling plant. It was noted that citizens are prepared to continue to advocate for the best interest of the community through public education, community organizing and legal remedy.
12. **Mark Saunders, 13 Pent Road**, commented about why the CEEC was not involved in assisting with a decision to be made. He also asked if an agreement been signed by the Town Council. It was noted by Council that nothing officially has been signed or

finalized as of yet. Mr. Saunders requested the Council to represent their residents and value their opinions.

13. Jane Biral, 10 Pent Road, spoke concerning the viability of the Niagara Bottling company in light of the climate change on Connecticut's water supply. The following facts were referenced from the National Oceanic and Atmospheric Administration (NOAA) and the Environmental Protection Association (EPA):

- All states in the Northeast had below normal precipitation, with Connecticut's rate 43% below normal.
- United States Department of Agriculture show that 40% of top soil and 42% of sub soil in Connecticut is short of moisture.
- Connecticut was the 7th driest on record from December 2014 to November 2015
- In the 4 years from January to November, Connecticut has been drier than normal than its average
- According to the EPA, in Northeastern states, the timing of winter and spring precipitation could lead to dry conditions in the summer as warmer temperatures increase evaporation and accelerate snow melt.

In addition to the facts stated above, Ms. Biral is totally opposed to the Niagara project coming to Bloomfield referencing modern day gains by the MDC, preserving the water supply to residents and valuing the total of all 20,000 residents versus offering 75 jobs to individuals and a tax abatement to promote economic development efforts.

There was an ensued discussion between Council members and representatives from the Metropolitan District Commission (MDC).

Mr. Scott Jellison, CEO of the Metropolitan District Commission (MDC) indicated that the company does have sufficient water supply for the Niagara Bottling project as they have proposed.

The MDC and the State Department of Public Health regulate water companies based on safe yield. The MDC has 77 million gallons of water per day. If MDC contracts are subtracted the remaining amount would be 71 million gallons of water per day. The MDC utilizes an average of 47 million gallons of water per day as noted in 2014 and approximately the same figure in 2015. There is approximately 23 million gallons of water available to sell.

Based on concerns regarding drought conditions, at 85% capacity and short of 6% short in rainfall for the year. Mr. Jellison stated that the MDC has not had to deal with drought conditions like other communities. Drought figures are not relevant until they are at 75% capacity. In order to trigger this amount, it must not rain for 85 days. If the Niagara Bottling project was added to the threshold, the target trigger would increase by 3 days with 82 days no rain. The MDC has approximately 40 billion gallons of water, Nepaug Reservoir has 9 billion and the Barkhamsted Reservoir has 30 billion gallons of water.

There were also concerns expressed about obtain water from the Farmington River Watershed. Mr. Jellison indicated that he spoke with Eileen Fielding, Executive Director of the Farmington River Watershed who indicated in writing that taking water from this watershed is a misconception.

The Farmington River Watershed is approximately 609 square miles. The watershed that collects water into the reservoir for the 8 member towns and total 12 communities they service, is less than 10% of watershed, 58 square miles. The water collected in MDC reservoirs never reach the Farmington River, unless they are spilling. On the west branch of the Farmington River, the MDC is a part of the Wild and Scenic and part of building the Goodwin Dam, they release 32 million gallons per day and up to 100 million gallons a day when it's overflowing with rain for fisheries and aquatic life.

The MDC do not discriminate against their customer base. They have the right to sell and have the responsibility to all 8 member towns to provide water if available.

Councilor Merritt inquired if the town legally intervene and permit residents to water lawns, wash cars, etc.

Mr. Jellison stated that all water supply plans are approved and regulated by the Department of Public Health. The trigger for all water companies is if you reach 75% of water capacity must conservation efforts. The first notification would be sent to 8 member towns. If you reach 65%, the MDC will approach some of their large users and request a reduction in consumption during drought conditions.

Deputy Mayor Schulman inquired if the MDC reach any agreement with Niagara Bottling regarding giving them any priority to deliver water over member towns and residents.

Councilor Washington inquired about how the town obtain its water. The MDC obtain its water from 2 reservoirs, which is collected from independent watersheds for each reservoir. Mr. Jellison also explained the difference between reservoirs and aquifers.

Councilor Merritt expressed concerns about sewage disposal from Niagara in making bottles and inquired about cost and who pays for this disposal.

Mr. Jellison responded that Niagara has plans to utilize 4 bottling lines and each line would use approximately 450,000 gallons of water per day max. They also indicated that the waste of each bottling line is only 20%. So, 90,000 gallons of waste water will be discharged to the sewer system.

Councilor Hypolite inquired about other commitments in reserves of the 8 member towns. The MDC indicated that they do have approximately 5 to 6 million gallon commitments with current vendors. Mr. Jellison also indicated that there are various timeframe for committed reserves for developers and other potential vendors. Mr. Jellison explained the ordinance changes for specific high water consumers above 500,000 gallons per day. If a customer exceeds 500,000 gallons per day, there is reduction in the rate of .50 cents per cc.

Deputy Mayor Schulman asked the MDC if they incorporate clauses or provisions in their contract agreement with large users have the legal ability to reduce water consumption if a benchmark figures for drought were triggered. It was noted that the MDC does not have any authority to automatically reduce consumption. The Department of Public Health would assist the MDC on enforcing a request, however they cannot discriminate on any customers whether large or small.

Councilor Rivers inquired water capacity needs for other new construction developments in town. The MDC indicated that each development must be approved for a capacity analysis.

Councilor Seldon requested clarification regarding potential drought conditions and the reduction in water consumption if necessary of a large user such as Niagara. The MDC indicated that Niagara would have to meet their first goal in establishing the first two bottling lines in order to have reserves for the next 2 lines by the 2nd quarter in 2017. A 5 year threshold to 2022 was given as a timeframe to achieve the maximum of 4 bottling lines.

Councilor Hypolite would like to review an analysis on how water needs are predicted. The MDC responsibility is to protect and secure water for their 8 member towns as well as to maintain water rates at a reasonable cost.

Mr. Jellison indicated that the MDC is a public organization with public meetings to discuss the issues with Niagara for approximately 1 ½ years. Niagara initially expressed interest in the Town of Windsor prior to going to Kingston, NY, then back to Bloomfield. It was noted that the Hartford Alliance has been working to bring businesses to the State of Connecticut. Of the 47 million gallon per day being utilized by customers, only 2 million gallons are designated by industrial users.

Mr. William DiBella, Chairman of the MDC Board of Directors commented regarding the lack of major growth in Economic Development across the State. The MDC has seen a trend in the last 10 years, a drop in the consumption rate, primarily in conservation and lack of growth.

There were several questions from the audience regarding topics such as: obtaining additional funds from the Federal government to maintain infrastructure needs. The MDC indicated that they received funds from the State of Connecticut for sewage needs and only 15% of funds come from the Federal government for the Clean Water Fund.

Mr. Kevin Gough, 5 Bear Ridge Drive inquired about water resources from the Farmington River Watershed and Portland Agreement. The MDC and the Farmington River Watershed Association agreed to sell up to 1.1 million gallons per day to the Town of Portland. On average, 400,000 gallons of water per day is sold. If the MDC were near the 10% of 71 million gallons, they would revisit other alternatives.

REPORT FROM COUNCIL SUBCOMMITTEES

Finance – The next subcommittee meeting will be held on Tuesday, January 19, 2016 to discuss the monthly financial report and tax abatements.

Land Use & Economic Development – The next subcommittee meeting will be held on Tuesday, January 15, 2016 at 7:00 p.m. It was also reported that Calamar real estate will make a presentation for additional low income housing in town. An informational meeting will be held at Blue Hills Fire for the proposed low income housing project.

Committee on Committees – The next subcommittee meeting will be held on Tuesday, January 19, 2016 at 6:30 p.m.

Public Safety – Councilor Washington read a detailed report of the last meeting held on December 14, 2015.

Administration/Education – Councilor Rivers stated that this subcommittee last met on January 4, 2016 to discuss wayfinding and community signage options for the Town. In addition, the subcommittee discussed the hiring of an additional Building Official to handle the increased volume of building permit fee applications for new construction projects.

Golf – Councilor Rivers reported that this subcommittee did not meet in December. It was reported that the golf course had an exceptional season, officially closing on December 24, 2015. Councilor Rivers also stated that subcommittee will review, discuss and develop a policy to address walking on the course.

Community Services – Councilor Seldon read a detailed report of the last subcommittee meeting held on December 1, 2015.

ADDITIONS TO THE AGENDA

It was moved by Councilor Hypolite, seconded by Councilor Neuwirth and voted unanimously to add Item FY15/16-42: Consider and Take Action Regarding the Naming of a Bloomfield Historic Site.

It was moved by Councilor Washington, seconded by Councilor Rivers and voted unanimously to add Item FY 15/16-43: Consider and Take Action Concerning Pending Tax Appeals.

It was moved by Councilor Hypolite, seconded by Councilor Merritt and voted unanimously to add Item FY 15/16:44: Discussion Regarding Niagara Bottling Company.

COUNCIL BUSINESS

OLD BUSINESS

FY 15/16-37: Consider and Take Action Regarding Hiring an Additional Building Official

It was moved by Councilor Washington, seconded by Councilor Rivers and voted unanimously approve the hiring of an additional building official.

It was moved by Councilor Hypolite, seconded by Councilor Washington and voted unanimously to approve the following resolution:

RESOLUTION

WHEREAS, The Town of Bloomfield is undergoing an unprecedented level of building activity as part of its economic development efforts and

WHEREAS: The services associated with this building activity have caused a backlog in processing permit applications and inspections in a timely manner despite the additional resources provided in the 2015-2016 budget, and

WHEREAS: The Town has benefitted from increased revenue as a direct result of the building activity, now therefore be it

RESOLVED: That the Town Manager is authorized to hire an additional assistant building official as expeditiously as possible in order to address the current backlog and future anticipated activity, and be it further

RESOLVED: That it is the intention of the Town Council to fund this position in an estimated amount of \$55,000 as part of the Town Council approved transfers on or about April 1, 2016.

Councilor Hypolite stated that he is in full support of hiring an additional building official. He also agrees with the Town Manager regarding the timeframe for exceptional customer service when requesting a permit.

Mr. Philip K. Schenck, Jr., Town Manager stated that the job description has been expanded to include working on blight and zoning issues.

NEW BUSINESS

FY 15/16-41: Consider and Take Action Regarding Adoption of Resolution (Neglected Cemetery Account Grant Program)

It was moved by Deputy Mayor Schulman, seconded by Councilor Washington and voted unanimously to adopt the following resolution:

I, Philip K. Schenck, Jr., Town Manager of the Town of Bloomfield, a municipality organized under the laws of the State of Connecticut (the "Contractor"), DO HEREBY certify that the following is true and correct copy of a resolution duly adopted at a meeting of the Bloomfield Town Council, of the Contractor duly held and convened on Monday, January 11, 2016, at which meeting a duly constituted quorum of the Bloomfield Town Council was present and acting throughout and that such resolution has not been modified, rescinded or revoked and is at present in full force and effect:

RESOLVED, That the Town Manager, Philip K. Schenck, Jr. is empowered to enter into or amend contractual instruments in the name and on behalf of the Town of Bloomfield, with the State of Connecticut, Office of Policy and Management for a Neglected Cemetery Account program if such an agreement is offered, and to have the corporate seal affixed to all documents required as a part of any offered agreement.

IN WITNESS WHEREOF, I have affixed my signature and the municipal seal this 11th day of January, 2016.

FY 15/16-42: Consider and Take Action Regarding the Naming of a Bloomfield Historic Site

Mayor Gamble stated that the Wintonbury Land Trust would like to name the barn building on School Street in memory of the late Fannie Gabriel.

Councilor Hypolite requested a referral to the Administration/Education subcommittee for further discussion and review.

FY 15/16-43: Consider and Take Action Concerning Pending Tax Appeals

This item was deferred for discussion during Executive Session.

FY 15/16-44: Discussion Regarding Niagara Bottling Company

Councilor Hypolite made brief comments regarding the discussion related to Niagara Bottling Company. He stated that the concerned group of citizens present at this meeting spoke from the heart after indulging in research, education background and experiences. There were some general themes of agreement to delay a decision until this project has been fully vetted, environmental, water, and sewage and process/procedure concerns.

He also commended the Council on moving project along swiftly. However, the Town Council members were elected to office to be stewards of the town and to represent the best interest of the

community. Councilor Hypolite inquired about the valuable learning experience for Council members regarding the process and procedures with this project.

Mayor Gamble gave a brief description of Niagara Bottling and its introduction to the Town of Bloomfield.

Within the past 9 months, Niagara revisited the Town of Bloomfield for an expansion of their Northeast corridor.

She also indicated that Niagara would still be responsible for paying taxes with the land that they are utilizing. Over the next 7 years, it is not 100% tax abatement, the schedule is outlined in the proposed agreement. They are also indicating to offer 75 jobs to local individuals. There are other job opportunities that will be available through other utilities providing service on the new construction of this plant.

Niagara Bottling Company has received approvals through Inlands/Wetlands Commission and Town Plan & Zoning.

The town has approximately 33% of its land dedicated to Open Space.

There are approximately 30 Churches, local town operated schools and 4 CREC schools in town with no tax revenue.

The town has 3 major infrastructure projects that need to be completed, 330 Park Avenue, Public Works Garage and Prosser Library.

Residents present at this meeting requested an official town meeting to discuss issues and concerns regarding Niagara Bottling more in depth.

Attorney Needelman stated that there is no requirement to conduct a public hearing on a tax abatement.

Councilor Seldon stated that Niagara should have been present at this meeting. However he also expressed that Niagara should attend the next scheduled Council meeting to address resident issues and concerns.

Councilor Rivers stated that the Council was given authority when elected to have the best interest of the community. It was noted that this project was discussed at length and the Council is not obligated to go to the CEEC for their recommendation.

Councilor Neuwirth stated that the Council felt that the decision to bring Niagara to the community for economic development growth in town was for the best interest of the community regarding expanding the tax base for Bloomfield.

Deputy Mayor Schulman clarified that it takes 1.3 versus 3 to 7 times of water needed to make bottles on site. He discussed issues regarding privatizing water in New York that the town was providing to its citizens, potential drought conditions, this project has not been ongoing for two years, the effects of tax abatements on industries coming to town, the town is not promoting plastic bottles and does agree that the CEEC should have been involved regarding a presentation with their expertise of the subject matter.

Councilor Washington stated the Council at no time said that they did not want Niagara Bottling to come to Bloomfield.

Councilor Hypolite stated that the Niagara Bottling project was not fully vetted independently. He stated that tax abatements can be an attractive tool for businesses to come to town. However, it was requested that this tax abatement for Niagara Bottling be tabled. Councilor Seldon stated that he will second this item to be tabled. Councilor Seldon also stated that the public should be allowed to express their concerns to Niagara Bottling directly.

Mayor Gamble stated that Niagara Bottling is welcome to attend the next scheduled Council meeting. This will be considered an informational session for residents.

Councilor Neuwirth expressed concern that even if Niagara is invited back to present at the next scheduled Council meeting, it will make no difference of opinion to the concerned group opposing this project.

Mayor Gamble indicated that the proposed tax abatement agreement has been vetted by the Town Attorney and legal representation from Niagara.

Mr. Schenck, Jr. stated that the motion that was approved at the December 14, 2015 authorized the Town Manager to sign a tax abatement agreement with Niagara Bottling and the Town of Bloomfield once vetted and approved by the Town Attorney. The draft contract was reviewed several times, the final contract was received from Niagara, it is has been signed by the Town Manager, however it has not been witnessed or notarized until a decision is made based on current discussions as to whether the Town wishes to reconsider the motion made on December 14, 2015 authorizing the abatement.

It was moved by Councilor Hypolite, seconded by Councilor Seldon to propose postponing the dually execution of a tax abatement agreement with Niagara Bottling and have public dialogue with the company.

Attorney Marc Needelman expressed his legal opinion of the approved motion from the December 14, 2015 Council meeting regarding the proposed tax abatement agreement with Niagara Bottling. This agreement is in compliance with state statutes, town ordinances and terms of that were negotiated.

He also indicated since the vote was unanimous, the agreement was finalized in preparation for this meeting. The document was signed by Niagara based on Council vote. Attorney Needelman stated that there could potentially be serious legal issues involved if the town did not move forward in good faith by all parties.

There was a dialogue between Council members, the audience and Attorney Marc Needelman regarding these concerns.

Councilor Hypolite would like to consider the material disclosure that the Council is now aware of from the concerned group present. He reiterated the request to have the proper process and procedure to be fully vetted including public input and concerns.

Attorney Needelman agree the public should be heard, however it is a matter of policy not law. However, there is no specific date in the resolution as to when the contract had to be executed. It was also stated that the proposed motion on the floor is not in order and suggest to Council to take no action.

Mayor Gamble indicated that motion is out of order and it was recommended to continue regular Council business.

Councilor Hypolite would like the record to reflect the withdrawal of his original motion.

Councilor Seldon requested clarification regarding the request for public input dialogue with Niagara at the next scheduled Council meeting and at that time if all Councilors unanimously agree, can the tax abatement agreement contract be executed at that time?

Mr. Mark Saunders, 13 Pent Road requested a two week delay for citizens to be informed by Niagara Bottling on their project and give residents the opportunity to ask questions of the company.

Deputy Mayor Schulman stated that if the Council decide not the sign this agreement in a timely manner within the normal course of business, the town would be exposed to potential legal actions.

REPORT FROM MAYOR AND TOWN MANAGER

Mayor's Report

Mayor Gamble reported that State Senator Beth Bye is the new CEO for Auer Farm.

On January 27, 2016, the next scheduled CRCOG meeting will be held at the Connecticut Resources Recovery Authority (CRRA) Trash Museum on Murphy Road in Hartford.

On January 14, 2016 at 11:30 a.m., Pepperidge Farm will introduce information regarding their new fuel cell.

On January 12, 2016 at 8:30 a.m., the next EDC meeting will be held in Conference Room #5 at Town Hall.

On January 19, 2016 at 12:00 noon, the Celebration of Bloomfield will host a meeting in Conference Room #5 at Town Hall.

The Martin Luther King Celebration will be held at First Congregational Church on January 18, 2016 at 7:00 p.m.

Blue Hills Fire District will host a meeting concerning blight issues in town on January 14, 2016 at 7:00 p.m.

Town Manager's Report

Mr. Schenck, Jr., Town Manager reported the following updates to the Town Council:

The town received a grant for an additional Electric Vehicle charging station to be located at 330 Park Avenue. The town has seen an increase in usage of 560 sessions in the last month.

The Annual Town report went out to all residents and it has been well received.

Mr. Dave Melesko, Director of Leisure Services and staff liaison to the Parks and Recreation Committee will host a focus group on Trails and Connectivity.

The comprehensive Capital Improvement Project budget review has been completed with all town department heads. The Finance Director is currently preparing a final draft for review.

FINANCIAL REPORT

This item was deferred to the Finance Subcommittee for further review and discussion at the next scheduled meeting on Tuesday, January 19, 2016 at 5:45 p.m.

APPROVAL OF MINUTES

It was moved by Deputy Mayor Schulman, seconded by Councilor Neuwirth and voted unanimously to approve the minutes of December 14, 2015.

It was moved by Deputy Mayor Schulman, seconded by Councilor Seldon to approve the special meeting minutes of December 28, 2015.

VOTE: AYE: J. Gamble, S. Schulman, J. Washington, L. Rivers, D. Seldon, P. DeLorenzo,
 J. Neuwirth
 NAY: None
 ABSTAIN: W. Hypolite

The motion carries, 7-0-1

COUNCIL COMMENTS

Councilor Hypolite and Rivers thanked Mayor Gamble for abiding by the process in discussing Council business.

Councilor Seldon reflected on the democracy in public regarding resident concerned views of a bottling company. He also stated that town residents should be commended for their due diligence in expressing their concerns and opinions.

EXECUTIVE SESSION

At 11:35 p.m., it was moved by Deputy Mayor Schulman, seconded by Councilor Seldon and voted unanimously to enter into Executive Session A – Pending Claims and Litigation with the Town Council, Town Manager, Assistant to the Town Manager and the Town Attorney.

At 11:37 p.m., Council exited Executive Session A and entered into Executive Session B – Resolution of Pending Tax Appeal

At 11:50 p.m., it was moved by Councilor Neuwirth, seconded by Councilor Washington and voted unanimously to exit Executive Session B and enter into Regular Session.

It was moved by Deputy Mayor Schulman, seconded by Councilor Hypolite to authorize the Town Attorney to enter into settlement with Duncaster for settlement of their tax appeal.

ADJOURNMENT

At 11:51 p.m., it was moved by Councilor Neuwirth, seconded by Councilor Washington and voted unanimously to adjourn the meeting.

JANUARY 11, 2016
BLOOMFIELD
TOWN COUNCIL MEETING

GOOD EVENING.

MY NAME IS HANNAH RODITI. I LIVE AT 12 BEACON HILL DRIVE IN BLOOMFIELD,
WITH MY THREE CHILDREN.

WE LIVE RIGHT NEXT TO THE WINTONBURY GOLF COURSE. AND WE'RE HERE
TONIGHT TO BRING TO LIGHT A DIRTY LITTLE SECRET REGARDING THE GOLF
COURSE AND TO ASK THAT THE COUNCIL RECTIFY THE SITUATION.

OVER THANKSGIVING YOU'LL RECALL IT WAS BEAUTIFUL OUT. MY CHILDREN AND
I WENT WALKING THROUGH THE WOODS ALONG WITH SOME NEIGHBORS. MY
15-YEAR OLD SON BROUGHT HIS FISHING ROD AND WAS FISHING IN THE
RESERVOIR NEXT TO THE GOLF COURSE. MY TWO OTHER CHILDREN AND I,
ALONG WITH THREE NEIGHBORHOOD KIDS WERE HANGING OUT QUIETLY IN A
CORNER OF THE GOLF COURSE NEXT TO THE WOODS, OUT OF THE LINE OF PLAY
AND BEING CAREFUL NOT TO GET IN ANYONE'S WAY. A COUPLE OF GOLF CARTS
PASSED US AND PEOPLE SMILED AND WAVED.

THEN ONE GUY STOPPED AND SAID THAT CHILDREN SHOULDN'T BE SEEN
ANYWHERE NEAR A GOLF COURSE. SHORTLY A COURSE MANAGER CAME OVER
AND TOLD ME THAT IF WE DIDN'T LEAVE IMMEDIATELY WE'D BE ARRESTED.

IS THERE SOMETHING WRONG WITH THIS PICTURE?

1. NO ONE WAS AT ANY RISK SINCE WE WERE OUT OF THE LINE OF PLAY
AGAINST THE WOODS, NO ONE WAS DISTURBING ANYONE'S PLAY, AND
CHILDREN WHO WERE DOING SOMETHING HEALTHY AND BEING
RESPECTFUL WERE THREATENED WITH ARREST?
2. THESE CHILDREN WERE MOSTLY CHILDREN OF COLOR, MOSTLY BOYS.
BOTH THE ELDERLY MAN WHO COMPLAINED AND THE MANAGER WERE

WHITE. THEY WERE BOTH QUITE RUDE. LET ME TELL YOU, IN THIS DAY AND AGE, IT'S A BEAUTIFUL THING WHEN YOUNG PEOPLE ARE OUT ENJOYING NATURE IN A HEALTHY WAY...AND IN THEIR OWN BACKYARD OUR YOUNG BOYS OF COLOR ARE BEING THREATENED WITH ARREST WHILE THEY'RE OUT FISHING? REALLY?

3. WE PAID FOR THIS GOLF COURSE WITH OUR TAX MONEY. THIS ISN'T PRIVATE PROPERTY. THE COUNCIL AND THE TOWN ARE RESPONSIBLE FOR HOW WE, THE TAX PAYERS WHO PAID FOR THIS COURSE, ARE TREATED BY COURSE MANAGEMENT.
4. THE MOST IMPORTANT POINT I WANT TO MAKE IS THIS. THE COUNCIL LIED. WHEN THE ELECTED LEADERSHIP OF THIS TOWN WENT AROUND TO BUILD SUPPORT FOR THE GOLF COURSE TO BE BUILT WITH TAXPAYER MONEY, RESIDENTS EXPLICITLY ASKED THAT A WALKING TRAIL BE BUILT AROUND THE COURSE BECAUSE THIS WAS LAND THAT WAS HEAVILY USED BY THE COMMUNITY FOR RECREATION AND WALKING. WE WERE PROMISED THAT A WALKING TRAIL WOULD BE BUILT. I KNOW BECAUSE I WAS THERE AND I HEARD THAT COMMITMENT BEING MADE IN RESPONSE TO MANY PEOPLE WHO ASKED THAT A WALKING TRAIL BE BUILT.

BUT NO WALKING TRAIL WAS EVER BUILT. AND BY THE TIME RESIDENTS REALIZED THAT FACT, WE WERE TOLD ALL THE MONEY HAD BEEN SPENT.

SO WE WERE LIED TO, AND THE COUNCIL DIDN'T KEEP IT'S WORD.

NOW IT'S TIME TO MAKE IT RIGHT.

A FEW YEARS BACK MY FRAIL 70-YEAR OLD MOTHER AND I WERE WALKING ON THE COURSE IN A NOVEMBER HAIL STORM. OF COURSE THERE WAS NO ONE PLAYING GOLF. THE COURSE MANAGER CAME OUT IN HIS JEEP CROSSING OVER THE GRASS IN IT, ACTING LIKE HE WAS GOING TO RUN US OVER. HE YELLED AT US THAT HE WAS GOING TO HAVE US ARRESTED PER THE ORDER OF THE TOWN MANAGER LOUIS CHAPMAN.

I WAS SO HORRIFIED BY WHAT HAD HAPPENED THAT I WENT AROUND THE NEIGHBORHOOD TALKING TO PEOPLE AND DISCOVERED THAT THERE WERE

LOTS AND LOTS OF PEOPLE UPSET ABOUT THE LACK OF A WALKING TRAIL. SOME OF US CAME OUT AND SPOKE TO THE COUNCIL ABOUT IT. AND THE RESULT WAS SOMETHING THAT WE SHOULD NEVER HAVE EVEN HAD TO ASK FOR-- OPENING UP ACCESS TO THE COURSE DURING THE OFF SEASON.

BUT ACCESS 3 MONTHS OF THE YEAR IS CLEARLY NOT ENOUGH.

IT'S TIME THAT THE COUNCIL MADE GOOD ON THE ORIGINAL COMMITMENT THAT WAS MADE TO THE TAXPAYERS WHO MADE THIS COURSE POSSIBLE--THAT A WALKING TRAIL BE BUILT.

FORTUNATELY THERE IS NOW \$140,000 IN THE GOLF COURSE'S NET PROFIT FUND THAT IS MANAGED BY THE THE GOLF COURSE COMMITTEE.

IT IS TIME TO USE SOME OF THIS MONEY TO FIRST ASSESS HOW AND WHERE A TRAIL CAN BE BUILT, AND SECOND, TO GET IT BUILT. IF OTHER MONIES ARE NEEDED TO GET IT BUILT, IT'S TIME TO FIGURE IT OUT.

* I'D LIKE TO GET A MOTION FROM THE COUNCIL TONIGHT REQUESTING THAT THE GOLF COURSE SEE TO IT THAT THIS HAPPENS AS SOON AS POSSIBLE AND THAT A PROGRESS REPORT BE MADE AT THE NEXT COUNCIL MEETING.

IT'S TIME TO COME THROUGH ON COMMITMENTS MADE TO THE TAXPAYERS AND RESIDENTS OF THIS TOWN AND MAKE IS POSSIBLE FOR OUR YOUNG PEOPLE TO BE OUT IN NATURE YEAR-ROUND WITHOUT BEING THREATENED WITH ARREST.

THANK YOU.

HANNAH RODITI
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