

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MARCH 10, 2020**

The Glastonbury Town Council with Town Manager, Richard J. Johnson, in attendance, held a Regular Meeting at 7:00 p.m. at the Council Chambers of Town Hall, 2155 Main Street, Glastonbury, Connecticut.

1. Roll Call.

Council Members

Mr. Thomas P. Gullotta, Chairman
Mr. Lawrence Niland, Vice Chairman
Dr. Stewart Beckett III
Ms. Deborah A. Carroll
Ms. Mary LaChance
Mr. Kurt P. Cavanaugh
Ms. Lillian Tanski
Mr. Jacob McChesney {excused}
Mr. Whit C. Osgood {excused}

a. Pledge of Allegiance Led by Mike Bisi

2. Public Comment.

Mr. John Sakon of 998 Hillstown Road, explained that had Mr. Johnson not issued a letter questioning the validity of his permits, the Town would have received a check for \$900,000. He presented an audio recording of Mr. John R. Williams, who will sue the Town on Mr. Sakon's behalf for actual damages of \$35 million and punitive damages of \$360 million. Mr. Sakon stated that he made an offer to the Council, but they probably did not hear about it because of the "corruption" of Mr. Johnson. He stated that the mere filing of this lawsuit will result in copycat lawsuits and millions in losses for the Town. He urged the Council to seek independent counsel and sue their current attorney, Shipman and Goodwin, LLP. Mr. Cavanaugh asked if the Town Manager would like to respond now. Mr. Johnson stated that he will very proudly stand on his record.

Mr. Rob Hale from 832 Hopewell Road, spoke about the amendment to the building zone regulations. He urged the Council to not raise the height of the buildings in Town, including the Town Center. His biggest concern is the setback, and how it will change the character of the Town. He also spoke on the Cotton Hollow Mill, inquiring whether or not the property owner has withdrawn the application for demolition yet. He stated that, assuming not, he respectfully

asks the Council to consider taking legal action to compel the owner to sell, or at least to refrain from further demolition of the ruins, via an injunction. If not, the Town's best bet is to go to eminent domain.

Ms. Marie Fortin of 193 Welles Street, reiterated what the previous speaker's comments, and she hopes that, in the event that negotiations fail, the Council commits to the idea of pursuing any and all necessary legal action to obtain the Cotton Mill ruins.

3. Special Reports.

(a) Report and presentation on planning and options for solid waste disposal and recycling – Materials Innovation and Recycling Authority (MIRA).

Mr. Johnson introduced Mr. Tom Kirk, president and CEO of MIRA, to present on updates to modernize the Town's trash and recycling plan.

Mr. Kirk explained that their facilities are in desperate need of replacement. They do not want to be in a position where they rely on other states to handle their garbage and recycling processing. They also subscribe to the state's policy of minimizing transportation costs. Mr. Kirk called Connecticut a Western hemisphere leader in managing its garbage, ranking #1 of all 50 states in a metric of Sustainable Solid Waste Management. He ensured that there is no project ownership risk and the Town will pay the same rate as everyone else, explaining that the Town's only commitment is to deliver the Town's waste.

Chairman Gullotta noted that there is almost unanimous complaint about glass being mixed in with other recyclables. Why not have a separate container? Mr. Kirk explained that they have subscribed to a single-stream recycling protocol for the last 12 years, moving from dual-stream recycling because of safety issues and injuries from haulers. Single stream allows for automated pickup, as well as the ability to collect a larger menu of recyclable items. From a single-stream recycling standpoint, glass has a detrimental impact on the processing of their equipment and the quality when mixed in with fibers is near zero. Add to that, the value of glass is almost zero and they have to drive their glass from Hartford to Pittsburgh. But, he conceded, that they should be separating glass.

Chairman Gullotta asked why they cannot have a separate container for recyclables that they pay a deposit on. He would like to see a separate container that one could drop their glasses in and let the Town recover that nickel. Mr. Kirk explained that they cannot do so, not because of a technical reason, but because of a municipal services agreement, issued by the towns collectively, to decide to pool their resources together, ensuring that nobody gets the nickel but the state. Chairman Gullotta countered, assuming they put together a contract with the other towns to reverse that decision, could they acquire a separate container? Mr. Kirk said yes.

Dr. Beckett asked why textiles cannot go in recycling bins. Mr. Kirk replied, their processing facility does not have the technological ability to separate out textiles, but textiles can and should be recycled. Dr. Beckett asked, if they do the upgrade, could that add more things into the recycling bin. Mr. Kirk explained that there will be a \$19 million investment into the new recycling center, but he does not recall if it includes a line for textiles. He noted that, if it does not, his presumption would be that studies done on recycling determine that the volume of textiles is insufficient to justify that expense.

Chairman Gullotta asked how much longer they can continue to bring ash to the Putnam facility. Mr. Kirk explained that Putnam is an ash-only landfill, and they are applying for an expansion for another 30 years of capacity. If the extension is not approved, there are monofills in Shrewsbury, Massachusetts. He explained that ash residue is about 24% as a measure of weight. The Putnam facility receives 170,000 tons of ash a year, but the volume is very small (about 4-5%), so what fills up the landfills is not weight but volume. Dr. Beckett noted that other states use the ash as an aggregate for either concrete or asphalt. How come Glastonbury does not? Mr. Kirk explained that they have given up trying to convince the DEEP, which is extraordinarily conservative on this, that that is a viable option. There is no technical reason why it cannot be done, but there is a regulatory issue that they do not spend time on anymore trying to counter.

Mr. Cavanaugh asked if the \$4 million host fee for the City of Hartford is going to their General Fund, or do they have to use it for recycling? Mr. Kirk stated the former. Historically, MIRA has provided benefits to the City in recognition of the impact of benefits to the Town. They always required it to be used on environmentally sensitive projects, but in this case, there would be no restriction, so they could use the money however they please.

Mr. Kirk continued his presentation, explaining that their plant is a mess and needs investment. They reached out to other towns, but they said no because \$145 per ton for tipping fees is not a competitive price. MIRA's Board of Directors believes that \$95 per ton would be attractive to enough towns to renovate the facility. They will need supplemental income, essentially a subsidy, which could be acquired through one of the following means: either a bond, a power purchase agreement (PPA), or renewable energy credits. Absent some sort of supplemental revenue by May 2020, the project will not be built, and they will move the Town's garbage west after 2027.

Ms. Carroll stated that, assuming the \$145 per ton tipping fee is unanimously rejected and \$95 per ton is more tolerable, how many towns need to agree to that for it to be a viable minimum? Mr. Kirk explained that it is not how many towns but how many tons, and they would need about 550,000 tons of commitment. Dr. Beckett asked, what if they did not use the assistance of DEEP in this project. Mr. Kirk stated that that is where MIRA preferred to go five years ago, but the statute required them to do this. At the end of May, their term sheet is eligible for expiration, and they are not in a position to wait. They have to plan for the distasteful alternative of hauling their garbage off elsewhere. He noted that, prior to the creation of the CR&R, a handful of towns in

southwest Connecticut sent waste via a private hauler to a landfill in northern New Jersey. To this day, those towns write a check as part of RCRA. They are forever infinitely responsible for the impact that waste had on that town in New Jersey, so to send the Town's trash to another town should not be taken lightly.

PUBLIC HEARING AND ACTION ON PUBLIC HEARING - 8:00 P.M.

NO 1: ACTION ON PROPOSED AMENDMENTS TO TOWN CODE ARTICLE IV, SECTION 18-45 – ABATEMENT SCHEDULE.

Motion by: Ms. Carroll

Seconded by: Dr. Beckett

“BE IT RESOLVED, that the Glastonbury Town Council hereby approves amendment to Town Code Article IV, Tax Abatement Regulations for Public Safety Volunteers, Section 18-45 – Abatement Schedule, as described in a report by the Town Manager dated March 6, 2020.”

Disc: Mr. Johnson explained that this is an ordinance, originally enacted 20 years ago, which provides a tax abatement for public safety volunteers, based on a sliding scale. The public act passed a year ago indicated that the current maximum would go from \$1,000 to \$1,500 in 2020 and \$1,500 to \$2,000 in 2021. The proposal is to increase the scales. He noted that he discussed it with the Fire Chief, and they are comfortable with the recommendation.

Fire Chief, Michael Thurz, of 153 Blue Hills Trail, thanked the Council for supporting this initiative. He looks at it as a retention tool to gain and retain members. Chairman Gullotta thanked all volunteers for their service. Mr. Niland thanked Chief Thurz and every public safety volunteer, noting that the increase is very minimal considering the brave work that they do. Dr. Beckett agreed, stating this is a great idea and thanked all volunteers for their efforts. Mr. Cavanaugh also thanked them. Ms. Tanski added that she thanks public safety volunteers for putting themselves on the line to keep the rest of us safe. Ms. LaChance echoed the previous statements, noting that her brother-in-law is a full-time firefighter, so she understands the big strain that job has. She also appreciates the fact that they do this work on a volunteer basis. Ms. Carroll also shared that her husband started his career as a volunteer firefighter in their New Jersey town. She explained that this is a very small thank you.

Result: Motion passes unanimously {7-0-0}.

4. Old Business. None

5. New Business.

a. Action on amendment to Building Zone Regulations – Building Heights (set public hearing).

Motion by: Ms. Carroll

Seconded by: Dr. Beckett

“BE IT RESOLVED, that the Glastonbury Town Council hereby reschedules the public hearing concerning proposed amendments to Building Zone Regulations originally scheduled for Tuesday, March 24, 2020 to 8:00 p.m. on Tuesday, April 28, 2020 in the Council Chambers of Town Hall at 2155 Main Street. The notice for the public hearing will be as enacted at the February 25, 2020 Council Meeting, as described in a report by the Town Manager dated March 6, 2020.”

Disc: None

Result: Motion passes unanimously {7-0-0}.

b. Action on appropriation and transfer public water feasibility plan - \$50,000 (refer to Board of Finance, set public hearing).

Motion by: Ms. Carroll

Seconded by: Dr. Beckett

“BE IT RESOLVED, that the Glastonbury Town Council hereby refers to the Board of Finance the request for a \$50,000 appropriation and transfer from the Capital Reserve-Unassigned Fund Balance to Capital Projects-Public Water Service and schedules a public hearing for 8:00 p.m. on Tuesday, March 24, 2020 in the Council Chambers of Town Hall at 2155 Main Street, Glastonbury to consider the proposed appropriation and transfer, all as described in a report by the Town Manager dated March 6, 2020.”

Disc: None

Result: Motion passes unanimously {7-0-0}.

c. Discussion concerning Coronavirus and public meetings.

Mr. Johnson explained that the Town has been busy developing contingency plans, for this is clearly a case of planning for the worst while hoping for the best. Yesterday, in a conference call with the governor, he announced that all government events with 100 people and over will be canceled. There will also be enhanced cleaning at Town operations, as well as an expansion of work from home access, if needed. Chairman Gullotta expressed concern for the Town’s ability to continue administering government, should things turn south, and they are all made to stay home. He asked the Town Manager to develop the means by which Town meetings can still occur and decisions can be made, such as teleconferencing.

Motion by: Dr. Beckett

Seconded by: Mr. Niland

“BE IT RESOLVED, that the Glastonbury Town Council hereby requests that the Town Manager come up with contingency plans for how to conduct Town meetings, should all in-person activities be cancelled.”

Disc: Vice Chairman Niland asked what has been affected so far. Mr. Johnson stated that the community center’s St. Patrick’s Day event, which was anticipated at over 160 people, was cancelled, as well as a large event at the children’s library. This afternoon, they discussed how to manage the primary in April, as well as the possibility that they may not be able to commence public hearings within the requisite 35 days. He noted that they will set milestones and identify activities. He will know more next week and will inform the Council on a multi-level report for what their contingency plans are for everything. He noted that they have looked at telecommunicating and other ways of running a public meeting. However, they have to keep in mind that some Town meetings, such as the Town Plan and Zoning Commission, encourage public input, so how will someone participate in a public hearing process? They are considering all of their options.

Mr. Cavanaugh noted that the 100-person limit is for Town-sponsored functions. He asked if private functions will be subjected to the same limit. Mr. Johnson replied that, as of now, no. Mr. Cavanaugh noted that the Governor declared a state of emergency today but asked what that entails. Mr. Johnson stated that he does not know yet, but there will be another conference call. They will discuss how they are going to handle these statutory requirements. They will ask, what are the regulatory or statutory regulations that prevent them from moving quickly?

Result: Motion passed unanimously {7-0-0}.

6. Consent Calendar. *None*

7. Town Manager’s Report.

Mr. Johnson noted that the St. Patrick's Day parade in Hartford has been cancelled, and efforts are underway to look at opportunities for preserving the Cotton Hollow mill. He also stated that the miniature golf course opened on Sunday, and it is off to a good start. Mr. Cavanaugh remarked that he is not available to attend the Town Plan and Zoning subcommittee meeting tomorrow morning. Since no other council members could attend, Mr. Johnson stated that he will be attending, and he can brief the Council afterward of their activities. Mr. Cavanaugh noted that, on the map, he cannot tell what the directions are because there is no compass listed. Mr. Johnson stated that he will report back. Dr. Beckett asked if the two-story office building will be a one-story building. He thinks that that is a missed opportunity, since the strip shop building look does not add anything, from a design perspective.

8. Committee Reports.

a. Chairman's Report. *None*

b. MDC.

Ms. LaChance stated that the last meeting was interesting. MDC instituted a high-volume discount, which does not apply to non-member states, so it does not pertain to Glastonbury.

c. CRCOG. *None*

d. Policy & Ordinance Review Committee report and recommendation.

Ms. Carroll stated that they met last week. She explained that any gift given to the Town with an estimated value of \$25,000 or more gets reviewed by the Town Council. They have five different areas they want to look at. The idea is to look at not only the immediate benefit of the gift, but also the long-term maintenance or potential replacement of such a gift to the Town.

Motion by: Ms. Carroll

Seconded by: Dr. Beckett

“BE IT RESOLVED, that the Glastonbury Town Council hereby approves the Policy on Gifts and Donations to the Town as recommended by the Policy and Ordinance Review Subcommittee as described in the Subcommittee’s report dated March 6, 2020.”

Disc: Ms. Tanski explained that they had a back and forth to communicate these goals, which Ms. Carroll expressed. It is a good idea for the Council to have a clear approach for the acceptance of large-scale gifts that could have huge financial implications for the Town going forward.

Result: Motion passes unanimously {7-0-0}.

Ms. Carroll explained that they were also asked to look at the language for the ordinance on land acquisition and preservation. They looked at the types of lands to be considered for acquisition and preservation.

Motion by: Ms. Carroll

Seconded by: Dr. Beckett

“BE IT RESOLVED, that the Glastonbury Town Council hereby schedules a public hearing for 8:00 p.m. on Tuesday, March 24, 2020 in the Council Chambers of Town Hall at 2155 Main Street to consider proposed amendments to Town Code Article XVI, Reserve for Land Acquisition and Preservation, Section 2-287 (a) The types of land to be considered for

acquisition as recommended by the Policy and Ordinance Review Subcommittee and as described in the Subcommittee's report dated March 6, 2020."

Disc: Mr. Cavanaugh asked if the changes are additions and not subtractions. Ms. Carroll stated that is correct.

Result: Motion passes unanimously {7-0-0}.

9. Communications. None

10. Minutes.

- a. Minutes of February 25, 2020 Regular Meeting.

Motion by: Ms. Carroll

Seconded by: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the minutes as submitted for the meeting held February 25, 2020.

Result: Motion passed unanimously {7-0-0}.

11. Appointments and Resignations. None

12. Executive Session.

- a. Potential land acquisition.
- b. Appointment and performance of Public Officer – Town Attorney.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby enters into executive session to discuss a potential land acquisition and appointment and performance of Public Officer – Town Attorney at 8:25 pm.

Result: Motion passes unanimously {7-0-0}.

Present for the Executive Session item were council members, Mr. Tom Gullotta, Chairman, Mr. Lawrence Niland, Vice Chairman, Dr. Chip Beckett, Ms. Deb Carroll, Ms. Mary LaChance, Mr. Kurt Cavanaugh, and Ms. Lillian Tanski with Town Manager, Richard J. Johnson.

No votes were taken during the Executive Session.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby exits executive session at 9:00 pm.

Result: Motion passes unanimously {7-0-0}.

13. Adjournment.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby adjourns their regular meeting of March 10, 2020, at 9:01pm.

Result: Motion passes unanimously {7-0-0}.

Lilly Torosyan

**Lilly Torosyan
Recording Clerk**

**Thomas Gullotta
Chairman**