

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MARCH 8, 2022**

The Glastonbury Town Council with Town Manager, Richard J. Johnson, in attendance, held a Regular Meeting at 7:00 p.m. via Zoom video conferencing. The video was broadcast in real time and via a live video stream.

1. Roll Call.

Council Members

Mr. Thomas P. Gullotta, Chairman
Mr. Lawrence Niland, Vice Chairman
Ms. Deborah A. Carroll
Mr. Kurt P. Cavanaugh
Mr. John Cavanna
Ms. Mary LaChance
Mr. Jacob McChesney
Mr. Whit Osgood {excused}
Ms. Jennifer Wang

a. Pledge of Allegiance *Led by Jennifer Wang*

b. Resolution in support of Ukraine.

Town Council Resolution in Support of the People of Ukraine *{attached}*

WHEREAS, Ukraine is an independent country in Eastern Europe with a population of over 40 million people; and

WHEREAS, as the Soviet Union collapsed in late 1991, the people of Ukraine voted overwhelmingly to declare independence from the Soviet Union and establish Ukraine as a sovereign nation; and

WHEREAS, on February 24, 2022, Russian President Vladimir Putin launched an unprovoked, unjustified military assault on the peaceful nation of Ukraine and its people; and

WHEREAS, the military invasion by Russia continues to bring catastrophic loss of life, destruction of property, and human suffering to the people of Ukraine; and

WHEREAS, countries and organizations around the world have come together to denounce and condemn the actions of President Putin and will continue to take actions necessary to bring a peaceful end to this invasion and support an independent member of our global community; and

WHEREAS, Glastonbury is home to Ukrainian families who are fearful for the safety of their family members in Ukraine;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council and citizens of Glastonbury strongly support and proudly stand with the Ukrainian people who call Glastonbury their home, and Ukrainian people throughout the world during this unthinkable attack on their country.

BE IT FURTHER RESOLVED, that the Glastonbury Town Council encourages all residents and organizations to support humanitarian and all other efforts on behalf of Ukraine and its people during these most difficult times, and to keep the wellbeing of this sovereign nation in their thoughts and prayers.

In witness whereof, we have hereunto set our hands and caused this seal to be affixed, dated March 8, 2022.

Andreas Bojko of 38 Whittles Way, is a member of the Glastonbury Ukrainian community. He provided an update on the ongoing crisis in Ukraine and urged all to contribute to humanitarian efforts. He thanked the Council for their resolution in support of Ukraine's fight for freedom.

2. Public Comment.

Ms. Carroll read the written comments received, as listed on the Town website:

John Demarco of Hopewell Road, agrees with Mr. Cavanna's statements on the new animal control shelter. It needs to be big enough to support the Town 30 years from now. Spending the extra \$150,000 or more will make a difference between having space for a dog or not. He also thinks a new location should be considered because the current location is hidden and hard for the public to find. He suggested the location be either across from the boathouse, the open field the Town recently bought, or Old Maids Lane.

Donald Hamer of 18 Marilyn Drive, spoke to Item 5b. If consideration for extending public water is motivated by the proposed residential development of the Carini property, he is unalterably opposed to use of public funds to subsidize that venture. All such costs should be borne by the developer.

Mr. Niland opened the floor for comments from Zoom attendees.

Holly Hageman of 79 Marilyn Drive, also spoke to Item 5b. When the uranium in her water tested high, she installed an inexpensive remediation system which fixed the issue. She does not want to pay for an expensive and intrusive water project. She appreciated Mr. Niland's social media response to a concerned neighbor on this topic. She suggested a thorough communication plan so that homeowners are aware of the process.

Pamela Lucas of 145 Moseley Terrace, asked if any ARPA funds will be allocated towards affordable housing.

Erika Dworkin of 314 Chestnut Hill Road, opposes the Chestnut Hill water extension project. She referenced the Council to her statements of August 2019 and an email she sent to John Mirtle in October 2019. The assessment on her property is exorbitant, inequitable, and unduly burdensome. She noted that five of the six people who were considered to weigh in on this project were opposed.

Brian Smith of 212 Sunset Drive, also opposes the Chestnut Hill water extension project. If there is uranium in the water, there are ways that people can address it. The MDC water is not high quality. He noted that there are two areas of Sunset Drive which have difficulties with water. He finds it unnecessary to have a water project in the magnitude suggested. It is a solution in search of a problem.

3. Special Reports. *None*
4. Old Business. *None*
5. New Business.
 - a. Action on 2022-2023 General Fund, Special Revenue Funds and Capital Improvement Budgets for presentation at the Final Budget Hearing.
 1. Recommend General Fund Appropriations and Transfers.

(1) SUGGESTED RESOLUTION FOR THE GENERAL FUND 2022/2023 BUDGET

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council approves an appropriation of \$47,160,184 for the 2022/2023 **Town Operating Budget** for presentation at the Final Budget Hearing.

Disc: Mr. Cavanaugh would like to reduce the budget next year to reflect the gain in operations. Mr. Johnson explained that the operating revenue largely contributed to the year-end gain along with COVID related expenditure savings. Additionally, the Town budget is growing at just over a third of the inflation rate and if the Council chooses to reduce Town operations, he does not know the source of such reductions. Mr. Cavanaugh stated that if there is a gain on operations, it will go into the Unassigned Fund Balance, Mr. Johnson replied yes. Mr. Cavanaugh also indicated that these monies should be invested in other ways. Therefore, he is a little conflicted. Ms. Carroll clarified that these motions are just to send this to a budget hearing.

Result: Motion passed unanimously {8-0-0}.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council approves an appropriation of \$116,937,381 for the 2022/2023 **Education Budget** for presentation at the Final Budget Hearing.

Result: Motion passed unanimously {8-0-0}.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council approves an appropriation of \$13,457,486 for the 2022/2023 **Debt & Transfers Budget** for presentation at the Final Budget Hearing.

Result: Motion passed unanimously {8-0-0}.

2. Recommend General Fund Revenues, Transfers and Use of Fund Balance.

(2) SUGGESTED RESOLUTION FOR THE GENERAL FUND REVENUES, TRANSFERS AND USE OF FUND BALANCE

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council approves the 2022/2023 **General Fund Revenues and Transfers** in the amount of \$177,555,051 for presentation at the Final Budget Hearing.

Result: Motion passed unanimously {8-0-0}.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council approves a transfer, to be made in FY 2021/2022, of \$1,000,000 from the General Fund Unassigned Fund to the Pension Fund for presentation at the Final Budget Hearing.

Disc: Mr. Gullotta does not think that this is a good idea, but he will discuss it at their next meeting.

Result: Motion passed unanimously {8-0-0}.

3. Recommend Capital Improvement Program.

(3) SUGGESTED RESOLUTION FOR CAPITAL IMPROVEMENT PROGRAM

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council approves the 2022/2023 **Capital Improvement Program Budget** in the amount of \$8,885,317 for presentation at the Final Budget Hearing. Funding will be provided as follows:

Capital Reserve Fund	\$8,119,100
Town Aid Road	\$461,217
Sewer Sinking Fund	\$250,000

Disc: Mr. Cavanaugh will vote against this because of the lack of referendum for certain projects. Mr. Cavanna concurred.

Result: Motion passed {6-2-0}, with Mr. Cavanaugh and Mr. Cavanna voting against.

4. Recommend Special Revenue Fund – Sewer Operating Fund.

(4) SUGGESTED RESOLUTION FOR SPECIAL REVENUE FUND APPROPRIATIONS

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council approves the 2022/2023 **Special Revenue Fund Appropriations, Revenues and Transfers** for presentation at the Final Budget Hearing as follows:

Sewer Operating Fund: \$3,298,217

Result: Motion passed unanimously {8-0-0}.

5. Action to schedule Town Council Final Budget Hearing and potential Special Meeting

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby schedules the Final Budget Hearing and action on the proposed 2022-2023 Town Operating, Education, Debt and Transfer, Revenues and Transfers and Special Revenue Funds for 7:00 p.m. on March 16, 2022 in the Council Chambers of Town Hall, 2155 Main Street, Glastonbury and/or through Zoom Video Conferencing, and the Budget to be presented shall be as approved by the Council at its meeting of Tuesday, March 8, 2022.

Disc: Mr. Cavanaugh asked if this will be the Council’s final budget hearing. Mr. Gullotta stated possibly, though they may choose to continue. Mr. Cavanaugh is concerned that the public is used to the Council meeting on the second and fourth Tuesdays, and this is the biggest decision they make all year. He also asked, if they proceed later in March, will the Council receive better information from the legislature regarding car taxes. Mr. Johnson stated that every week that goes by brings the potential for newer and better information. Mr. Cavanaugh would like to go later in the month. Ms. Carroll pointed out that, last year, the Council held a special meeting not on a Tuesday and then held their final decision during their regular meeting in the fourth week of March. She pointed out that the Council still has the option to go until March 28. She would rather start public negotiations sooner, to provide for more opportunity for public comment.

Result: Motion passed {6-2-0}, with Mr. Cavanaugh and Mr. McChesney voting against.

- b. Discussion and possible action concerning application for Clean Water Funds – Public Water Service.

Mr. Johnson stated that the State Department of Public Health has distributed a call for applications that go through the Drinking Water State Revolving Fund (DWSRF). It is a 20-year amortization at 2% annually, and a portion of the loan is typically forgiven. How much will be forgiven is to be determined based on federal funding the State will receive to supplement this program. He suggested the Council think of this as a loan first and a grant-through-some-forgiveness second. Of the three grant options, the supplemental capitalization grant seems the most logical to pursue. If Glastonbury submits an application, it is not binding on the Town to any future actions. The loan component requires voter approval through a referendum. At this point, it is an eligibility application to determine whether a potential project in Glastonbury to extend public water, either through MDC or Manchester Water District, would be eligible for funding from DWSRF, and what rank the project will receive. March 31 is the application deadline.

Mr. Cavanaugh asked if the Town would administer these grants and loans. Mr. Johnson stated that there would need to be a determination about how to best proceed. At this point, it would largely be something that the Town would manage in whatever format they decide. Ms. Carroll stated that they have heard from many residents in the Chestnut Hill area who are opposed to the extension of public water. However, she is concerned that many others, particularly those in the Minnechaug Mountain area, have not vocalized their opinions. She asked if it is feasible for the Town to reach out to property owners in both areas to solicit further input. She also clarified that there is no grand design between the Council and MDC, as was alluded to in many emails received from the public. Mr. Johnson understands Ms. Carroll's hesitancy. He stated that the Council could proceed with the eligibility application, then survey residents to gather more information from the two areas. The other option is to forgo the loan, just conduct the survey, and assess applying next year.

Mr. Cavanna noted that of the two dozen emails he received, only one was in favor of extending water. Additionally, eight people have called him, of whom two live on Minnechaug Mountain. They do not want to pay for the \$30,000 assessment. Ms. LaChance pointed out that oftentimes they hear from those who are very vocally against an issue but not from those who support it. She lives on Minnechaug Mountain and knows people who support public water extension who have not vocalized it to the Council. Her sense is that the Town could apply for the loan next year. She asked if the Council approves either one of these water projects or is the approval done in other ways. Mr. Johnson stated that the MDC and Manchester Water District must approve projects to extend their water systems. Ms. LaChance stated that if the majority of residents support extending public water, this could help. Otherwise, they are deciding, and she does not like the idea of taking away options for residents.

Mr. Niland reiterated that the Council is not installing water or moving a project forward, but simply seeing if the Town would even qualify for such a project and looking at the feasibility of it. He views this as a safety net, in case something happens, and funding is needed. He agreed with Ms. LaChance that not proceeding with this application would be failing their residents.

Mr. McChesney also clarified that there has been no collusion with the developers. He is hurt that people would insinuate that the Council is taking improper actions. Many people have been concerned about this project, which is why he would like to hold informational hearings. He also clarified that the Town does not have the authority to extend public water. That is exclusively the purview of MDC. Mr. Johnson stated that is correct. MDC has a formula in which at least 50% of the property owners need to be supportive of the extension. Mr. McChesney echoed Mr. Niland's concerns that they are taking an opportunity to help citizens who have MDC money levied against them. He agreed with Ms. LaChance that it is an insurance policy. If the Council does not do this and MDC levies money against these residents, they are potentially leaving residents exposed after the fact. He asked if the funds could be used for alternative solutions, such as remediation, or only for water line extension. Mr. Johnson will find out.

Ms. Wang has several concerns. She stated that this is a chicken and egg issue. The Council does not have enough information. Given all the community engagement that has happened on this issue so far, suddenly, it feels very rushed. She encourages additional, clearer information from the Town, to be communicated to residents. Mr. Cavanaugh stated that most people on Chestnut Hill did remediation and took care of this. The silent residents on Minnechaug Mountain have a duty to speak up. He is afraid that this is just the beginning of a snowball effect that will not end well. MDC is hurting their customers. He hopes that Carini's Farm is not developed. He will vote against the motion.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to submit an application for design funding for potential public water service including areas served by the Manchester Water Company (Minnechaug Mountain) and as generally described in the analysis of potential public water service prepared by Tighe and Bond, as described in a report by the Town Manager dated March 4, 2022.

Disc: Mr. Gullotta has heard from property owners who have expressed interest in MDC water extension. This could be considered a trial balloon. He will vote in support.

Result: Motion passed {6-2-0}, with Mr. Cavanaugh and Mr. Cavanna voting against.

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to submit an application for design funding for potential public water service including areas served by the Metropolitan District (Chestnut Hill corridor) and as generally described in the analysis of potential public water service prepared by Tighe and Bond, as described in a report by the Town Manager dated March 4, 2022.

Disc: Mr. Niland explained that there has been some confusion from residents as to what the Council is actually doing. They are not installing water. Ms. Carroll agreed with Mr. Gullotta's suggestion for a trial balloon. This is a yearly situation, so they will have the opportunity to assess whether to pursue water extension in Chestnut Hill at a later date. Ms. LaChance also supports the idea of a split and seeing how things proceed on Minnechaug Mountain. She reiterated that the Town is not paying for this. If there is an assessment for one of these areas, that will be paid for by the residents in those areas, not by the Town. Mr. McChesney is uncomfortable with conducting something in the

Minnechaug Mountain area that will not be pursued in the Chestnut Hill area, but he cannot deny the overwhelming majority of people who have asked not to move forward here.

Result: Motion failed unanimously {0-8-0}.

PUBLIC HEARINGS:

NO 1: PUBLIC INFORMATION HEARING – LICENSE PLATE READERS.

Mr. Johnson explained that during the juvenile crimes forum last year, many speakers referenced the potential for LPRs to be installed at intersections throughout the community. Chief Porter explained that Glastonbury is behind the curve with this technology. LPRs do not capture personal identifying information. The vendor they are considering has a yearly or five-year contract option, after which, they can evaluate the program and decide to continue or discontinue. He acknowledged that LPR systems do generate privacy concerns, however, there is a lot of misunderstanding. Department policy will be stringent and transparent. Access to data would be permitted only on a need-to-know basis by authorized personnel, and data will automatically be purged every 30 days, with exception of data needed for specific police information. He noted that officers already have the capability to run information on individuals any time they want and can obtain far more sensitive information than what is collected by LPRs. Ultimately, privacy concerns will be mitigated with policy.

Ms. Carroll read the written comments, as received on the Town website:

Evelyn Eisenhardt of 46 Lenox Drive, strongly opposes the use of license plate readers by Glastonbury Police. These devices are an unwarranted, largely unregulated invasion of the privacy of Glastonbury's citizens.

Stephanie Johnson of 50 Smithbrook Terrace, asked how much LPRs will cost and whether ARPA funds could cover the cost. Given that the LPRs may be installed, would the police be able to pursue vehicles flagged as stolen. Even though she likes the idea, she is unsure whether it really changes anything if the police still could not pursue the alleged perpetrator. She will not support a band aid solution to an amputated leg problem.

Laura Cahill of 17 Montauk Way, is opposed to spending any Town monies for the purchase of LPRs. She is concerned about the invasion of individual privacy and noted that studies demonstrate that LPRs do not result in safer communities. The daily surveillance of thousands of vehicles is intrusive. Glastonbury is a very safe town, irrespective of the increase in car thefts last year. Glastonbury handled the problem by partnering on a regional basis with neighboring police departments, which is the proper way to address crime.

Mr. Niland opened the floor for comments from Zoom:

Representative Jilly Barry of 199 Cavan Lane, strongly supports LPRs. She stated that lawmakers cannot prevent crime, but they can give tools to those who can. LPRs have been very effective in

neighboring towns to deter and solve crimes. The benefits far outweigh the costs. She urged the Council to support LPRs.

John Guinee of 53 Salmon Brook Drive, is against the installation of permanent scanners because he finds it a gross escalation of police surveillance with little gain in public safety. Several studies have shown that they do not lead to an increase in safety. An increase in constant intrusive surveillance is unwarranted. Given the current fiscal environment, it seems inappropriate to ask citizens of Glastonbury to pay for the privilege of being tracked 24/7.

Evan Dantos of 44 Wadsworth Street, used to represent the Hartford Police Union. He is against LPRs because they do more than just identify license plates. The systems can highlight regular travel patterns and predict where one will go in the future. The data systems exist indefinitely, stripping people of constitutional protections of privacy. Police officers have been found to use this information for inappropriate reasons. There are also technical flaws. The epidemic of car thefts in Connecticut is due to state laws which cannot be addressed on the municipal level. LPRs will not impact these car thefts and will harm residents in the future. If there is no privacy, there is no freedom.

John Porriello of 567 Main Street, spoke on behalf of State Streets CT. He is in full support of LPRs, both mounted in various locations throughout town and on each police car. This is a digital society, and everyone is monitored everywhere they go with their phone. In this crime epidemic, there is no accountability. He endorses LPRs as a form of technology that will help the police do their job. Anyone interested in changing the laws regarding juvenile offenders can attend the public hearing of the judiciary committee on Zoom next Monday.

Julie Mascaro of 242 Overlook Road, has concerns about data collection and its potentially nefarious uses. She wants to ensure that only the right people have access to collected data. However, things can get hacked. She would like more information on the LPR vendor, what their track record is, and whether they have had any data breaches. People who have family members in law enforcement have a bias, so she asked that they refrain from commenting on this issue.

Kristin Bourbeau of 905 Tryon Street, stated that Safe Streets CT strongly supports LPRs. Other towns are using them. Wethersfield has been using them for a decade. Glastonbury Police will not keep the data past 30 days. She is not worried about being tracked because she has no nefarious motives and supports safety. She does not feel that the negatives outweigh the positives.

Emmy Weil of 885 Main Street, favors giving law enforcement the technology to increase their effectiveness. Chief Porter assuaged her fear that LPRs would not be used for any other purpose than fighting crime. There is a level of paranoia here that she does not understand. Smart watches are a bigger privacy concern than this technology. In this day and age, she does not expect privacy.

Ms. Carroll asked if the data collected from LPRs is something that people can ask for under the Freedom of Information Act (FOIA). Chief Porter stated that whether LPR data is received under FOIA is unclear. There are competing answers on that. A lack of clarity leaves Ms. Carroll uncomfortable. She asked how the department will receive clarity on that. Chief Porter stated that they look at every FOIA request independently. In his 25 years in law enforcement, he has not experienced a FOIA request for LPRs, so while he has heard the concerns, he has not seen them realized. Mr.

Gullotta requested that the Town Manager ask the Town Attorney to offer an opinion on this. Chief Porter added that the information that LPRs collect are non-personal identifying information. Mr. Cavanna has seen these cameras used to solve hundreds of crimes in the Hartford Police Department. He asked if GPD is looking to get BriefCam to go with this system. Chief Porter does not know if that is the name of the software, but their vendor will do what BriefCam does. While he is respectful of privacy concerns, a lot of what they have heard has come from one or two articles. Additionally, he is suspicious of any study that states definitively that use of LPRs does not improve public safety.

Mr. Niland asked about the audit trail. Chief Porter explained that their vendor has an audit trail of how long someone was logged in to the software and what specifically they searched for. Mr. Niland asked how this is triggered and officers are notified, when there is an amber alert. Chief Porter stated that the system maintains “hot lists” which are uploaded and maintained by law enforcement agencies daily. If a stolen vehicle comes through, pop up screens will alert the information and the location. Once an officer is notified, they must verify that information through another law enforcement source before taking any action. Mr. Niland asked what the company’s access to the data is. Chief Porter explained that they have an MOU and a contract with the vendor, who has no prior issues. The only information they have access to is de-identified information.

Mr. McChesney urged all to read the Chief’s detailed information on this topic in the council packet. In response to Ms. Bourbeau’s comment, he explained that the concern is not that the police is going to access information, but what Ms. Carroll brought up regarding FOIA and access to public information. As Mr. Cavanna mentioned, anyone can go to the DMV to get license plate information. He asked if there is a mechanism to alert people whose information has been shared through FOIA. Chief Porter stated that they can do that. They keep records of FOIA requests. Mr. McChesney asked why the Chief chose 30 days as the amount of time to store data. Mr. Porter explained that different organizations use different time frames, but he sought to limit the amount of time, and 30 days seemed reasonable. Mr. McChesney asked if there is a reason he went with fixed versus mobile scanners. Chief Porter prefers fixed LPRs because he is looking at them from a criminal investigation standpoint, whereas mobile units are more geared towards motor vehicle enforcement. He also added that their vendor stores data in an AWS GovCloud, which is among the best in data storage. Mr. McChesney echoed Rep. Barry that they should give the police the tools they need to do their job.

Ms. Wang also encouraged the public to review Mr. Porter’s information in their council packets. She asked what the protocol is for sharing data with other police departments. Chief Porter explained that Glastonbury Police owns the data, which comes in one of two forms: either in the hot list or from vehicles that are traveling through the LPR cameras. They have the ability, through the vendor, to share data with select police departments. For example, if Glastonbury shares information with Hartford, they would be alerted that one of Glastonbury’s vehicles just came through. Hartford would also be able to make certain requests for Glastonbury’s data, but they would not have unfettered access to GPD’s LPR data. Ms. Wang asked if the data is purged every 30 days or 30 days after the data has been collected. Chief Porter explained that it is an automatic, rolling 30-day period.

Ms. LaChance asked if there are any controls on access to the data on the front end, not on the back end. For example, one needs a search warrant to track a phone. Chief Porter explained that the difference with LPRs is that there is no expectation of privacy when one is driving in a public space. That difference has been visited by courts. The only way to access that information is by signing into

the system, and protections are in place to record anyone who accesses the information and audit exactly what they are doing, when, and why. Ms. LaChance asked what the time frame is on keeping those search records. Chief Porter will confirm and report back. His guess is that they would keep it indefinitely.

Mr. Cavanaugh asked if this will not go out to bid. Chief Porter explained that they identified this vendor for several reasons: they have been around for 25 years; they have no known data breaches; they have one of the best performance capabilities, specifically with accuracy in recording information; they have very good security over data; and other police departments utilize the same vendor, which makes it easier to share hot list data. Mr. Cavanaugh asked where the 13 locations for the LPRs will be. The Chief will make the locations known publicly. Mr. Cavanaugh asked about the alert system. Mr. Porter stated that they can set up the alert system as they see fit. Officers would be allowed to pull over a vehicle prior to verifying it with another law enforcement source. Mr. Cavanaugh does not understand the privacy concerns. He agrees with Mr. Cavanna regarding this program and does not see the need for an opinion from the Town Attorney. He suggests moving forward.

Ms. Carroll is not concerned about the legality, usefulness, or about law enforcement officers accessing the information. Her concern lies in the potential for the public to access the information. She would like clarity on public access, particularly regarding FOIA laws. She awaits the Town Attorney's opinion on the parameters. Mr. Cavanaugh thinks that Ms. Carroll's concern should be addressed at the state legislature. Mr. McChesney supports LPRs but agrees with Ms. Carroll's concerns about FOIA. He strongly urges a mechanism to alert people when their information has been shared, as a measure of protection.

Mr. Gullotta would like the Chief to communicate his policy to the Town Manager to send it along to the Council. He would also like to see what the consequences will be if someone breaks the policy. Chief Porter explained that the policy has yet to be developed. Mr. Gullotta would like to see a policy before they vote on the budget. He then recommended a Washington Post article about an example of how, even with the best of intentions, things can go awry in mass data gathering. Mr. Cavanaugh disagrees, finding it inappropriate to request a policy from the Chief. Mr. Gullotta stated that he is only asking because it was referenced several times from the Chief as an assurance. He asked for the opinions of the Council. Nobody put a motion on the table to request the LPR policy from the Chief.

NO 2: ACTION ON AMENDMENT TO BUILDING ZONE REGULATIONS – OUTDOOR DINING.

Ms. Augur explained that the Governor's Executive Order in May 2020 required expedited review and approval of outdoor dining as an accessory use to a permitted food establishment. Public Act 21-3 extended the Executive Orders until March 31, 2022. Public Act 21-3 Section 182 intended to permanently establish a streamlined process for obtaining outdoor dining permits. If local regulations are not in place by April 1, then state law prevails, and outdoor dining becomes an accessory use with presumable sign off from the Building Official.

There were no comments from the public.

Mr. Niland pointed out that there is a section which delineates restaurants' smoking policy, which allows up to 25% of the outdoor areas to include smoking. He asked if there is a way to prohibit smoking in outdoor seating areas entirely. Ms. Augur stated that the Council would need to consult with the Town Attorney because this language mimics state law. Mr. Niland asked for an opinion from the Town Attorney so that an amendment could be made sooner rather than later. Ms. Wang asked to clarify how the hours of operation were decided. Ms. Augur explained that state law allows outdoor dining to be permitted until at least 9:00 P.M. The TPZ debated the hours of operations and arrived at a compromise, of 6:00 A.M. to 10:30 P.M., with no new seating after 9:30 P.M.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves proposed amendments to the Building Zone Regulations – Section 7.11 Outdoor Dining and Section 6.6 Retail Trade, as described in a report by the Town Manager dated March 4, 2022, and as recommended by Town Plan and Zoning Commission, with said text and map amendments effective March 28, 2022.

Result: Motion passed unanimously {8-0-0}.

NO 3: ACTION ON AMENDMENT TO BUILDING ZONE REGULATIONS – CANNABIS MORATORIUM.

Mr. Johnson explained that it was determined that a change in language would strengthen the legislation. Mr. Gullotta thanked Mark Branse for bringing it to the Town's attention.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves proposed amendment to the Building Zone Regulations - Section 3.27b12c – Cannabis Moratorium, as described in a report by the Town Manager dated March 4, 2022, and as recommended by Town Plan and Zoning Commission, with said text and map amendments effective March 28, 2022.

Result: Motion passed unanimously {8-0-0}.

NO 4: ACTION ON AMENDMENT TO BUILDING ZONE REGULATIONS – ARCHITECTURAL AND SITE DESIGN REVIEW COMMITTEE (ASDRC).

Mr. Johnson explained that this is a change to expand the purview of the ASDRC beyond the Town Center Village District into other zoning districts throughout town.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves amendment to Building Zone Regulations Sections 4.12.4 (b) (22), 4.13.6 (g), 4.17.3 (20), 4.19.7 (g) and (h), 12.1 – Architectural and Site Design Review Committee, as described in a report by the Town Manager

dated March 4, 2022, and as recommended by Town Plan and Zoning Commission, with said text and map amendments effective March 28, 2022.

Disc: Mr. Gullotta stated that this may be one of the most important zoning decisions of recent years. It will ensure that Glastonbury continues to look like a New England community going into the future.

Result: Motion passed unanimously {8-0-0}.

- c. Action to appoint members to the Architectural Site and Design Review Committee.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby appoints the following seven members to the initial terms of the ASRDC as follows:

Amy Luzi, Architect, to a four-year term

Mark Branse, Land Use Attorney, to a four-year term

Bob Shipman, Landscape Design in Horticulture, to a four-year term

Brian Davis, Architect, to a four-year term

Debra De Vries-Dalton, Landscape Architect, to a two-year term

David Flinchum, Landscape Architect in Environmental Design, to a two-year term

Jeff Kamm, Architect, to a two-year term

Disc: Mr. Cavanaugh stated that he, Mr. Gullotta, and Mr. Osgood interviewed 13 individuals over a three-day period. Many people in town are very tuned in on zoning matters but fly below the radar. These individuals are hidden gems. He noted that the purpose of the four and two-year term appointments is the enabling legislation. He wishes the committee success. Mr. Gullotta thanked all committee members for willing to volunteer their time and efforts.

Result: Motion passed unanimously {8-0-0}.

- d. Action on Town Council meeting format (remote, in person, hybrid).

Mr. Johnson explained that, provided that this week's report continues out of the red zone, per prior actions, the Council would return to in-person meetings. There will still be the opportunity for the public to attend and comment via Zoom. The Council agreed via consensus to return to in-person meetings.

- e. Action on waiver of Competitive Bid Process – Road Resurfacing Program.

Mr. Johnson explained that this is pavement reclamation services to improve the base of roads. The Town has been able to take advantage of a contractual price from 2019, which is still a competitive bid. Absent any action, the BOF will vote on this next week, and it will return to the Council for final action. The Council agreed via consensus to continue this action on March 22.

6. Consent Calendar. *None*

7. Town Manager's Report.

Mr. Johnson explained that he will schedule for action two Council appointees for the design guideline steering committee, which will begin in April or May. It will be a 10-month process. Barbara Therkaup sent a note regarding the proposal to possibly extend the Historic District along Hubbard Street. The recommendation was to not proceed. Mr. Johnson also explained that a local Gold Star mother brought to their attention an ordinance to provide tax relief to Gold Star parents and spouses. The Council agreed to have Mr. Johnson conduct research on that action. Mr. Johnson explained that at the March 27 meeting, there will be a recommendation on municipal solid waste. Ms. Wang pointed out a typo on the local mask mandate date, which expired on March 7. She is glad to hear that the Town has achieved this milestone.

8. Committee Reports.

a. Chairman's Report. *None*

b. MDC. *None*

c. CRCOG.

Mr. Niland stated that former West Hartford Town Manager Matt Hart is now the Executive Director of CRCOG and serving in that position.

d. Policy & Ordinance Review Committee – report and recommendation.

Mr. Cavanaugh explained that the committee is in favor of two actions. The first is to extend the demolition delay ordinance from 90 days to 120 days and include a larger sign than what TPZ and ZBA typically use. Mr. Johnson explained the second action, which concerns open space acreage. Under Public Act 490, forest land and farmland must have reduced taxes based on certain requirements. There is also an ability to have an open space designation whereby open space of a minimum acreage would have a reduced assessed value. The Council would determine the minimum acreage and a minimum threshold for what the assessment would be per acre. He suggested that this be an action item for discussion on March 22. The Council agreed.

9. Communications.

a. Letter from Northeast Site Solutions regarding Notice of Exempt Modification of communication tower located at 63-80 Woodland Street.

10. Minutes.

a. Minutes of February 22, 2022 Regular Meeting.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the minutes of the February 22, 2022 Regular Meeting.

Result: Minutes were accepted unanimously {8-0-0}.

11. Appointments and Resignations.

- a. Amend term of appointment of Charles Monzeglio to Public Buildings Commission to 2025 vs. 2026 (R-2025).

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

Result: Motion to amend term of appointment was accepted unanimously {9-0-0}.

12. Executive Session.

- a. Potential land acquisition.
- b. Draft terms and conditions for potential sale of Town-owned land

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby enters into executive session to discuss a potential land acquisition and draft terms and conditions for potential sale of Town-owned land at 10:20 P.M.

Result: Motion passed unanimously {8-0-0}.

Present for the Executive Session item were council members, Mr. Tom Gullotta, Chairman, Mr. Lawrence Niland, Vice Chairman, Ms. Deb Carroll, Mr. Kurt Cavanaugh, Mr. John Cavanna, Ms. Mary LaChance, Mr. Jake McChesney, and Ms. Jennifer Wang, with Town Manager, Richard J. Johnson.

No votes were taken during the Executive Session, which ended at 10:55 P.M.

Meeting adjourned at 10:56 P.M.

Respectfully submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk

Thomas Gullotta

Chairman