

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES (AMENDED)
TUESDAY, JUNE 28, 2022**

The Glastonbury Town Council with Town Manager, Richard J. Johnson, in attendance, held a Regular Meeting at 7:00 p.m. in the Council Chambers of Town Hall at 2155 Main Street with the option for 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 {participated via Zoom video conferencing}

Mr. Kurt P. Cavanaugh

Mr. John Cavanna

Ms. Mary LaChance

Mr. Jacob McChesney

Mr. Whit Osgood {participated via Zoom video conferencing}

Ms. Jennifer Wang

a. Pledge of Allegiance. *Led by Mr. Gullotta*

2. Public Comment. *None*

3. Special Reports. *None*

4. Old Business. *None*

5. New Business.

a. Action on lease for Winter Hill Farm – 5-year extension – Glastonbury Hunt Club.

Mr. Johnson explained that when the Town acquired the Winter Hill Farm property several years ago, it included a horse stable. In 2012, the Town conducted an RFP and selected Glastonbury Hunt as the lessee. The original term was for five years, with the ability to renew for an additional five years; after which, future extensions would be subject to mutual agreement between the Town and Glastonbury Hunt. This proposal is to extend the lease for five years with an annual rate increase of 3.75%. He explained that someone stays on the premises overnight to care for the horses. Currently, this arrangement uses a recreational vehicle, which is not in compliance with the code. Mr. Johnson noted that the lease would not be executed until that matter is resolved.

Mr. Cavanaugh asked about alternatives to the recreational vehicle. Mr. Johnson explained that the Town will work with the night person to move them from a motor home into a residence that

complies with the code. Mr. Osgood asked if the Town would bear that cost. Mr. Johnson replied no, that cost would be borne by the lessee.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves a 5-year extension in the lease between the Town of Glastonbury and Glastonbury Hunt Club, LLC, for the Town-owned Winter Hill Farm property, in accordance with the Lease dated June 2012 and the annual rent payments effective July 1, 2022 through June 30, 2027, as described in a report by the Town Manager dated June 24, 2022.

Result: Motion was approved {9-0-0}.

b. Discussion and Action concerning appropriation and bond authorization under the Reserve for Land Acquisition and Preservation – Authorize preparation of former resolution and related documents.

- 1.Introduction of bond authorization and scheduling of public hearing.**
- 2.Refer to Board of Finance.**
- 3.Refer to Town Plan & Zoning Commission (CGS Sec. 8-24).**
- 4.Appointment of Bond Counsel.**

Mr. Johnson noted that this matter must be referred to both the BOF and TPZ before the Council can hold the public hearing. The BOF does not meet again until July 20, so he advised the Council to hold the public hearing on their July 26 meeting date. The Council agreed.

Mr. Gullotta stated that he and Mr. Cavanaugh would have liked the bond amount to be \$5 million, but because others have expressed that the figure is unrealistic, they will support \$3 million. Mr. Cavanaugh concurred, stating that this has been a successful program, and he hopes that the Council can agree on the \$3 million figure. Mr. Niland and Ms. LaChance are comfortable with the \$3 million figure.

Mr. Osgood asked about the \$2 million that the State Bond Commission has allotted to Glastonbury for land acquisition purposes. Mr. Johnson explained that, per his last discussion with DEEP, the money would be treated as a grant. The Town would submit an application for an open space acquisition and would then be awarded the grant money. He awaits further clarification on the matter. Mr. Osgood asked if the grant could be applied retrospectively. Mr. Johnson stated that it appears to apply only to prospective acquisitions, but he will ask. Due to this additional \$2 million from the State, as well as an additional \$1 million from an expected land sale, Mr. Osgood is more comfortable requesting a lower bond figure of \$2 million.

Ms. Carroll supports the \$3 million figure. If a referendum is held successfully for the \$3 million and a land acquisition becomes available to the Town, she asked which source of funding the Town is obligated to use first. Mr. Johnson does not think that there would be any requirement by the State to allocate Town funds first. The grant would be approved, irrespective of one's funding ability. Mr. McChesney stated that, assuming the grant money cannot be used for

retroactive land purchases, the Town would use their land acquisition fund to make the purchase, which would then be reimbursed by the State grant. Mr. Johnson explained that using the Land Acquisition Fund would reduce the Town's borrowing authority. Instead, the Town would allocate money from the General Fund, which would then be reimbursed by the grant. Mr. McChesney supports preserving the Town's forest and farm land. He is comfortable with the \$3 million bond figure.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

TOWN COUNCIL RESOLUTION SETTING PUBLIC HEARING DATE FOR RESOLUTION APPROPRIATING **\$3,000,000** AND AUTHORIZING THE ISSUE OF **\$3,000,000** BONDS AND NOTES FOR THE PURCHASE OF DEVELOPMENT RIGHTS AND ACQUISITION OF LAND PURSUANT TO THE ORDINANCE ESTABLISHING THE TOWN'S RESERVE FOR LAND ACQUISITION

RESOLVED, That a Public Hearing be held on July 26, 2022 at 8 P.M., in the Council Chambers of Town Hall, 2155 Main Street, in Glastonbury, Connecticut, with the option for Zoom video conferencing, on the resolution entitled:

RESOLUTION APPROPRIATING **\$3,000,000** FOR THE PURCHASE OF DEVELOPMENT RIGHTS AND ACQUISITION OF LAND PURSUANT TO THE ORDINANCE ESTABLISHING THE TOWN'S RESERVE FOR LAND ACQUISITION AND AUTHORIZING THE ISSUE OF **\$3,000,000** BONDS AND NOTES TO FINANCE SAID APPROPRIATION

and the full text of such resolution shall be included in these minutes as an attachment.

FURTHER RESOLVED, That a notice of such hearing be published and posted.

FURTHER RESOLVED, That a meeting of the Town Council be held on July 26, 2022 following said Public Hearing to act on said resolution.

FURTHER RESOLVED, That said resolution be referred to the Board of Finance for approval under the Charter.

FURTHER RESOLVED, That the proposed project be referred to the Plan and Zoning Commission for a report under Section 8-24 of the General Statutes of Connecticut, Revision of 1958, as amended.

FURTHER RESOLVED: that the law firm of Pullman & Comley LLC, of Hartford, Connecticut, is designated as Bond Counsel in connection with the issuance of \$3,000,000 bonds or notes and temporary notes to finance the appropriation in the same amount for the purchase of development rights and acquisition of land pursuant to the ordinance establishing the Town's reserve for land acquisition.

Disc: Mr. Gullotta stated that the Town's farming community is aging and selling off their land. Once a farm is developed, it will never go back to farm use. When the public approves these bonds,

they give the Council the ability to be a player when land goes on the open market. Since the late 1980s, Glastonbury has done a good job acquiring properties from being developed. With tonight's vote, they will begin again the process of maintaining the historical farming nature of this town.

Result: Motion was approved {9-0-0}.

c. Action on Town Attorney and Alternate Town Attorney – extend term of appointment.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby extends the term of Shipman & Goodwin – Town Attorney and Murtha Cullina – Alternate Town Attorney through July 31, 2022, or such other date as applicable for transition to a successor Town Attorney and Alternate Town Attorney, as described in a report by the Town Manager dated June 28, 2022.

Result: Motion was approved {9-0-0}.

6. Consent Calendar.

a. Action to approve investment pools – Town Funds.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the State of CT Short-Term Investment Fund (STIF), Northern Capital Investments and LPL Financial for the deposit and investment of Town funds, as described in a report by the Town Manager dated June 24, 2022 and as recommended by the Board of Finance.

Result: Motion was approved unanimously {9-0-0}.

b. Action on transfer from Debt Service to Capital Reserve Fund – \$378,700.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the transfer of \$378,700 from Debt Service to the Capital Reserve-Unassigned Fund Balance, as described in a report by the Town Manager dated June 24, 2022 and as recommended by the Board of Finance.

Result: Motion was approved unanimously {9-0-0}.

7. Town Manager's Report.

Mr. Johnson reviewed the most recent COVID-19 report, noting that cases in town continue to drop. The Town Hall has once again been awarded a score of 99/100 in an energy efficiency program. While other buildings in town qualified, the standards were changed, so those applications will be revisited. Mr. Johnson provided an update on the GHS lockers and restrooms, noting that the general contractor is scheduled to complete their work by next week.

The BOE would like to put a coating on the concrete floors on July 11, so the facilities should be ready by the end of July. Mr. Johnson stated that there was a request to amend - either the Town Code or the Building Zone regulations - to clarify that the Town can request additional reports from an applicant at the applicant's expense. He is assessing where it would be best placed. He also provided a copy of the most recent elderly tax relief program.

Mr. Niland commended the elderly tax relief program, which granted applicants \$301,000 in 2021 and \$276,000 in 2020. He urged those who qualify for the program to be aware of it and apply. Mr. McChesney commended the new splash pad and asked if the current start time of 11:00 A.M. could be pushed earlier, to 10:00 A.M. Ms. Wang commended the Town on their high energy star rating, which reflects a continuing pattern of achieving environmental and sustainability objectives. She is also glad to see that the COVID-19 cases are decreasing. She commended Town Staff for setting up a vaccine clinic at the Town Band concert tomorrow. She also thanked the Town Manager for co-hosting a great ceremony honoring Vietnam War veterans and asked that the event photo album and video recording be shared on the Town website.

Mr. Cavanaugh asked if there was a Police Officer of the Year awardee this year. Mr. Johnson replied no, not to his knowledge. Mr. Cavanaugh supports Mr. Johnson's amendments to the Town Code. He asked if Town Staff would be able to request additional documentation before an application is presented before the TPZ, or would they have to wait until the TPZ requests more information at the public hearing. Mr. Johnson will speak with the Town Attorney to confirm what can be requested. Mr. Cavanaugh asked if the request must fall within the 65-day timeframe unless the applicant grants an extension. Mr. Johnson replied yes, that is correct.

8. Committee Reports.

- a. **Chairman's Report.** *None*

- b. **MDC.** *None*

- c. **CRCOG.** *None*

9. Communications

- a. **Letter from CT Siting Council regarding notice of intent to modify an existing telecommunications facility located at 58 Montano Road.**

10. Minutes.

- a. **Minutes of June 14, 2022 Special Meeting.**

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the minutes of the June 14, 2022 Special Meeting.

Result: Minutes were approved unanimously {9-0-0}.

b. Minutes of June 14, 2022 Regular Meeting.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the minutes of the June 24, 2022 Regular Meeting.

Disc: Mr. Niland noted that on page 14 of the minutes, the votes against Mr. Osgood's amendment were actually made by Mr. Gullotta, Mr. Niland, Ms. Carroll, and Ms. Wang. He proposed a motion to amend the minutes.

Amendment by: Mr. Niland

Seconded by: Mr. Cavanaugh

Result: Amended minutes were approved unanimously {9-0-0}.

11. Appointments and Resignations. None

12. Executive Session.

a. Potential land acquisition.

b. Draft terms and conditions – Purchase and Sale Agreement – 280 Western Boulevard.

c. Review of responses to the RFP for Town Attorney services, it having been certified by the Town Manager that the public interest in disclosure of such responses is outweighed by the public interest in confidentiality. (Added to agenda)

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby adds to the agenda Item 12c: Review of responses to the RFP for Town Attorney services, it having been certified by the Town Manager that the public interest in disclosure of such responses is outweighed by the public interest in confidentiality.

Result: Motion passed unanimously {9-0-0}.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby enters into executive session to discuss a potential land acquisition; draft terms and conditions - Purchase and Sale Agreement - 280 Western Boulevard; and Review of responses to the RFP for Town Attorney services, it having been certified by the Town Manager that the public interest in disclosure of such responses is outweighed by the public interest in confidentiality at 7:40 P.M.

Result: Motion passed unanimously {9-0-0}.

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, Mr. Whit Osgood, and Ms. Jennifer Wang, with Town Manager, Richard J. Johnson.

The Council came out of Executive Session at 8:00 P.M. to hold the public hearings. No votes were taken during the Executive Session.

PUBLIC HEARINGS:

NO 1: ACTION ON PROPOSALS SUBMITTED BY THE CONNECTICUT RIVER VALLEY CHAMBER OF COMMERCE, INTERCOMMUNITY, INC., AND TOWN OF GLASTONBURY – OPEN SPACE LAND ACQUISITION FUND UNDER THE 2022 NEIGHBORHOOD ASSISTANCE ACT PROGRAM (CONTINUED FROM JUNE 14, 2022.)

Mr. Johnson explained that this program has been in place for many years. It provides an opportunity for businesses to contribute to eligible entities and qualify for a state tax credit, as well as a charitable contribution on their federal taxes. Generally, it is a 60% credit against the donation. The two entities tonight are the Town of Glastonbury Open Space Acquisition Fund and InterCommunity, Inc. Each are responsible for raising donations.

There were no comments from the public.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the proposals submitted by InterCommunity, Inc., and Town of Glastonbury – Open Space Land Acquisition per the 2022 Neighborhood Assistance Act Program, as described in a report by the Town Manager dated June 24, 2022.

Result: Motion was approved {9-0-0}.

NO 2: ACTION ON PROPOSED TOWN ACQUISITION OF THE 2 PARCELS TOTALING 8+ ACRES – BOTTICELLO ACRES – MEADOW ROAD AND A \$25,600 APPROPRIATION PER THE CAPITAL PROJECTS – LAND ACQUISITION FUND.

Mr. Johnson explained that the subject properties are two parcels totaling 8 acres with river frontage adjoining Town of Glastonbury property. The Town has held a longstanding goal to acquire land with river frontage on Meadow Road as soon as it becomes available. The purchase and sale agreement has been executed. Funding would be through the Capital Project account for

Land Acquisition which has a balance of \$52,000. Both the TPZ and BOF have approved the proposal.

There were no comments from the public.

Motion by: Mr. Niland

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby approves purchase of the 2 parcels totaling 8± acres located off Meadow Road in accordance with the Purchase and Sale Agreement dated June 14, 2022 and a \$25,600 appropriation and transfer per the Capital Projects – Land Acquisition Fund subject to Town satisfaction with the boundary survey and environmental analysis, as described in a report by the Town Manager dated June 24, 2022 and as recommended by the Town Plan and Zoning Commission and Board of Finance.

Disc: Mr. Osgood stated that this is an excellent acquisition for the Town. He acknowledged the willingness of the seller to work with the Town to set a very reasonable sale price.

Result: Motion was approved {9-0-0}.

The Council re-entered Executive Session at 8:10 P.M. No votes were taken during the Executive Session, which ended at 8:25 P.M.

Meeting adjourned at 8:26 P.M.

Respectfully submitted,

Lilly Torosyan

Lilly Torosyan

Recording Clerk

Thomas Gullotta

Chairman

RESOLUTION APPROPRIATING \$3,000,000 FOR THE PURCHASE OF DEVELOPMENT RIGHTS AND ACQUISITION OF LAND PURSUANT TO THE ORDINANCE ESTABLISHING THE TOWN'S RESERVE FOR LAND ACQUISITION AND AUTHORIZING THE ISSUE OF \$3,000,000 BONDS AND NOTES TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Glastonbury appropriate THREE MILLION DOLLARS (\$3,000,000) for the purchase of development rights and the acquisition of land pursuant to the Town's Ordinance establishing a Reserve for Land Acquisition, as it may hereafter be amended from time to time. Such funds shall be used for the purchase of development rights and/or the acquisition of land but only after referral of the proposed purchase or acquisition to the Town Plan and Zoning Commission and after public hearing as required by said ordinance and approval by the Town Council. The appropriation may be spent for survey fees, feasibility and planning studies related to any potential acquisition, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing.

(b) That the Town issue bonds or notes in an amount not to exceed THREE MILLION DOLLARS (\$3,000,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project unless the Town approves an additional appropriation to spend such grants. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed THREE MILLION DOLLARS (\$3,000,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.

(d) That the Town Manager and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Town Manager, on behalf of the Town, is authorized to apply for and accept federal and state grants to help finance the appropriation for the project, and to enter into any grant agreement necessary to obtain such grants. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes or temporary notes.

(h) That the Town Manager or his designee shall administer and supervise the project. The Town Manager, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

(i) That this resolution shall not become effective until approved at referendum pursuant to Section 312 of the Town Charter. The wording of the question for the referendum ballot shall be:

“SHALL THE TOWN OF GLASTONBURY APPROPRIATE \$3,000,000 FOR THE PURCHASE OF DEVELOPMENT RIGHTS AND ACQUISITION OF LAND PURSUANT TO THE ORDINANCE ESTABLISHING THE TOWN’S RESERVE FOR LAND ACQUISITION AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?”