

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JANUARY 23, 2024**

The Glastonbury Town Council with Town Manager, Jonathan Luiz, 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
Ms. Jennifer Wang, Vice Chairman
Ms. Deborah A. Carroll
Mr. Kurt P. Cavanaugh
Mr. John Cavanna
Mr. Larry Niland
Ms. Mary LaChance
Mr. Jacob McChesney
Mr. Whit Osgood {excused}

a. Pledge of Allegiance. *Led by Paul Cavanna*

2. Public Comment.

Tom Metzner of 406 Georgetown Drive, asked the Council to support the introduction of state legislation that would give towns the right to ban the sale of nips. Massachusetts did this and saw overnight success. He would like to repeat the process in which the Town banned plastic bags. He also supports the concept of EPR, and would like a law that allows free disposal of mattresses, batteries, and household hazardous waste.

Ava Patel of 26 Hollis Landing, is an eighth grader at Smith Middle School, who would like the Town to add composting at Glastonbury public schools.

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

Margaret LaCroix of 115 Hawthorne Mead Drive, is a frequent library user, who welcomes the increase of patrons and visitors after the recent library renovations. However, with that new success comes the new responsibility to provide staffing to maintain and grow this resource. She asked to consider funding additional staffing to meet these new needs.

Gary Bergeron of 2095 Main Street, moved to Glastonbury three years ago for its uniqueness and beautiful landscape. He is opposed to scarring the farming landscape. He also noted that

solar power is still in its infancy and has not been proven over time to be an advantage worthy of ruining the land. Additionally, he is concerned about how the panels and infrastructure will be disposed of when new technology comes out. He urged denial of this project.

Himali Stoccatore of 278 Woodfield Crossing, does not support the solar project at Wickham Road. Her family has enjoyed the farm space at Rose's Berry Farm for many years, and does not like the Town converting that into a solar farm. She asked to preserve that farmland.

3. **Special Reports.** *None*

4. **Old Business.**

a. **Discussion and action regarding submission of Council comments for consideration to CT Siting Council – proposed solar photovoltaic power generating facility at 17 Wickham Road.**

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby instructs the Town Manager to send a letter to the Connecticut Siting Council that expresses the Town Council's opinion that the proposed solar photovoltaic power generating facility to be located at 17 Wickham Road is severely lacking in the following areas: 1) care of sheep to be used for lawn maintenance; 2) landscaping to protect the views of neighbors; and 3) drainage to protect water runoff from impacting neighboring properties, as described in a report by the Town Manager dated January 19, 2024.

Amendment by: Mr. McChesney

Seconded by: Mr. Cavanna

For an addition which states the concern that the project does not preserve the traditional farming practices on that parcel.

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

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

b. **Discussion of next steps regarding proposed amendments to the Zoning Map and Building Zone Regulations to create a new Zone Section 4.20 Main Street Corridor Flood Zone (MSCC), to amend Section 4.11 – Flood Zone, and to amend Section 4.19 – Town Center Village District Overlay Zone.**

Mr. Gullotta asked council members to submit questions to Town Staff, and he inquired whether there is interest in getting on a school bus to explore the proposed area. Ms. Wang believes that a self-guided tour is more advantageous and cost-effective. Ms. Carroll is interested, as long as this outing avoids being classified as a meeting, which would require public noticing.

5. **New Business.**

- a. **Action on Lease Agreement – Minnechaug Golf Course (refer to Town Plan and Zoning Commission; set public hearing).**

Motion by: Ms. Carroll
Mr. Cavanaugh

Seconded by:

BE IT RESOLVED, that the Glastonbury Town Council hereby refers a proposed new Lease Agreement between the Town and Guilmette Golf LLC to the Town Plan and Zoning Commission for a report, and schedules a public hearing for 8:00 p.m. on Tuesday, February 13, 2024 in the Council Chambers of Town Hall, 2155 Main Street, Glastonbury and/or through Zoom Video Conferencing, as described in a report by the Town Manager dated January 19, 2024.

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

- b. **Action on 2025-2029 Capital Improvement Program – preliminary priorities for July 2024 funding (refer to Board of Finance).**

Motion by: Ms. Carroll
Mr. Cavanaugh

Seconded by:

BE IT RESOLVED, that the Glastonbury Town Council hereby refers the 2025-2029 Capital Improvement Program to the Board of Finance for a funding report and recommendation, including the following preliminary project recommendations for fiscal year 2024-2025, as described in a report by the Town Manager dated January 19, 2024.

Disc: Mr. Luiz provided the list of capital projects with their priority levels, ranked as high, medium, or low. Mr. Cavanaugh would like this to return with the following questions answered: the current year-to-date expenses for last year's revaluation, any outstanding legal challenges, and what the expected expenses are. He would also like to know the final cost and the legal expenses for the previous two revaluations. Regarding the fire apparatus, Mr. Cavanaugh would like to know what the repair expenses have been over the last three years, and how many calls for service were made on a yearly basis, going back three years. He asks because \$1.2 million for a new fire apparatus versus \$180,000 made in repairs thus far is a hard jump in expense to justify. Mr. Luiz will report back with the requested information.

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

- c. **Discussion and action concerning Town Charter revision.**

Motion by: Ms. Carroll
Mr. Cavanaugh

Seconded by:

BE IT RESOLVED, that the Glastonbury Town Council hereby instructs the Town Manager with the Town Attorney and appropriate Town Staff to review the Glastonbury Town Charter and provide a report on sections that may be outdated, ambiguous, create conflict with other sections of the Charter, and/or problematic in the ability of staff to effectively transact business.

Disc: Mr. Gullotta explained that several years ago, then-Town Manager Richard Johnson met with various commissions to see if they continued to serve a useful purpose. Mr. Johnson concluded that they served a useful purpose, so all those commissions still continue today. However, Mr. Gullotta noted that the Town Charter has not been revisited in more than 25 years, so he finds it appropriate for the Town Manager, the Town Attorney, and Town Staff to look at the document and determine whether it needs no change or some change.

Mr. Cavanaugh explained that the Council has been discussing a charter revision commission. If this action proceeds and just one word in the Charter needs to be changed, then it will open up the whole charter for revision. He believes that this motion is a backdoor way of getting a charter revision commission without asking for one, so he will not support it.

Result: Motion passed {7-1-0}, with Mr. Cavanaugh voting against.

6. **Consent Calendar.** *None.*

7. **Town Manager's Report.**

Mr. Luiz presented his report. There were no questions from the Council.

8. **Committee Reports.**

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

b. **MDC.** *None*

c. **CRCOG.** *None*

9. **Communications.** *None*

10. **Minutes.**

a. **Minutes of January 9, 2024 Regular Meeting.**

Motion by: Ms. Carroll
Mr. Cavanaugh

Seconded by:

BE IT RESOLVED, that the Glastonbury Town Council hereby approves the minutes of the January 9, 2024, Regular Meeting.

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

11. Appointments and Resignations. None

Motion by: Mr. Niland
Mr. Cavanna

Seconded by:

BE IT RESOLVED, that the Glastonbury Town Council recesses at 7:38 p.m. until the public hearings at 8:00 p.m.

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

PUBLIC HEARINGS:

NO. 1 ACTION ON EXTENSION OF FARMLAND GROUND LEASE WITH LITTEL ACRES FARM MARKET – 297 MATSON HILL ROAD.

Motion by: Ms. Carroll
Mr. Cavanaugh

Seconded by:

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to execute a fifteen-year Lease of 17± acres at 297 Matson Hill Road to Littel Acres Farm Market LLC, as described in a report by the Town Manager dated January 19, 2024, and with the understanding that

- 1. The Town Attorney will include language in the Lease that will allow for terms to be renegotiated should the Town desire to permit other farmer(s) to utilize the irrigation pond, buildings, and/or electrical on site.*
- 2. The Town Attorney will also include language that the Lessee will be responsible for all maintenance, repairs, and replacements associated with the structures and appliances on the property, with the exception of the deck removal that was previously the site of Breakfast With a View.*

Disc: Mr. Luiz explained that, in April, there was a request for proposals for anyone who sought to farm the Town-owned (former) Rose's Berry Farm. The Town received three proposals, which the Council reviewed. A short-term lease was given to Belltown Hill Orchards (BHO) and Littel Acres Farm Market, but it expired on December 31. This proposal is for a 15-year lease extension. The TPZ has issued a favorable recommendation. After the public hearing tonight, the Council may choose to vote on the matter.

Mr. Gullotta opened the floor for public comments:

Jim Cask of 11 Cardinal Drive, spoke highly of Mike Draghi of Littel Acres Farm. He believes that the character of the farmers and the land are the foundation of their community. He highly encouraged the Council to move forward with this action to renew and extend the lease.

Butch James of 196 Bell Town Road, has been in town for 32 years and supports the lease agreements to continue the farming operations. He respects that these families have been farming in town for over one hundred years, and believes that there is no better opportunity than this.

Andrew Reale of 167 Tryon Street, supports the TPZ's recommendation to extend the lease agreements with Belltown and Little Acres. They are professional farms who generate their income solely from farming. He asked the Council to support the lease extension.

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

Paul Gondek of 87 Ferry Lane, is the owner of the farmland at 280-300 Matson Hill Road, Rose's Berry Farm. As a result of this lease agreement, his farm has lost access to the irrigation it had in the past. He would like to lease some of the property to be able to irrigate his farm again. While he supports the lease, he questions the terms of \$1 per year for 15 years while other farmers in town pay in the range of \$100 per acre per year or bid on property such as The Old Cider Mill. As the 17 acres in that proposed lease is mixed use, it makes sense to support other local farms and businesses, not just one. He finds it questionable for the Town to pay the expenses of one business while Littel Acres Farm Stand collects rental revenue not connected to farming. He believes that the income potential for the Town leasing the farmland at the going rate, combined with collecting the money from residential properties already paying rent and the commercial properties on site, could be used to fund the expenses of the property.

Sandra Gondek of 87 Ferry Lane, urged denial of the extension of the farmland ground lease with Littel Acres Farm Market. She believes that the selection of this business was conducted without a fair and equitable selection process. She also believes that the mixed use of this property involving farmland, income-producing residential homes, and commercial buildings is not a farm ground lease. The fiscal terms of \$1 per year, with many expenses covered by taxpayers, combined with the long length of the lease, does not meet comparable terms of other such property in the area. She asked to extend equal opportunity to all, and urged council members who have a conflict of interest to excuse themselves from this process.

Brittney Gondek of 35 Dickinson Road, urged denial of the lease extension for the reasons listed by Paul and Sandy Gondek. She also asked what would happen if the lessee can no longer take care of the land. The Town needs a property manager with experience in building management. She also asked councilors to step down if they have a conflict of interest. Nothing in this process should be a secret. All farms and businesses deserve a fair chance in leasing this land. An outside expert would be best to decide who would be the lessee. She believes that more due diligence is needed by the Town.

Jake Scoville of 35 Dickinson Road, asked to vote against the lease renewal because it is a disservice to taxpayers. He believes that the Town should be leasing to the highest bidder or taking the burden off taxpayers by letting the development rights be sold. He asked why other farmers or business owners were not given the lottery win of collecting the potential of over \$100,000 with an investment of \$1. A lease of this stature and length should be much more detailed, and an expert should be hired to guide in better protecting the town. He asked why this information was not disclosed to the taxpayers who will be funding it. A decision cannot be made until all the due diligence is done.

Susan Mann of 184 Minnechaug Drive, stated that the Town should put out to bid the leasing contract for the Matson Hill property, in order to be in compliance with Connecticut General Statutes (CGS) VII Title 98, which requires municipalities to put out for bid contracts with value greater than \$25,000. Additionally, if the Town signs the proposed contract, taxpayers will be hurt by lack of competitive bidding. Other members of the community will be harmed by not receiving equal access to protection under CGS.

Mr. Luiz noted that he received an email from Mr. Gondek today, citing the same section of the statutes. He explained that the Town Attorney reviewed the matter and determined that there is nothing to prevent the Council from approving these leases as presented. Mr. McChesney explained that the Council held a public bidding process months ago on the use of this property. Following that process, the Town selected two farming entities, who are up for renewal of their lease terms. He does not appreciate accusations made about council members violating ethics rules. He does have any friendships with any of the individuals in these leases, nor does he live next to any of their farms.

Mr. Gullotta stated that, at the last Council meeting, a member of the public voiced opposition to the fact that the Town had installed a road in order to access the property that they had purchased. His understanding is that the Town had to install that road because the Gondeks would not allow an easement to access the property. Mr. Luiz clarified that the Town currently has access via the Gondek's driveway from Matson Hill directly to the Town-owned Rose's Berry Farm. However, that can be extinguished by the Gondeks, so the purpose of building the driveway was to ensure that the property could be directly accessed and not depend on access via any non-permanent right of way.

Mr. Gullotta noted the site that formerly hosted Breakfast with a View is an unsafe structure and the Town Engineer has recommended its removal, which the Council agreed to. He then explained that Mr. Draghi is required to maintain the structures, so there will be no maintenance cost incurred by the Town or by taxpayers. Additionally, when the Town acquired the property, remedial work needed to be done for the first term of this lease. Therefore, he finds the criticism of a \$1-a-year lease to be unfounded.

Ms. Carroll agreed that the two farms have done great work to get the land in working order. Farmland cannot be leased one year at a time, if farmers are to reap the benefits of their hard work. She rejects the suggestion that council members are receiving a personal financial gain or

operating without clarity, especially when the people raising this concern have not participated in the public hearings. She stressed that all the suggestions that Glastonbury taxpayers will pay to maintain these buildings are incorrect.

Ms. LaChance echoed Ms. Carroll's statements, adding that to have the lessees put in all that work and money, to then pull the rug out from under them, would be unjust. Mr. Cavanaugh stated that Glastonbury farmers are silent participants in town. He did not expect this much difficulty for the front part of Rose's Berry Farm, but commended Mike Draghi and Joseph Preli for preserving one of the historical and significant parts of Glastonbury.

Mr. Cavanna clarified that he does not own farm property; his father does. He ran for council to support farmers in town. Mr. Draghi and Mr. Preli are his friends and great farmers, who have proven their track record. He thanked the community for coming out tonight to support farmers. Ms. Wang also took issue with the comments received, which questioned council support for farms. She stressed that there is no ulterior motive; they are simply placing their faith in two long-standing farmers to preserve the Town's historical farming legacy.

The floor returned to the public for comment:

Paula Garner of 787 Mott Hill Road, manages a farm on 515 Woodland Street, and supports the lease extension. However, she also feels sympathy for the Gondeks, whose access to irrigation has been cut off. She herself has farmed without water for five years, and knows how difficult it is. She asked that the lease work out restoration of access to water for the Gondeks. She also suggested adding access to a commercial kitchen for other farmers in town to use.

The following comment was made via Zoom:

Brittney Gondek of 35 Dickinson Road, clarified that the Gondeks tried to work out an easement agreement with the Town multiple times, but their questions remain unanswered. They were also alarmed to see the blueberry bushes knocked down, which was unnecessary. She does not know where the funding of the road came from or where the research for the extremely dangerous curb cut came from. Their questions on drainage remain unanswered. Regarding the public process, she explained that many people in town did not know what the income-producing parts of the parcel contained. She explained that the former Town Manager sent their farm an offer with lots of restrictions in it. She asked why there are no use restrictions in this lease, since it is not majority farmland on that parcel.

Mr. Cavanna stated that the Town is not cutting the Gondeks off water. He visited the site this summer and met with Mr. Gondek. He found that there is pre-existing irrigation on the parcel: a pipe leads to a pumping pond, which has plenty of water to irrigate from. He even offered his pump to Mr. Gondek. He noted that irrigation was not an issue last year because of the heavy rainfall.

The following comments were made in-person, at Council Chambers:

Sandy Gondek of 87 Ferry Lane, responded to Mr. Cavanna, stating that the pond in question is too shallow and needs a lot of work which will be cost-prohibitive. Regarding the public process of the bidding, she noted that her family emailed the Council and received a packet, but she does not think that the other farmers in town received one. Even if her family receives nothing, she would like for other farmers to be reached out to. She supports the lease agreement for BHO, and supports part of the lease agreement with Littel Acres.

Brittney Gondek of 35 Dickinson Road, explained that their irrigation goes under the road from the pond to their land. However, it is not set up, and doing so would cost a lot of money. There is irrigation from the other side of the road, where they also own land.

Morgan Dodge of 1094 Neipsic Road, owns 7 Acres Farm in East Glastonbury and was unaware of any part of the bidding process. His farm would have liked to have been a part of it. He does not understand the argument for depriving the Gondeks of access to water for irrigation. He supports the suggestion for allowing use of the kitchen for small farmers.

Mr. McChesney reiterated that word went out to the public; the Council received three applications on use of the property; and after review, made their decision. He emphasized that no council member wants to cause the downfall of a farm. If farmers truly need access to parts of this property, they will work to include that in the lease. He also noted that the lease allows for the opportunity to re-negotiate. Mr. Gullotta added that, when the council deliberated this, they were interested in something that would be overwhelmingly agricultural, and the word ‘cidery’ was not included in that.

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

NO. 2 ACTION ON EXTENSION OF FARMLAND GROUND LEASE WITH BHO ENTERPRISES LLC D/B/A BELLTOWN HILL ORCHARDS – 297 MATSON HILL ROAD.

Mr. Gullotta opened up the floor for public comment.

Pietro Catizone of 365 Matson Hill Road, applauded town leaders for stepping up in 2018 to buy agricultural rights to the parcels. He was similarly glad to hear of the Town’s purchase of an additional 22 acres. He supports a long-term lease to Belltown, believing that the Prelis are the appropriate farmers to entrust the land to.

Dale Ethier of 537 Woodland Street, supports extending the lease to Belltown, whose maintenance is impeccable. While the Town might be able to get a better financial deal elsewhere, he believes that the Prelis have more than proven themselves as good stewards of land. He supports both the Prelis and the Draghis continuing farming on the parcel.

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

Evan Lentz of 1376 Storrs Road in Storrs, CT, supports the lease extension. He has worked closely with Belltown over the past six years as an Extension Educator at the University of Connecticut, and attests to their ability to protect and maintain farmland. As a commercial fruit production and integrated pest management (IPM) specialist, he has experience in intensive agriculture systems and understands the potential environmental impacts of farming. Belltown has been continually engaged in an IPM program, and has demonstrated a dedication to education, often hosting equipment demonstrations, at their own expense.

The following comment was made via Zoom:

Brittney Gondek of 35 Dickinson Road, is in full support of the lease for Belltown, who also need access to their irrigation system, which was integrated during the 2018 purchase. She stated that Belltown takes good care of their properties. She asked to clarify if her questions will be answered tonight, or if she should reach out for answers on a future date.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to execute a fifteen-year Lease of 6.0± acres at 297 Matson Hill Road to BHO Enterprises LLC d/b/a Belltown Hill Orchards, as described in a report by the Town Manager dated January 19, 2024, and with the understanding that the Town Attorney will include language in the Lease that will allow for terms to be renegotiated should the Town desire to permit other farmer(s) to utilize the irrigation pond on site.

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

Mr. Gullotta announced that longtime Town volunteer Bob Shipman passed away. He asked everyone to keep him in their thoughts and prayers.

NO. 3 ACTION ON RENEWAL OF GROUND LEASE WITH THE HISTORICAL SOCIETY OF GLASTONBURY, INC. – WELLES TAVERN, 2400 MAIN STREET.

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby authorizes the Town Manager to execute the First Amendment to Ground Lease between the Town and the Historical Society of Glastonbury for siting of the Welles Tavern through October 31, 2044, as described in a report by the Town Manager dated January 19, 2024.

Disc: Mr. Luiz stated that the TPZ has issued a positive recommendation on this proposal. There were no comments from the public or the Council.

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

12. Executive Session. *None*

Motion by: Ms. Carroll

Seconded by: Mr. Cavanaugh

BE IT RESOLVED, that the Glastonbury Town Council hereby adjourns the Town Council meeting of January 23, 2024 at 9:08 p.m.

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

Respectfully submitted,

Lilly Torosyan

**Lilly Torosyan
Recording Clerk**

**Thomas Gullotta
Chairman**