

**WEST HARTFORD TOWN COUNCIL MEETING
OCTOBER 13, 2015
LEGISLATIVE CHAMBER**

ITEM #1 - MEETING CALLED TO ORDER: 7:38 p.m.

President Slifka: Okay, we're gonna call the Council meeting to order and begin with the Pledge of Allegiance.

ITEM #2 - PLEDGE OF ALLEGIANCE

President Slifka: Can I have a roll call, please, Ms. Labrot.

ITEM #3 - ROLL CALL: ALL COUNCILORS PRESENT

President Slifka: Thank you very much. We have a huge crowd, 99% of which appears to be here for a school assignment, am I right? Okay. This was a, we set a record tonight for selfies taken with Joe O'Brien. So, thank you for making Joe feel so happy. I think it's a big night. He'll sign autographs later if you'd like. We will move on to number four then, Mrs. Cantor.

ITEM #4 - APPROVAL OF MINUTES: RECEIVED

Councilor Cantor: Number four, I move that we approve Town Council Meeting Minutes from 9/8/2015 and 9/24/2015.

Councilor Kindall: Second.

Councilor Cantor: And Public Hearing Ordinance Permitting Manufacturers of Alcohol, Including Retail Sales Where Permitted by Law, 9/8/2015, and Public Hearing Resolution Authorizing the Town Manager to Quitclaim the Town's Interest in an Unimproved Portion of Craig Place, 9/8/2015. I move that we approve.

Councilor Kindall: Second.

President Slifka: Okay, motion's made and seconded. Any discussion? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries.

ITEM #5 - PUBLIC FORUM

President Slifka: We're up to Public Forum and I know...the signup sheet. Thank you. Okay, so Shellie Rosan is the only one who signed up. Before I get to that, though, is there anybody,

I'll just ask the question, anybody who did not sign up who wished to speak to an item that's on the agenda tonight? Okay. So then as to Ms. Rosan, she is here to speak to an item that will be brought up on Suspense, so it's technically not on the agenda yet but if we suspend the rules, we could allow her to speak to that item, so could I entertain a motion to suspend the rules.

Councilor Cantor: So moved.

President Slifka: Okay.

Councilor Cantor: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Ms. Rosan, you're up...and you have five minutes. Actually, we need you to be on the mic so the people at home can hear you, so we can record it, all that other stuff

Ms. Rosan: Great. Well, thank you for letting me speak today...even if it is on short notice. I know a lot of you were at the meeting, the Kinder Morgan meeting last week. My Hall High School student was one of the presenters. He was the kid with the plaid shirt. And it's really great to see that we do not have a complacent Town. So, given that you guys already have all of the Kinder Morgan backgrounds and all of the background from the meeting last week, in addition to, and I appreciate your patience, my numerous emails and materials that I was struggling to gather together. I wanted to bring up a couple of items that the Town may wish to consider in its response to FERC and may wish to consider in its interactions with MDC. I am at a little bit of a disadvantage because I don't know exactly what our Town's relationship is with the MDC, whether it's contractual, who is the ultimate owner of the land, and things like that, so I may be saying things that are not on point but feel free to just absorb, correct, or otherwise. So, the first point is that from what I've seen, from what towns in Massachusetts and New Hampshire have done, townships, private organizations, various funds have undertaken to do their own environmental impact assessments on their lands and, from what I saw in their FERC filings on their pipeline filings, those environmental impact statements have been very, very persuasive because responding to a FERC EIS is very different than initiating your own with an independent third party and then you have the battle of the experts as opposed to being reactive, to the extent that it is the Town's responsibility because it's our public water, you know, supply and whether it's MDC's responsibility as a quasi-public whatever their relationship is with the Town, whether it's a joint responsibility. I think that, proactively, we should be in a position to react to FERC's EIS, which is probably gonna be coming through in November or December. So, short item list. Second, regarding legal counsel. I know that we in Connecticut have not particularly been trained to have the expertise to sort of challenge pipeline projects and things like that. I don't know that we have the expertise within the Town and I don't know that we have the expertise within law firms within the Town. I do know that there are various towns within Connecticut that have hired independent counsel to work with them and there's also the Conservation Law Foundation, so there're a couple of entities out there that can provide

guidance on the FERC process that have been there, done that, are working with other towns, have been really, really involved and know the players, know the pipelines, know the other pipeline projects that're in play in Connecticut. So, for example, Algonquin was just approved by FERC. It's just south of here, south and running north, so there are various counsel in the area. We, either in conjunction with MDC or persuading MDC or as a Town, should consider independent counsel to evaluate this and not necessarily rely on MDC's counsel. No disrespect to our Town Counsel but this is federal-level stuff. This is very, very complex stuff and my understanding, as an attorney, is that it takes years to figure out how these things work. I tried to read the FERC docket. It's thousands of pages for this already. I was dizzy and I like to read. The next item that I think we should consider, again, you guys know this better than I do is the ownership structure of the land. Is it MDC's land? Is it Town land? Is there a lease? Is there a possibility of changing that? I know that MDC lands in other towns have been subject to the FERC Regulations, which basically is a form of condemnation not really. I doubt that municipal lands can be condemned like that. So, to the extent that it is important to the Town in some manner with MDC to gain certain legal controls over the lands, that may be something to consider. Again, I'm speaking from a position of not knowing what the status of those lands are. The next item that I have here is consideration of the ultimate bearer of costs in the event of an accident, a spill, something like that. We heard in our meeting that Kinder Morgan is not responsible for third-party acts, for costs for third-party acts. They're only responsible for their own failures of maintenance and we all know, well, was it an act of God, was it a flood, was the ground washed out, or was, did Kinder Morgan not seal its joints well enough. Acts of God, by the way, are third parties. God is a third party, so should we have any type of damage, ultimately we need to think about whether we want to speak to, approach, or what our interaction with the MDC either contractually or politically because, if there is a spill, someone is going to have to pay for it and it's not going to be Kinder Morgan. Kinder Morgan has counterclaimed against towns for their own failure to maintain. They did this in California. They did this in Tennessee. No pun 'cause it's Tennessee Gas Pipeline but, according to the research, Kinder Morgan absolutely has no problem suing a town and MDC or somebody else to cover damages that, basically, that were caused by their pipeline.

President Slifka: Ms. Rosan, we're a bit over the five minutes. If we could just ask you to wrap up.

Ms. Rosan: Yes.

President Slifka: Thank you.

Ms. Rosan: Okay. The next thing is whether the Town does have the power or the relationship with MDC to ultimately, if this pipeline is approved by FERC, negotiate the scope of any easement restriction, so you can only transport a certain product. It can only be in a certain direction. It can only be a certain distance. You cannot expand your pipeline because of collocation and things like that. So a heavily negotiated easement should this project go through, I think would be important. And the final thing is that I missed this under EIS but it's also a homeowner and infrastructure issue is that, under FERC, they're supposed to consider what they called an "impact radius." That's a radius within which if there is damage or explosion, there is likely to be an impact. So, for example, in Massachusetts, a school was within the impact

radium. They actually relocated the pipeline completely outside of that neighborhood. So that is something that we should be thinking about and MDC should be thinking about and, while MDC knows how to lay pipes, those are water pipes. Those aren't gas pipes, so high-pressure gas pipes are different. Thank you.

President Slifka: Thank you very much. Okay, that concluded the Public Forum so we're up to number six, which is Reports from the Town Manager. Mr. Van Winkle.

ITEM #6 - REPORTS OF TOWN MANAGER

Mr. Van Winkle: Thank you, Mr. Mayor. This past week we tapped out Charter Oak School. That means the last piece of steel was put on the school and so that project is within budget and on schedule to open September of next year. So, they're looking forward to closing in that building and they'll be able to work all winter. Absentee ballots are now available from our Town Clerk's office and we have an election on November 3rd and if you will be out of Town and not able to make it to the polls on election day due to illness, disability, military service, election duties, or religious reasons, you are eligible to vote by absentee ballot. Applications may be picked up at the Town Clerk's office on this floor or downloaded from the Clerk's website. Once applications are received, the ballot will be mailed out the very next day. So, if you're able to get in, come. Otherwise, you can go right to our website and get that information. My Police Chief is up here, helping out a citizen, and I wanted him to ...yes...step up. We had an incident at a school last Friday and I wanted to have the Chief give a brief description of what happened, how we responded, and why it happened.

Police Chief Gove: Good evening, everybody. Thanks for having me here tonight. So, if you'll recall or if you haven't heard, it made the paper. It was big news over the weekend. Last Friday, about 11:30 a.m., Solomon Schechter Day School received a call. It was an automated call and the content of it was just, there's an armed person on campus, press pound or star once you have this message. So the person who answered the phone hit the pound sign or the star sign, the phone hung up, and that was all they had so they were quite concerned, gave us a call. We sent our resources, full resources, and responded as we've been trained as if this was an active incident. Officers got there. There was nothing found. Everything seemed to be in order. We really couldn't figure out at that point what had happened but we had, through our investigation, realized there was one in Amherst, Massachusetts and we received our call 11:30, I think, about a minute later. They received a similar call, automated call in Amherst, Mass., so it led us to believe there was some type of computer glitch or computer error. We all, we have the Everbridge system in Town, which the Everbridge system is an automated callback service, so we figured there might be a glitch there. Sadly that day, tragically, there was a school shooting in Texas at a university. They were looking for an armed person, so we thought there might be a connection there. Over the weekend, our detectives did an investigation. It ends up, there's a school, Hamilton College in Clinton, New York. It's about the center of the state had a report of a person with a gun. It ended up being a Nerf gun. It wasn't a real gun but they didn't know that at the time, a report of person with a gun and they sent out an Everbridge message to their stakeholders, saying be warned, there's somebody with a gun on campus. What they didn't do is include the name of the school in the call, so they sent it to the staff, they sent to faculty, to students, and to students' emergency contact numbers. Well, an employee at Solomon Schechter

has a child who's going to school and was the child's emergency contact at work so they received the call there, saying there was this armed person. They didn't know the school. They didn't know anything further than that. We've been in contact with the school. They're aware of the alarm it caused here and I'm sure Amherst, Mass. is gonna do the same. You know, the silver lining, as I told the Town Manager, is the situation ended up being nothing but it gave us a chance to look at our response and see how we did, the good and the bad, see how the school did on their end of things. We asked the school administration to do the same thing, kinda rate themselves, rate us, and next week we're gonna meet with the school's administration and just kinda flesh out how we did, what we could do better, and what we could do different next time. So we'll use that as a learning experience for all of us but we wanted the public to know that this was just a very bad message, a very poor mistake on behalf of the college and, like I said, we've been in contact with them. I'm sure they feel terrible and next time they'll at least include the name of the school in the Everbridge message.

Mr. Van Winkle: That's really all I have. If you have any questions for myself or the Chief, we'd be happy to answer them.

President Slifka: Thank you. Are there any questions for the Manager or the Chief? Mr. Captain?

Councilor Captain: Thank you, Mr. Mayor. Mr. Manager, I'm wondering if you can remind me of the timing of things that're gonna take place at Charter Oaks School. So, if it's available for students in September of 2016, what is the plan for the demolition of the former building? Will the building still be there in the event that it needs to be used if the classrooms aren't ready or is it gonna come down in the summer and they'll start fresh?

Mr. Van Winkle: Well, the plan is that the school will be ready by September and so as, the closer we get, the firmer I can make that statement, obviously. Once the school closes in June, the elementary school will be, all the material in the school, the desks, all the things in the school will be removed from the school. The school will begin a process of removing hazardous materials that might still exist within the school, a jacket on a boiler or things like that. We didn't find PCBs in the building so that's all good stuff. Old buildings have caulking around windows that have PCBs in 'em and if you take the window apart, you hafta remove the hazard so no one's in danger from anything here. So, once school is closed, they'll do that hazardous material removal and then the school will come down and by, the opening of school in September, we expect to have the old school gone and the new school ready to go.

Councilor Captain: Thank you.

President Slifka: Thank you Mr. Captain. Mrs. Cantor?

Councilor Cantor: Hi. I just wanted to know if you would be willing to share our little event on Saturday, the recycling center. Maybe that would good for people to know.

Mr. Van Winkle: Yeah. We had a, my wife said we had a ribbon cutting at the dump. We have a new contractor working with us on recycling and Supreme Forest is the contractor. They

started one month ago and, in a short 30 days, they have transformed our public works yard; cleaned it up dramatically, taken down the overgrown weeds, created new areas for storage and materials. There's been a great relationship at this point in time, all on their own cost and not a cost to us. Supreme Forest will run a business out of there of supplying to landscapers materials for their purposes. We will have our recycling center there so you can bring in your material to be recycled and delivered there and leaves and branches and stuff brought down, can be brought there and you can actually pick up some materials, some of our composted leaves that you can bring back home and put into your garden. They also sell some items that home gardeners might be interested in at the site. They have dramatically cleaned up our whole operation down there. We're having a discussion with them about the possibility of building an anaerobic digester. As you know, right now we are separating food waste from refuse at our schools, our high schools, and that food waste is actually going to a farm in Ellington that is putting it back into the earth and an anaerobic digester would take that organic material, that food material along with some brown waste, that would be chips and leaves and whatnot, and it digests it. It creates a gas that actually can be used to generate power and it creates a compostable material, a high-value compostable material. That's a longer-term kind of issue for us. We've, we're in those discussions with them about how we might go about doing that. Refuse collection keeps changing and the way we do it keeps changing. You know, we used to have little carts that go up your driveway and pick your garbage and today we have two large barrels at the end of your driveway. The State of Connecticut is talking about separating out that organic materials for the purpose of composting. They're not employing those yet but we see that as a, an indicator that's something we ought to plan for should that happen. We may be able to take some of those materials into our own public works site, so the garbage in your front yard may seem like old stuff and who cares. It just disappears. Well, it doesn't. It gets recycled, reformed, or turned into energy. Our refuse goes to a plant that burns that garbage and creates energy, so garbage will continue to change and it was, it truly was remarkable. Most people don't go down to the public works site and do a big tour down there but they had piles of tree stumps and leaves from last season that weren't cleaned up from our last contractor that they cleaned up the whole thing and it looks great down there, so I appreciate everyone who came to the ribbon cutting.

President Slifka: Thank you. Anyone else? Okay. Oh, Mrs. Kindall.

Councilor Kindall: When will curb-side bagged leaf pickup resume?

Mr. Van Winkle: I should know that shouldn't I?

Councilor Kindall: I think it's in a couple of weeks.

Mr. Van Winkle: Yes.

Councilor Kindall: Yeah.

Mr. Van Winkle: Do you have something?

Councilor Kindall: I think it's the last week in October but...

Mr. Van Winkle: The last week in October, I believe.

Councilor Kindall: All right.

Mr. Van Winkle: I apologize. I should have...

Councilor Kindall: I believe, I, this is my recollection but I thought I would get a confirmation.

Mr. Van Winkle: Leaves are just beginning to turn that beautiful orange and red and are gonna be falling in the next few weeks so the last week of October sounds the right date.

Councilor Kindall: Okay. Thank you.

Mr. Van Winkle: It's on our website. I know that.

President Slifka: Okay. Thank you, Mr. Van Winkle. Go on to number seven, the Consent Calendar.

ITEM #7 - CONSIDERATION OF CONSENT CALENDAR: ITEMS 10, 11, AND 18-21 TO RECEIVE

Councilor Cantor: Number seven. I move that we place items 10, 11, and 18-21 on the Consent Calendar.

Councilor Kindall: Second.

President Slifka: Motion's made and seconded. Any discussion? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We have no Unfinished Business, so we're up to New Business, number nine.

NEW BUSINESS:

ITEM #9 - RESOLUTION SETTING TOWN COUNCIL MEETING DATE FOR DECEMBER 10, 2015

ADOPTED

WHEREAS, the Town Council Rules call for a single Town Council meeting in December;

NOW, THEREFORE, BE IT RESOLVED that the December meeting is set for December 10, 2015 at 7:30 p.m. in the Legislative Chamber, Room 314.

Councilor Cantor: Number nine, Resolution Setting Town Council Meeting date for December 10, 2015. I move that we adopt.

Councilor Kindall: Second.

President Slifka: Motion's made and seconded. This is pretty self-explanatory. The Town Council meets only once in December and every year we have to set that date by Resolution and we have settled on December 10th, though not all of us will be there and which one of us will be there remains to be seen but...I'm looking at everybody. I'm looking him, actually. But, yes, I would note, I believe that is a Thursday as opposed to a Tuesday just for those paying attention. So, any discussion? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Number 12, Mrs. Cantor.

ITEM #12 - RESOLUTION TO APPROPRIATE \$107,475 IN GRANT FUNDS AWARDED BY THE CONNECTICUT DEPARTMENT OF TRANSPORTATION'S HIGHWAY SAFETY OFFICE UNDER THE FEDERAL HIGHWAY SAFETY PROGRAM FOR THE PURPOSE OF COMPREHENSIVE DUI ENFORCEMENT

ADOPTED

WHEREAS, the Town of West Hartford applied for and was awarded Federal Funds by the Connecticut Department of Transportation's Highway Safety Office under the Federal Highway Safety Program (Federal Program Area 2016-154AL, State Project 0196-0722-DR) in the amount of \$107,475 to provide comprehensive Driving Under the Influence (DUI) enforcement program activities from October 1, 2015 through September 10, 2016, and

WHEREAS, the objectives of this program are to reduce the number of crashes, injuries and fatalities from impaired driving through increased high-visibility enforcement activities and to communicate to the public, through media venues, the increased level of DUI enforcement so that drivers will realize the risks and consequences of operating a vehicle while under the influence and, therefore, deter that behavior, and

WHEREAS, the Town of West Hartford desires to utilize such funds for additional DUI patrol activities, in accordance with both Federal and State regulations, policies, and procedures that govern the use of highway safety funds,

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT grant funds under the Federal Highway Safety Program are appropriated for the purpose of expanded DUI enforcement activities in accordance with the terms of the grant, and the fiscal year 2015-2016 General Fund budget is amended as follows:

Increase Estimated Revenue

01-220410-20101-9070 Federal Grant Revenue \$107,475

Increase Appropriations

01-220410-20101-1010 Overtime \$107,475

Councilor Cantor: Number 12, Resolution to Appropriate \$107,475 in Grant Funds awarded by the Connecticut Department of Transportation's Highway Safety Office under the Federal Highway Safety Program for the Purpose of Comprehensive DUI Enforcement. I move that we adopt.

Councilor Kindall: Second.

President Slifka: Motion's made and seconded and I see Chief Gove has already come to the podium. This is your night, sir.

Police Chief Gove: All right. Thank you once again. So, this is our third year receiving this grant and I'll give you a little background and a little history on it. I know you're, you come to the meetings and you vote on these but it's good to have a little background for those who may not have the full story. So in about 2010 we noticed an uptick in our DUI arrests so with that in mind in 2012 we began a dedicated DUI patrol to keep the streets safe, look for violators. This is two officers who work Thursday, Friday, Saturday nights and around major holidays and their main purpose is to look for erratic drivers, erratic operators, and this is good because it allows kinda those skilled officers. It's a skill level out there. All officers are trained but some are a little bit better than others, so we have our skilled officers out there. All officers are, of course, welcome to participate in the program. But the other thing it does is a DUI arrest from the time the car is stopped until we finish the paperwork takes about two hours. It could be longer depending on the situation. This allows the District Officer to remain out in the street, answering calls for service, keeping an eye on the businesses at late-night hours. It doesn't remove them from the road for a couple hours. It's just, the officers assigned to the squad come, process their arrest, and then go back onto the street. So it's been an excellent program that we started, again, in about 2012. In 2014, we saw a Grant by the Connecticut Department of Transportation Highway Safety Office. We applied for the Grant. It is a competitive Grant. It's based on activity levels. We received a good chunk of money from the Grant. I can't tell you how many other communities have applied for this and received it but I know it's a decent amount. We've also used this funding for DUI checkpoints. There's a misconception that the DUI squad hangs around in West Hartford Center all night. I wanna dispel that here right now. We have been focused anywhere there's gonna be late night activity, so they focus on the Center, of course, Blue Back, lower Farmington Ave., Park Road, New Britain Ave. and, of course, as they're making their travels through Town, they're looking at side streets. I mean, however they're traveling through Town, they're looking, so they're not focused just on one specific section of Town. The program's been very successful. Like I said, when we look at real quick numbers from prior to 2010, we were averaging a little over 100 DUI arrests a year. Now we're well over 200 a year. The good news is this also puts enforcement, puts us in the Center, puts us in Blue Back, puts us in other areas of Town where people see the enforcement. As we all know and I

say over and over again, traffic enforcement also leads to better quality of life. It makes people feel safe. Our DUIs are actually down almost 30% from two years ago during the same timeframe; our calls from the service are down 25% from two years ago, same timeframe; and serious assaults have been reduced over the last two years too, so we think this program is working. It's getting dangerous drivers off the street. It's giving us a presence in the Center and it shows that it's reducing DUIs and some of our calls for service. So we've applied for the Grant and we'd like to receive it and continue these efforts through the next year. I'll take any questions.

President Slifka: Thank you, Chief. Are there any questions for Chief Gove? From the Manager, okay.

Mr. Van Winkle: Well, we have...a class to educate here. I was wondering if you could talk about the consequences of drinking and driving.

Police Chief Gove: Well, it's funny you should mention that because...hi everybody. You guys should perk up now. No, but we do, so tonight we're presenting for a DUI Grant and an Underage Drinking Enforcement and Education Grant. So, part of that Grant, the second one, the Underage Drinking Education, I thought I would bring some stats kinda combining the two. So, I looked at DUIs, driving under the influence, for those under 21 years of age. So, from January 2012 until July 2015, we've had, ready for this, 21 people arrested for a DUI that were under the age of 21. That's a lot, right? Of those, 18 were the result of motor vehicle accidents. Of those 18, 8 involved a crash where the person was intoxicated, hit something, and fled the scene. Four of those resulted, four of the overall crashes resulted in injuries and two of the crashes the car actually breached into a residence in Town. So, in terms of consequences for legality reasons, we can talk about that but the real consequences here are injuring yourself or injuring somebody else or injuring an innocent family, somebody sitting in their house that has a car breach their living room so there's, that's the real danger there. And our hope, when you hear me talk about our enforcement efforts, is to spread the word that we'll be out there and hopefully reduce those crashes and those incidents among youth. If you are under the age of 21, the blood alcohol content has to be a 0.02. So, for the average person, it's a 0.08. For somebody under 21, it's a 0.02. Depending on your frame, your weight, what you've had to eat, that could be as little as a beer for some people. It results in automatic license suspension. If you don't have your license, you can't get your license for a number of months. Most of the time, you hafta go through an alcohol education program. There's legal fees for you and your family so you're looking at that end of it. There's a lot of fees for you. There's a lot of consequences for your family but the real thing is you don't want to hurt yourself or somebody else. And I will tell you that the majority of accidents involving teen drivers, the driver of that car, the teen driver isn't killed. It's usually the passenger that's killed and that's why they've changed the law for that graduated license where you can't have a passenger in your car, a friend, one of your buddies, one of your pals in your car for the first year. So keep that in mind as well.

Mr. Van Winkle: So the, facing this direction for the adults, the consequences of an accident or hurting someone are the same but the penalty?

Police Chief Gove: Yeah, so for an adult then, it's an automatic 45-day license suspension. You could do a minimum of two days in jail but usually they'll give you community service for your first offense. Usually, there's some type of alcohol program. But the big thing is if you're convicted of your offense now, you hafta go have an interlock ignition device put on your car, which means that you can't drive the car unless you blow into this device to prove that you haven't been drinking and you hafta keep that on your car for I think it's 90 days but I'm not 100% sure on that one. But the, and, you know, there's the legal fees associated with that, being without a car, everything that that encompasses.

President Slifka: Thank you both. I feel so educated. Mrs. Hall.

Councilor Hall: Thank you, Chief. While we're sort of on the subject, could you also talk about speeding 'cause I feel like that continues to be something that our residents complain about all the time and maybe you can talk about enforcement efforts there as well?

Police Chief Gove: Sure. So, if I had to say the number one complaint that I receive as Chief of Police, it's speeding in neighborhoods. I think most residents feels that they have too much traffic on their streets and the cars speed on their streets. We're not alone in that. When we talk to, I've talked to Police Chiefs from across the country and I've made this comment before, even our neighbor in Hartford when I talk to Chief Rovella from Hartford and he goes to his meetings, a lotta times the complaints are about traffic issues. These are quality of life issues. So speeding is a big complaint. What we do in West Hartford, we have a Traffic Division that's dedicated to two things; motor vehicle accident investigation and traffic enforcement. They do a lotta speed enforcement. We have a lot of equipment to help us out with that. We have the speed trailer. What you can do or what a resident can do is they feel there's speeding on their street, give us a call. We'll put them on a list that we have. We're sending officers out on a regular basis and conducting speed enforcement in their neighborhoods. Now, it works for a limited time but then after a while people see the cruisers aren't there and they pick up the speeds again but it does work for that short period of time. We also work very closely with the Engineering Division. If there's a street where there's a persistent problem where the speed measuring devices are showing that speeds are excessive over and over again, then we can try and work with Engineering on some solutions for that but, quite honestly, those solutions aren't quick and they're not inexpensive. But, I mean, the best thing to do is call the Police Department, ask for the Traffic Supervisor, make a complaint, and we will be very responsive to that.

President Slifka: Thank you. Anyone else? Okay. And with that, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Number 13, Mrs. Cantor.

ITEM #13 - RESOLUTION TO APPROPRIATE FUNDS IN THE POLICE PRIVATE DUTY AND CAPITAL AND NON-RECURRING EXPENDITURE FUNDS FOR THE PURCHASE OF POLICE VEHICLES AND EQUIPMENT

ADOPTED

WHEREAS, a review of the Town of West Hartford's vehicle fleet indicates the need for replacement of five (5) police vehicles due to their age and condition, said vehicles to replace existing vehicles so as not to increase the size of the vehicle fleet, and

WHEREAS, the estimated cost to purchase these vehicles and all necessary equipment to outfit them for police use is approximately \$200,000, and

WHEREAS, funds are available in the Police Private Duty Fund and the Town desires to use \$100,000 of fund balance for the purchase of said vehicles and equipment, and

WHEREAS, the Reserve for Police Vehicles in the Capital Non-Recurring Expenditure (CNRE) Fund is designated for this purpose and the Town desires to use \$100,000 of this reserve for the remaining cost of the purchase,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD that the purchase of five (5) police vehicles and related equipment is hereby authorized and the fiscal year 2015-2016 Police Private Duty Fund and Capital and Non-Recurring Expenditure Fund budgets are hereby amended as follows:

Police Private Duty Fund

Increase Estimated Revenues

52-220207-20111-9399	Use of Fund Balance	\$100,000
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Increase Appropriations

52-220207-20111-4058	Transfer to CNRE Fund	\$100,000
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Capital Non-Recurring Expenditure Fund

Increase Estimated Revenues

33-910800-30506-9399	Use of Reserve for Police Vehicles	\$100,000
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33-910800-30506-9386	Transfer from Police Private Duty	\$100,000
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Increase Appropriations

33-910800-30506-3232	Police Vehicles and Equipment	\$200,000
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Councilor Cantor: Number 13, Resolution to Appropriate Funds in the Police Private Duty and Capital and Non-Recurring Expenditure Funds for the Purchase of Police Vehicles and Equipment. I move that we adopt.

Councilor Kindall: Second.

President Slifka: The motion's made and seconded. For discussion, Chief Gove is still here for us.

Police Chief Gove: I'm here, so we're rotating cars through our fleet. If you remember about three years ago, Ford stopped making the Crown Victoria and they said we're not gonna make

that anymore. We're coming out with this new model. There's the Interceptor, which is the car, and the Interceptor SUV and no police department across the country had experience with either of these vehicles. As we rotated cars through, we purchased, we weren't sure which one would fit our needs best, so for our line cars, we bought seven of the SUV models and five of the sedan models. And what we're finding over time is the sedan models aren't working for two major reasons; one is the trunks are filled to capacity. There's not as much storage space in the trunks. We're carrying more and more equipment in our police vehicles. This is needed equipment in case of an emergency like the Solomon Schechter School incident. We hafta have it. What's happening now is the trunks are so packed that officers are having to dig and pull stuff out to get to equipment they may need in an emergency. So we're finding out the sedans aren't working for that purpose. And the larger officers, we're putting more and more in the cars. We have the computers in the cars. We have now printers in the car when we give out tickets. We have the cameras in the cruisers, so the bigger officers just don't have the room. So what we're doing now is we're gonna transition. As we purchase new vehicles, we're gonna go to all SUVs and those sedans are gonna rotate...basically what happens with police vehicles, the new cars come in, they go to patrol where they get the heaviest usage and once they have a number of miles on 'em, a number of years on 'em, they move to other divisions so the sedans are gonna move to different divisions, Community Relations Division, our Traffic Division, and the newer cars will go to patrol. So we're looking to purchase two new of the Interceptor SUVs. They're new vehicles. We've talked about this before. The equipment from our other cars does not retrofit, so we hafta buy new equipment for 'em. Going down the road as we continue to buy SUVs, that equipment will retrofit so as you look and I'm not sure if you have the breakdown here but we're looking for cost of the vehicle and for accessories. Down the road, that accessories cost won't be there anymore. That's all included in the overall price. So that's for two of the SUVs. We're also looking for two Expedition vehicles. In the past, our Patrol Supervisors have had two vehicles so we still have two. They've traditionally used the Expedition. It's a bigger vehicle. They carry more equipment. When the SUVs came out, we were hoping that they would fit our needs and say, listen, it's a little less expensive, let's use these SUVs, see how they work. They're not working 'cause the Supervisors carry even more equipment than the patrol officers, so they have absolutely no room in those cars at all. So we're finding a need to bump those up to a bigger model vehicle, which is the Expedition. The Interceptor SUV and the Expedition have the exact same gas mileage. Both of 'em are just a mile or two off from the sedan. The cars are very fuel-efficient for this day and age so that's not really a concern of ours as far as gas costs. It's gonna be comparable or about the same. Third vehicle. One of admin cars aged out. It's been repaired too many times. It's the Fleet Manager down at DPW has pulled it from the road, so we're missing a vehicle and we'd like to replace that. And then, last, as part of this, one of our vehicles was in an accident. It was totaled. The cost of the car is being covered by Risk Management Fund so we're good there. Again, we're gonna bump up to SUVs so we need some equipment for that new vehicle. When you put all those numbers together for the five vehicles and the accessories, we're looking at about \$200,000. We have money in both of the funds; the Police Private Duty Fund and the Police Reserve Fund that'll cover the cost of these and that's what those funds are for, for purchasing new vehicles and new equipment.

President Slifka: Thank you, Chief. Are there any questions for the Chief? Mr. Doar.

Councilor Doar: Thank you, Mr. Mayor. Chief, in the past, let me just make sure I understood what you said. The vehicles you're going to purchase, are we still going to use the Town to retrofit the vehicles with the special police caging and other devices necessary to, for the police Department to perform their duties?

Police Chief Gove: Exactly. We have to retrofit. We have to purchase new cages, the sticker package for the vehicle, new mounting equipment. The lights are a bit different for these vehicles, so we do have to make the, basically the inside of the car, kind of the guts of the inside of the car hafta be replaced. It's a one-time cost. Going down the road, we'll be able to retrofit those into new vehicles but, yeah, it's a bit of a chunk in the beginning but it'll flesh out eventually. We had the Crown Vics for so long, we didn't have to buy a lot of this equipment. We could just keep moving it from car to car to car.

Councilor Doar: My recollection from the last, three years ago when we did this was that the John Phillips' team performed the work. Is that the, still the plan to do this in-house as opposed to outsourcing the work to an outside retrofit or?

Police Chief Gove: Yeah, absolutely. His crew does a great job. The turnaround time, depending on what other, last winter with all the storms they had to kinda push the police cars off a little bit just because of priorities, which made complete sense, but they're very good. They're quick. It saves us money and they actually do a tremendous job, just disassembling the cars, putting the wiring through, and reassembling 'em. They do a very, a top-notch job.

Councilor Doar: And the last question, Mr. Mayor, thank you, is the, what is the color these cars are going to be?

Police Chief Gove: We are gonna stay with the, we're gonna stay with the black. I know we've had discussions on this before at the time, so you know our thought process. So, at the time, we had the Crown Vics, they were white and everybody around us, Farmington and Hartford, everybody had white cruisers so we were going with this new vehicle so I said, I was the new Chief at the time, let's see if we can come up with something that makes us look different. So we came up with the design and then nearly every Department around us, I don't know if we were the leaders or if it's just coincidence, but nearly every department around us has followed us with some scheme of black and white or black cruiser but we're gonna stick with that because the cost of changing everything would be immense, too. But it's not lost to me. We, I know the concern is there. We like our officers, we want 'em to be friendly and I think people that know our police officers know we're great community servants but, at the same time, they still are the law enforcers. This cars give it a little bit of the edge, the darkness, a little bit more stealth so we like that too.

Councilor Doar: Thank you very much.

President Slifka: Thank you, Chief. Anybody else? Mr. Captain?

Councilor Captain: Thank you, Mr. Mayor. Chief, any questions on the agility of the SUV vehicles versus the sedans and I seem to recall a problem with Ford Motor Company and certain tires on vehicles a few years back?

Police Chief Gove: Yeah, when the vehicles first came out, there were a number of recalls and issues. These are the new models. I'm guessing that they worked out those bugs. The garage was great on responding to those and getting the cars updated for any major fixes. As far as the agility, the, I believe the SUV and the sedan are pursuit-rated. The Expeditions are not but, quite honestly, pursuits are few and far between and we're not running 'em as they would've maybe a few decades ago. But we have no concerns. I mean, this is, most departments for the Supervisor vehicle or for a special use vehicle are looking at the Expeditions or the Chevy Tahoe. We went with the Expedition 'cause it's actually less expensive and the mechanics at DPW are Ford mechanics so they'll have a little bit of an easier time with this car.

Councilor Captain: Thank you.

President Slifka: Thank you, Mr. Captain. Anyone else? Okay. Thanks, Chief. All those in favor of the Resolution?

All: Aye.

President Slifka: Those opposed? Motion carries.

SUSPENSE ITEM: RESOLUTION OPPOSING TENNESSEE GAS PIPELINE COMPANY PROPOSAL

ADOPTED 8-0, 1 ABSTAIN

WHEREAS, the Tennessee Gas Pipeline Company ("TGPC"), a subsidiary of Kinder Morgan Energy Partners, has proposed the expansion of a gas pipeline in response to increased demand for natural gas in Connecticut; and

WHEREAS, the proposed project includes 14.8 miles of pipeline from East Granby to Farmington, including 5.7 miles routed through Metropolitan District Commission property; and

WHEREAS, TGPC hosted a public forum on the project in West Hartford on October 7, 2015; and

WHEREAS, TGPC acknowledged that it has had safety incidents and pipeline spills at sites throughout the country; and

WHEREAS, TGPC representatives expressed that the project can be implemented without impacting local wildlife, recreation areas and watersheds for drinking water, among other concerns; and

WHEREAS, many members of the public have expressed skepticism about the project, including representatives of the Metropolitan District Commission ("MDC"), Connecticut Sierra Club and the Connecticut Forest and Park Association; and

WHEREAS, members of the West Hartford Town Council share similar concerns about the potential impact of the project and whether TGPC has performed adequate due diligence, including exploring the possibility of alternative locations that do not impact Class 1 and 2 watershed lands; and

WHEREAS, local municipalities, including West Hartford, have very limited zoning oversight with respect to this project, with the project only requiring wetland approval from the West Hartford Town Plan and Zoning Commission, meaning that the project will never be subject to review by the West Hartford Town Council; and

WHEREAS, the proposal will be officially filed with the Federal Energy Regulatory Commission (“FERC”) within the next few months, and FERC is accepting public comments on the proposal until October 16, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the West Hartford Town Council hereby expresses its opposition to the TGPC project in its current form and requests that TGPC representatives explore alternative options and conduct further research to ensure that this and any other proposed project in West Hartford guarantee protection of drinking water, the impacted lands and our West Hartford community.

BE IT FURTHER RESOLVED that this resolution be communicated to TGPC, Kinder Morgan Energy Partners, FERC, MDC, the Connecticut Congressional delegation and the Office of the Governor.

President Slifka: So now we have a suspense item, so I’d like to entertain a motion to suspend the rules to raise a Suspense Resolution.

Councilor Cantor: So moved.

Councilor Kindall: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. And I’d like to entertain a motion to adopt a Resolution Opposing Tennessee Gas Pipeline Company Proposal.

Councilor Cantor: So moved.

Councilor Kindall: Second.

President Slifka: Motion’s made and seconded. This is, so this is an unusual situation for us. We, the, well, at least during my time has not done much in, under suspense that is of this kind of substance but there’s a pretty good reason for it. So, many of you have read and if you’ve been watching this meeting tonight, you saw we had a speaker this evening speak about a proposal from something called the Tennessee Gas Pipeline Company, where there was a public hearing on it last Wednesday or I shouldn’t say public hearing, public meeting on it last Wednesday here

at Town Hall. So we set our agendas one week in advance of this meeting so that was last Tuesday and the meeting about this proposal did not occur until the following day, so this is the earliest that we could raise something, and there is a deadline that we'll get to in a moment, where the Council felt compelled to make a statement by that deadline and if we didn't do it tonight, we wouldn't be able to get to it. So what that meant is that, unfortunately, this didn't appear on our agenda but because of that I will read it so everybody can know what we're talking about. Unfortunately and it's a little bit lengthy but please bear with me. So, again, the title is "Resolution Opposing Tennessee Gas Pipeline Company Proposal." Also note Mrs. Kindall has to recuse herself from this one. "Whereas the Tennessee Gas Pipeline Company or TGPC, a subsidiary of Kinder Morgan Energy Partners, has proposed the expansion of a gas pipeline in response to increased demand for natural gas in Connecticut; and whereas the proposed project includes 14.8 miles of pipeline from East Granby to Farmington, including 5.7 miles routed through Metropolitan District Commission property; and whereas TGPC hosted a public forum on the project in West Hartford on October 7, 2015; and whereas TGPC acknowledged that it has had safety incidents and pipeline spills at sites throughout the country; and whereas TGPC representatives expressed that the project can be implemented without impacting the local wildlife, recreation areas, and watersheds for drinking water among other concerns; and whereas many members of the public have expressed skepticism about the project, including representatives of the Metropolitan District Commissions, the MDC, Connecticut Sierra Club, and The Connecticut Forest and Park Association; and whereas members of the West Hartford Town Council share similar concerns about the potential impact of the project and whether TGPC has performed adequate due diligence, including exploring the possibility of alternative locations that did not impact Class I and II watershed lands; and whereas local municipalities, including West Hartford, have very limited zoning oversight with respect to this project, with the project only requiring wetland approval from the West Hartford Town Plan and Zoning Commission, meaning that the project will never be subject to review by the West Hartford Town Council; and whereas the proposal will be officially filed with the Federal Energy Regulatory Commission, or FERC, within the next few months and FERC is accepting public comments on the proposal until October 16, 2015, now therefore be it resolved that the West Hartford Town Council hereby expresses its opposition to the TGPC project in its current form and requests that TGPC representatives explore alternative options and conduct further research to ensure that this and any other proposed project in West Hartford guarantee protection of drinking water, the impacted lands, and our West Hartford community. Be it further resolved that this Resolution be communicated to TGPC, Kinder Morgan Energy Partners, FERC, MDC, The Connecticut Congressional Delegation, and the Office of the Governor." And everybody at this table, save for Mrs. Kindall for all those other reasons is, has sponsored this. So back to the intro piece of this. This came about as a result of the public hearing that was last week. I know several members of this body did attend that meeting. I was away and I immediately was getting texts from Mrs. Cantor, saying that, boy, this is, it sounds really bad and this is something we really need to look at. So, I wanna thank her and everyone else who got in touch with me about this, including the members of the public. Why we're doing this, why we're making a statement and doing this so quickly and, obviously, Council members will speak for themselves but this being a unanimous item, I think I speak with some confidence about their feelings is that, one, I think we all were gravely concerned about what we heard out of this meeting. The Council did not have much information beyond what members of the public would've had in advance of the meeting. Normally, these meetings are designed to answer questions about such a project. It

seems that this one instead of answering those questions actually added a lot more concern and doubt and skepticism and much else to the project. So, it didn't answer anything; it just raised more questions and heightened everybody's concern. Second is that the deadline of October 16th to get comments into FERC, you can do the math. Tonight's the 13th and if the Council, the most powerful statement that the Council could make about this project since we do not have any formal zoning authority over it, is to do this, is to do a Resolution, which is a sense of the Council, and to get this out immediately not just to FERC as an official comment but to all the other parties involved. And, assuming this passes, we would certainly ask that Ms. Labrot and her team get it out immediately to everybody tomorrow. Next, we wanted to not just explain our concern but also make clear to the public, who is wondering what we're gonna do in response to what happened. And I appreciate the member of the public who was here and her comment that she appreciates we're not being complacent about it. We are trying to be the opposite of complacent and be very proactive. Unfortunately, we are limited in what we can do and we'll have, I'm gonna have, ask Mr. O'Brien and Mr. Van Winkle to explain that with a little bit further detail but this is not a project that will come before this body in any way like a typical Zoning Regulation and there are questions about what authority-related body, such as the Metropolitan District Commission, have over it as well. So, for tonight, we're trying to take the most aggressive step that we can to express our serious concern about this proposal, to ask that it be reconsidered, to ask that more research be done, to ask that our questions be answered, and at the same time, we're going to ask that Mr. Van Winkle and Mr. O'Brien and other members of the Corporation Counsel office look into what other options are available. This is a fairly new area, I believe, for us. We, I know Mr. O'Brien does have some information that he can share about what we've learned to date but that is, in essence, what we're trying to do tonight. I don't know if anybody wants to add to that right now before I turn it over to Mr. Van Winkle and Mr. O'Brien? You want to go? Oh, okay. All right. Yeah. So, Ron or Joe, I don't know who wants to go first?

Mr. Van Winkle: I've got some more thought on that, what you've been talking about. The question was asked earlier by a speaker whose land is this? This is land owned by the Metropolitan District Commission. They are legally a town, if you will. So this is not our land. This is not land that we could enter on without their permission. Neither can Kinder Morgan enter their land without their permission. And so the ownership of the property is not, again, the Town's choice of whether we like it or don't like. They're seeking an easement across the watershed land of MDC. There are several reservoirs on the western boundary that this pipe will go uphill from them, so that water that passes through this area would eventually get into those reservoirs. MDC themselves have, I haven't seen it yet, but they have a four-page technical memo of questions that they are asking Kinder Morgan about concerns that they have and that's also going to FERC. Our biggest issue, really, has been there's a lot of detail here that we just haven't seen. There is an existing gas pipeline on the MDC property that was put in more than 50 years and it's been operating there. This additional pipeline is to increase capacity to be able to serve Connecticut, all good things, all appropriate things, but the question is are we going to make sure that this is put in in a way that our water is protected, our recreational lands that are used up there are protected, the wildlife, the environmental issues are all protected. So, that's where we are just to add that. And Mr. O'Brien.

Mr. O'Brien: Yes, I put in a call to Attorney Bart Halloran, who's General Counsel for the MDC, to ask him where the MDC was on this particular project and he informed me that they had sent a letter to Kinder Morgan and FERC that Ron just alluded to, asking many of the same questions on topics that you've raised in this Resolution, questions that the MDC says have not been answered. So, by no means, is MDC acquiescing to this project. They wanna know more and they wanna make sure that the watershed land and the reservoir lands are protected if it does go forward. He also informed me that before the MDC could approve this project, they also hafta get approval from the State Department of Health because it is watershed land, so that's another step that would hafta, they'd hafta go through to make this pipeline a reality. And, finally, he said Kinder Morgan does not possess the powers of eminent domain to simply seize the easement and put in the pipe. They would hafta get a Certificate of Necessity from FERC before they could do that. That's very unusual and would only be granted under circumstances where there's no alternative and a desperate need for the supply, so it's a long way from that. So I think we have a lot of options here in terms of the ultimate routing of this pipeline.

President Slifka: By the way, I forgot to mention, thank you both for that. I meant, intended to mention in my intro that I wanna thank my colleagues for their assistance on this one to, and Mrs. Cantor brought it to my immediate attention and sort of prodded us to take some step here, but also to, we're in, you mentioned empty ballots earlier. We're in the last stretch of a political campaign and I simply called Mrs. Hall this afternoon and said I know how you've got a question about this too, what do you guys think of this? I think it took about all of five minutes for my colleagues here to sign on and show we have great unity here in a model of bipartisanship, so thank you for that. I shared, Mr. O'Brien, with your office the legal question Mrs. Hall had raised with me, which is, it had something to do with a similar project, perhaps, in New Hampshire and the use of something called a Warrant that some, a legal mechanism that some municipalities use to try to oppose it. I know you had some limited information on that that you could share tonight?

Mr. O'Brien: Yes. Our limited information suggests that what's referred to as a Warrant is a referendum, a referendum of the people in a region or a municipality in New Hampshire to say are you for or against this particular project. So that's what the term "Warrant" means up in New Hampshire. That would be an expression of community opposition or support, which could be – there's actually mechanisms here in our law we could obtain that if we felt that was necessary but, of course, here we have our legislative body already expressing our great concerns about this project and what it might mean for our water supply and also for the recreational usage of the MDC. But that's what the New Hampshire Warrant is about. It's really a public referendum. It doesn't compel Kinder Morgan or FERC to back off but, certainly, the more expression of doubt and concern, the more likely you are to either stop the project entirely or reroute it to a more appropriate route.

President Slifka: Thank you. Anybody have anything? Mr. Barnes, go ahead.

Councilor Barnes: Thank you. I first became aware of this project over the summer from my wife who found out about it, of all places, on Facebook and asked me if I knew anything about it and I said did not. I raised it with the Town Manager. It was a topic that we discussed during the Town Manager's portion of our meeting in September about what is it and what can we do

and we discussed it briefly at that time. Last week at the meeting as I approached Town Hall the auditorium from the front, I was first confronted by protestors out in front who had set up picket lines and put out signs and so I knew I was in for it as I went in there that this was a bigger issue than I had first realized. And so, after collecting information from them, I walked into the auditorium, where it was a packed house, people sitting up against the walls around the outside. The meeting went for over three hours. My guess is there were probably 40-50 people that spoke at the meeting and, right after it, we started receiving calls and emails and people started discussing it in the community. So, I concur with the Mayor. I think it's great that we were able to act so quickly and put this Resolution together, for what it's worth, at least stating our concerns. During the meeting, we heard a number of things not only about the watershed issues and the fact that if the line that was put in in the early 1950s in this watershed area was proposed today, it would likely not be approved under the current environmental standards, so I think that's a big issue. We heard about the environmental issues and the recreational space, Kinder Morgan's safety record, and also I think there's a real question about who is gonna benefit from the pipeline, whether it's for gas for use here in Connecticut or for other neighboring states or for purposes of exporting it. So, to Mr. O'Brien's point about the FERC standard and eminent domain and whether there's a desperate need for it, I think there's some real question as to whether it is and whether it's important to put at risk our town, our community, our water supply for something that may not wholly benefit our community. So I'm glad that we've brought this Resolution here to a vote. At least we can consider these issues and be more educated about it as we continue to go through this process.

President Slifka: Thank you, Mr. Barnes. Anyone else? Mr. Davidoff.

Councilor Davidoff: Thank you, Mr. Mayor. As has been pointed out, Mr. Barnes and Mrs. Hall were present as well as Deputy Mayor Cantor and myself and I think I stayed 'til about 9:30 and the thing started to get repetitive so and I caught the rest of hearing on Channel 5 but what struck me about the hearing was that people always complain that residents of West Hartford aren't engaged; they don't come out and voice their opinions. Well, if anybody was in attendance that evening, the contrary happened because there were people who were very informed, very engaged, very intelligent, expressing viewpoints that were done in a very civil manner, respectful, and totally disagreed with the applicant's points. And, even though the crowd was quite partisan towards one position, it was done in West Hartford's finest style and it made it more, in my opinion, more legitimate in terms of presenting arguments. I talked to the Deputy Mayor several times after that and we said I think it's really an important issue that this Council needs to take some type of stand on and regardless of whether or not it's election season or not, I don't think that really has much to do with it. It's something which impacts us. And the two points that I wanna stress that are my major points in supporting this is never did they discuss whether or not they explored alternative locations for the location of this pipeline. And any time you do zoning, you always ask are there reasonable alternatives to your proposal that cause less harm to your community. And the answer that evening was no and there hasn't been any response to show that there was anything to support that. And the other that they couldn't offer an answer to and which was the major concern of all the residents and it's hard for them to make the point was could they guarantee the safety of this region's only water source. And you stop back, you step back from that and you say to yourself we get our water from that reservoir. If something happens to our sole source for providing drinking water, what would this area do?

And that's a big question. And that one is the second point that it's in this Resolution and is right on target. So, for those two main reasons, and that's what I got out of all the hours of testimony were good enough reasons for me to say we need to take action here and I'm really glad to see that this isn't based on party line. This is based on common sense decision. What's good for our community and people who live in adjacent communities, whether it be Farmington, Avon, and Bloomfield as well because they'd be impacted as well. So, hopefully, this will be received with the strong messages. Perhaps the record of our Council meeting and our remarks this evening from the resident who brought them, as well as some of the testimony of our Councilors, can accompany the Resolution this evening to the various people who are receiving it. I think that will show that we're doing everything in terms of due diligence. So, thank you.

President Slifka: Thank you, Mr. Davidoff. Mrs. Cantor.

Councilor Cantor: Thank you. I, so I had a similar experience. I left the Pink Party which is, actually, a fashion show and dragged my 87-year-old mom up to Town Hall to witness this real act of community, civic, really our civic duty to stand up for something if we are concerned about it. So it's impressive to listen to people that are very, very, very passionate or concerned about something and talk about it so respectfully and passionately and educate themselves on the issue. So we had representation; our Town Manager was there as well and so was Mark McGovern, our Director of Community Services, and they were becoming informed at the same time that many of the public or and we listened to the fact that there are, a lot of questions and concerns remain unanswered. When the, when our Mayor returned or I don't think you had returned yet and I started emailing you and texting you. And so there were many concerns raised and the pretty, you must've done it on your way home on the plane because when he got home, we were talking about what to include in this Resolution. So this is important. We're aware of it. We are going to be on top of it and I wanna thank the Mayor for taking quick action and all of the Councilors for supporting this Resolution, which I think does a very good job of outlining so many of our concerns but our town management also has been, is also very concerned and very aware and we're all gonna work together to try to protect our best interest of our community. We know with it, these are, some of these issues are greater than us but we're gonna make it well-known that we believe in doing what's right for our community. Thank you.

President Slifka: Thank you, Mrs. Cantor. Anyone else? Mrs. Hall.

Councilor Hall: Well, you've all summarized it very well but one of the things I think I've said a number of times at this table is if you see that sign on a piece of property that says this property is subject to a Town Plan and Zoning Committee meeting and I always tell people if you see that on a property next to you, find out what's going on 'cause it may impact you. This I felt like was, wow. We really need to be ever vigilant to what might be happening to our community and sort of a lesson brought back to us that, thankfully, all of this sort of percolated and came up and everyone took action and our community took action. So, I think everyone did a great job responding and I hope we have the influence to change the course of this to a way that's safe for our environment. So, thank you everyone.

President Slifka: Thank you. Anyone else? Okay. Oh, I'm sorry. Mr. Captain.

Councilor Captain: Thank you, Mr. Mayor. For people who may be less educated about the topic, I wonder if Counsel or the Manager can sort of summarize in a thumbnail how does this process work? How does a corporation, the Tennessee Gas Pipeline Company, come into a community and cross something like the MDC, which is in your own words, its own entity or its own town, something that the town can't control from zoning, and place a pipeline in the middle of a watershed and what can people do about it if the Federal Energy Regulatory Commission is a part of the process. Is there some way that you can simplify sort of how does this happen and what can we do?

Mr. O'Brien: Well, they still need permission of the MDC to go across the property and the MDC would hafta formally adopt a Resolution to grant the easement. It would, I'm sure, come with a price tag. They'd want some money for it because I'm sure the energy company's gonna make plenty of money on this pipeline. So, that's the Board of Directors of the MDC. We have four representatives on that Board, so we hafta work very closely with them along with the administration of the MDC to keep track of this. The company itself cannot compel MDC to grant it the easement by eminent domain as I said. That, they'd hafta go through FERC in an extraordinary request saying it's absolutely a necessity for this pipeline to be built here. We've exhausted every other possible location and there is no other place to put it. None of these questions have been answered at this point. So, the Town Council itself doesn't have any direct ability to say no like in a zoning application but we do have an ability, especially through the MDC, to be involved and to have a great deal of influence on the outcome of this event. So, we don't have direct power but we do, through our representatives on the MDC, through our relationship with the administration of the MDC whose land, we're talking about land within the jurisdiction of the Town of West Hartford. It's their land. It's not our land but it falls within our town limits, so we do have an ability to bring about a great deal of influence on where this pipeline is ultimately located if, indeed, it even goes through.

President Slifka: Thank you, Mr. Captain. You have a, Mrs. Casperson, wanna say something?

Councilor Casperson: Thank you, Mr. Mayor. I hope that you've, I'm not going to belabor the point since it's difficult to hear me, I'm sure, on the phone. I just wanted to say that I really appreciate the civic engagement, the interaction, and the outpouring of opposition to this that came to me before the meeting and, unfortunately, I was unable to attend due to a nonprofit hosting event that I was doing but I concur with everything that's been said by my colleagues on both sides of the aisle and appreciate this bipartisan effort to protect what's most important in our town and all coming together in this instance, so thank you very much.

President Slifka: Thank you, Mrs. Casperson. Anybody else at this point? Okay. With that then, we'll vote and then have Ms. Labrot get it out to all those parties as quickly as she can. I'd say make it as simple as possible while we make the point we wanna make. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries.

Councilor Kindall: One abstention.

President Slifka: One abstention. Thank you, yes. Duly noted.

ITEM #14 - ANNOUNCEMENTS

President Slifka: So we move from that heady topic to Announcements, natural segue. The Real Ale Harvest Festival will be on October 17th from 6:00 – 10:00 p.m. Fifteen breweries using traditional techniques will create a cask of “real ale” using at least one ingredient from Noah Webster’s garden. The brewery’s special batches will be presented at this Festival and tasted by guests and team of celebrity judges who will present the first ever Noah Webster Real Ale Award to the winning brewery. Tickets include a commemorative tasting glass and a detailed guide printed especially for the event. Tickets are available by calling (860)521-5362. The West Hartford Symphony Orchestra’s Autumn Classical Concert will be held on Sunday, October 18th at 3:00 p.m. at the Roberts Theater at Kingwood. The concert pays tribute to several historical anniversaries with a musical piece chosen with those specific dates in mind. Unfortunately, ticket information is not here but it’s whso.org is it not, Ms. Labrot, the website for the Symphony Orchestra? Okay. Best guess, whso.org.

Councilor Cantor: Google it.

President Slifka: Google it. There’ll be a public meeting on I-84 solutions on October 22nd from 4:00 – 8:00 p.m. Connecticut Department of Transportation has considered more than 100 possibilities for the future of I-84 in Hartford. They’re now asking for the public’s help in focusing on the most feasible solutions. You can learn more at the meeting and voice your opinion. It will be held again, Thursday, October 22nd, 4:00 – 8:00 p.m. at the Elmwood Community Center. It will begin with an open house followed by a presentation at 6:00 and a question and answer period. For more info, go to i84hartford.com. Our own West Hartford Community Television, who is broadcasting us as we speak, will be holding its annual all-access party at Wampanoag Country Club on Friday, October 23rd from 7:00 – 11:00 p.m. All proceeds will benefit Channel 5 and its media center. Tickets are \$50 per person. They’re available at the Town Hall Studio. If you guys don’t know where that is, that is Room 326, just around the corner from us here. And West Hartford Hauntings, the Noah Webster House’s Spooky Theatrical Cemetery Tours will celebrate the museum’s 50th anniversary on October 23rd – 25th and October 30th. Guests will be escorted through the stones by a dearly departed guide, who will tell their own tale on the journey. Let’s see, it’s gonna take place at the North Cemetery. Tours leave every 15 minutes from 6:00 – 8:45 p.m. and 5:00 – 7:45 p.m. on Sunday. Due to some frightening content, it’s suggested that participants be age 10 or older. Tickets are available at noahwebsterhouse.org. That is it for my list. Anybody else have anything? Mrs. Kindall.

Councilor Kindall: I spent a very enjoyable last Friday evening at Playhouse on Park watching Tuesdays with Maury and I will tell you it was exquisite and so there are five more performances left of that particular play. I encourage everybody to go and see it...but also to sign up for the rest of that season because they have several very interesting plays coming up. It’s a very

enjoyable evening out it. It's an inexpensive theater to attend, really, and I can't say enough about how, the quality of the performance and what an enjoyable time it was.

President Slifka: Better than Cats.

Councilor Cantor: Nice write-up in the New York Times.

President Slifka: Anyone else?

Councilor Kindall: And, they have had their very first New York Times review.

President Slifka: Excellent. Thank you, Mrs. Kindall. Anyone else? Oh, sorry, Mrs. Hall.

Councilor Hall: We're getting close to that time of year again, so I just wanna remind people that on Saturday, November 7th at Fairview Cemetery we'll be placing flags on the graves of all veterans. We welcome everyone to come and help decorate the graves. We will begin at 8:30 a.m. and there will be coffee and donuts available. Also, if the ground is frozen, it may be helpful for you to bring along a screwdriver or something to make it a little bit easier to place the flag in the ground. Hopefully, it's not frozen, though. If anyone has any questions, please feel free to get in touch with me at denisebhall@comcast.net. Thank you.

President Slifka: Thank you, Mrs. Hall. Anyone else? Okay. That's it for Announcements. And Report from Corporation Counsel. Mr. O'Brien.

ITEM #15 - REPORT OF CORPORATION COUNSEL

Mr. O'Brien: We don't need Executive Session and I'll be happy to answer any questions you might have.

President Slifka: Are there any additional questions for Mr. O'Brien we didn't already ask tonight? Okay, none. Thank you, Joe.

President Slifka: We're up to Appointments and we do have one from Mrs. Hall.

ITEM #16 - APPOINTMENTS

Councilor Hall: Yes. I would like a motion to appoint Katie Reilly to the Conservation & Environment Commission for a term to expire on December 31, 2020.

Councilor Doar: Second.

President Slifka: Wow, 2020. Motion's made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. No need for Executive Session and we go to the Consent Calendar, Mrs. Cantor.

ITEM #22 - CONSENT CALENDAR

ADOPTED

ITEM #10 – RESOLUTION TO APPROPRIATE A GRANT OF \$62,460 FROM THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR DEVELOPMENT AND MAINTENANCE OF ENHANCED DIAL-A-RIDE SERVICE IN WEST HARTFORD

WHEREAS, the Town of West Hartford submitted an application for fiscal year 2015-2016 to enhance Dial-A-Ride Services for West Hartford residents; and

WHEREAS, the Town of West Hartford has been awarded \$62,460 in grant funds from the State of Connecticut, Department of Transportation, and said funds are available, upon quarterly invoicing, from the State of Connecticut; and

WHEREAS, the Town of West Hartford wishes to appropriate these funds to provide expanded transportation services under the Dial-A-Ride program;

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD that the Fiscal Year 2015-2016 General Fund budget is hereby amended as follows:

Increase Estimated Revenue

01-401800-40180-9037	Dial-A-Ride Grant	\$62,460
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Increase Appropriations

01-401800-40180-2550	Transportation	\$62,460
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ITEM #11 – RESOLUTION TO APPROPRIATE FEDERAL HIGHWAY SAFETY PROGRAM GRANT FUNDS OF \$29,756 AWARDED BY THE CONNECTICUT DEPARTMENT OF TRANSPORTATION’S HIGHWAY SAFETY OFFICE FOR THE PURPOSE OF UNDERAGE DRINKING EDUCATION AND ENFORCEMENT

WHEREAS, the Town of West Hartford applied for and was awarded Federal Funds by the Connecticut Department of Transportation’s Highway Safety Office under the Federal Highway Safety Program (Federal Program Area 2016-154-AL, State Project 0196-0722-EV) in the amount of \$29,756 to fund an Underage Drinking Education and Enforcement Initiative, and

WHEREAS, the objectives of this initiative are to educate teenagers and parents about the dangers and pitfalls of drinking underage and to improve the safety of citizens and visitors to West Hartford through underage drinking enforcement activities, and

WHEREAS, in order to achieve these objectives the Town of West Hartford desires to utilize grant funds to supplement the current alcohol education curriculum in the Town's schools, assign an officer at school events such as dances and athletic events held in the evening, and through directed patrol and inspection of bars, restaurants and liquor stores, in accordance with both Federal and State regulations, policies, and procedures that govern the use of highway safety funds, and

WHEREAS, the estimated cost of these educational and enforcement activities is \$39,674, \$29,756 of which will be funded with this grant and the remaining \$9,918 absorbed within existing appropriations,

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD THAT grant funds under the Federal Highway Safety Program are appropriated for the purpose of underage drinking education and enforcement activities in accordance with the terms of the grant, and the fiscal year 2015-2016 General Fund budget is amended as follows:

<u>Increase Estimated Revenue</u>		
01-220410-20101-9070	Federal Grant Revenue	\$29,756
<u>Increase Appropriations</u>		
01-220410-20101-1010	Overtime	\$29,756

ITEM #18 – FROM CAPITOL REGION COUNCIL OF GOVERNMENTS – RE: 245 PROSPECT AV ENUE, FINDING NO APPARENT CONFLICT

ITEM #19 – MINUTES FROM COMMUNITY PLANNING AND PHYSICAL SERVICES COMMITTEE – 9-21-15

ITEM #20 – MINUTES FROM PUBLIC SAFETY COMMITTEE – 10-1-2015

ITEM #21 – MINUTES FROM HUMAN SERVICES COMMITTEE – 9-17-1015

Councilor Cantor: I move that we adopt.

Councilor Kindall: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Up to Communications, number 23.

COMMUNICATIONS:

ITEM #23 - FROM JOSH CANTOR (9/21/15) RESIGNING FROM THE PARKS AND RECREATION BOARD

Councilor Cantor: Communication from Josh Cantor, 9/21/15, resigning from Parks and Recreation Board. I happened to know he got accepted to the University of Connecticut MBA Program and has a job and can't make it to the meetings so he's resigned. Thank you for your service.

Councilor Kindall: Second if we need it.

President Slifka: Yes, we needed a second and we have a personal plea from his mother, so I guess we, we're compelled to accept it. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We all know what a hard worker Josh is so I know he wouldn't leave this unless he really had to. And then number 24, Mrs. Cantor.

ITEM #24 - FROM JARED COHANE (9-28-15) RESIGNING FROM THE CONSERVATION AND ENVIRONMENT COMMISSION

Councilor Cantor: From Jared Cohane resigning from the Conservation and Environment Commission. I move that we receive.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. I know Jared has been a member of that for quite some time so we also thank him for his service. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. There are no Petitions so I'd like to entertain a Motion to Adjourn.

ITEM #26 - ADJOURNMENT

Councilor Cantor: So moved.

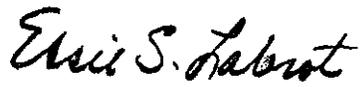
Councilor Kindall: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're adjourned. Good night.

Meeting adjourned at 8:49 p.m.



Essie S. Labrot
Town Clerk/Council Clerk

ESL/dd

APPROVED AT OCTOBER 27, 2015, TOWN COUNCIL MEETING