

WOLCOTT TOWN COUNCIL

Regular Meeting

Tuesday, January 18, 2011

Council Chambers, Wolcott Town Hall

7:30 p.m.

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MINUTES

Note: These are summary minutes; a tape recording of this meeting is on file in Commission Secretary's Office in Wolcott Town Hall.

Chairman Santogatta called the Regular Meeting to order at 7:30 p.m. with the Pledge of Allegiance, and attendance was taken.

MEMBERS PRESENT: Chairman Michael Santogatta, Vice-Chairman Steven Olmstead, Michael Bokon, David Valletta, Michael Perrone, Gale Mastrofrancesco, Francis Masi, Charles Marsella, and Rachel Wisler

MEMBERS ABSENT: None

ALSO PRESENT: Mayor Thomas Dunn; Linda Bruce, Municipal Finance Officer; Brian Tynan, Town Attorney; Joseph Macary, Superintendent of Schools; Kimberly Lumia, Board of Education Member; et al.

APPROVAL OF MINUTES:

▪ Public Hearing – January 4, 2011

Upon **MOTION** by Francis Masi, seconded by Charles Marsella, it was unanimously voted to **approve** the minutes of the Public Hearing held on January 4, 2011.

▪ Regular Meeting – January 4, 2011

Upon **MOTION** by Francis Masi, seconded by Charles Marsella, it was unanimously voted to **approve** the minutes of the Regular Meeting held on January 4, 2011.

TAXPAYERS' TIME: (Limited to Items on the Agenda)

No taxpayers came forward.

CORRESPONDENCE (on file):

1. Letter dated January 11th from Mayor Dunn recommending that the Town Council approve the appropriation of \$150,000 from the Capital & Nonrecurring Fund for the Property Purchase, and also recommending that a Town Meeting be set
2. Proposed Resolutions: To Appropriate Reserve Funds for Property Purchase & To Submit to a Town Meeting

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3. Letter dated January 6th to Helen Donovan thanking her for volunteering to establish a food bank in Wolcott
4. Letter dated January 13th to Pat Najarian, Board of Education Chairperson, regarding the Labor agreement for the Wolcott Education Association
5. Letter dated January 13th from Mayor Dunn regarding his recommendations for appointments to the Planning & Zoning Commission
6. Board of Education Year to Date Budget Report dated 12-30-10
7. Town of Wolcott Expenditure Report, Revenue Report, & Trial Balance, for month ending 12-31-10
8. Letter dated January 17th from Attorney Tynan and copy of draft ordinance regarding blight
9. Cash Flow Report dated 1/18/11, submitted at meeting by Linda Bruce

MAYOR'S REPORT:

Mayor Dunn came forward and discussed the specifics of the recent snowstorms, and snow removal activity. He next reported the following:

- The State is attempting to get reimbursed by FEMA; towns are submitting their expenses for snow removal, overtime pay, etc.;
- Tomorrow is the annual COST meeting (Council of Small Towns); the Governor will be the keynote speaker; hopefully they will get some information with respect to the revenue that municipalities will be receiving from the State

A question and answer period followed, during which discussion was held and the following was determined:

- Town's policy with respect to mailboxes that are damaged by plows; the Town will repair the mailboxes if they can or replace them with the type that the Town gets; the Town will not replace expensive mailboxes;
- Two recent fires in Town; if it is a house fire, they will put them up in a hotel if they have nowhere to go; one of the fires was a garage fire; nobody was hurt in either fire and the causes are under investigation;
- Materials and overtime funds for snow removal are about halfway depleted

FINANCE OFFICER'S REPORT/TRANSFERS:

Mrs. Bruce came forward and reported the following:

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- The Health Fair is scheduled for this Thursday, January 20th at the Wolcott High School; BOE employees 2:00-6:00 p.m.; General Gov't employees 2:30-6:00 p.m.

With respect to the RFP for audit services, Mrs. Bruce inquired how the Council would like to proceed. Discussion followed as to the new Charter revision and specifics regarding the current firm, after which it was recommended by the Council that the RFP go out as a one (1) year contract with two (2) one (1) year options.

Mrs. Bruce next submitted a Cash Flow Report dated 1/18/11, at which time she noted that at this point it is showing a possible breakeven. Regarding back taxes, more than likely they will exceed the \$750,000.00; \$626,084.00 has been collected to date. With regard to public transportation for the Board of Education, they have been notified that there will be an \$83,000.00 shortfall and there was a revision in the percentage reimbursement of the manufacturing machine tax after the budget was approved; there will be a \$120,000.00 shortfall there. Chairman Santogatta commented that they will have to check with the Board of Education to see how their excess funds are going to run; they were able to work it out with the Board of Education last year, and hopefully they will be able to work it again. Mrs. Bruce stated that hopefully they will have a better handle on things by the second meeting in February, with respect to some of the other revenues.

SUB-COMMITTEE AND LIAISON REPORTS:

Civilian Police Review Board: Mrs. Wisler reported that the Board held their Organizational Meeting; Fr. Ed Highland was elected Chairman and James Dolan was elected Vice-Chairman. Their next meeting is scheduled for February 3rd at 4:00 p.m. and their mandatory meeting schedule has been set for the first Thursday of January and July of each year.

UNFINISHED BUSINESS:

1. Discussion Regarding Proposed Blight Ordinance

Attorney Tynan came forward and referenced his letter dated January 18, 2011 regarding the proposed blight ordinance (**see attached**). A new draft copy of the ordinance was also submitted (**on file**). He stated that the new draft ordinance is a big modification of the current ordinance that was established in 1989. Attorney Tynan noted that one main goal is to tighten up and/or establish clear definitions, in case a situation makes it to court. He next reviewed and explained specific sections of the draft ordinance. He added that the intent of the ordinance is to work with the homeowners. Attorney Tynan stated that the sub-committee must meet again and hopefully the last revision of a proposed ordinance will be available in two to four weeks. Discussion followed regarding a specific property

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on Woodward Avenue as well as general discussion regarding blight issues; a question and answer period followed. Mayor Dunn requested that the sub-committee please notify him in regards to when they will be meeting next, as there are some items in the draft ordinance that will now be defined as blight, e.g., a crack in a foundation, a rusted overhang, etc, which may be going a little too far.

Lastly, Attorney Tynan stated that he would like the Council to review all sections of the draft ordinance and would also like to receive feedback from all of them.

NEW BUSINESS:

1. Discussion & Possible Action on Labor Agreement for the Wolcott Education Association

Upon **MOTION** by Francis Masi, seconded by David Valletta, it was unanimously voted to **table** 'Labor Agreement for the Wolcott Education Association' to Executive Session.

2. RESOLUTIONS: Resolution to Appropriate Reserve Funds for Property Purchase & Resolution to Submit to a Town Meeting

Upon **MOTION** by Steven Olmstead, seconded by Francis Masi, it was unanimously voted to **adopt** the following resolution; BE IT RESOLVED that the Town of Wolcott appropriate up to \$150,000.00 from the reserve fund for capital and nonrecurring expenditures to be used towards the purchase of property located at 358 Woodtick Road and an adjacent lot (**see attached**).

Upon **MOTION** by Steven Olmstead, seconded by Rachel Wisler, it was unanimously voted to **adopt** the following resolution; BE IT RESOLVED: That the following resolution approved by the Wolcott Town Council concurrently herewith shall be submitted to the electors and persons qualified to vote at town meetings of the Town of Wolcott for approval or disapproval at a Town Meeting to be held in the Council Chambers of the Wolcott Town Hall, 10 Kenea Avenue, Wolcott, Connecticut on **Tuesday, January 25, 2011 at 6:30 p.m.**; RESOLUTION TO APPROPRIATE \$150,000 FROM THE RESERVE FUND FOR CAPITAL & NONRECURRING EXPENDITURES TO BE USED TOWARDS THE PURCHASE OF PROPERTY LOCATED AT 358 WOODTICK ROAD AND AN ADJACENT LOT (**see attached**).

3. Appointments of Planning & Zoning Commissioners (as recommended by the Mayor)

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Upon **MOTION**, by Michael Bokon, seconded by Charles Marsella, it was unanimously voted to **approve the reappointment** of Peter Carmody to the Planning & Zoning Commission, as recommended by the Mayor.

Upon **MOTION**, by Michael Bokon, seconded by Rachel Wisler, it was unanimously voted to **approve the reappointment** of Cathe Sherman to the Planning & Zoning Commission, as recommended by the Mayor.

A **MOTION was offered**, by Michael Bokon, seconded by Rachel Wisler to **approve the reappointment** of Sam Zotto to the Planning & Zoning Commission, as recommended by the Mayor.

A roll call vote was taken and the above motion failed as indicated below:
(5 No; 4 Yes)

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Francis Masi		X	
Charles Marsella		X	
Michael Perrone		X	
Steven Olmstead		X	
Michael Bokon	X		
Gale Mastrofrancesco	X		
David Valletta	X		
Rachel Wisler	X		
Michael Santogatta		X	

ITEMS FOR NEXT AGENDA:

Unfinished Business:

- Discussion Regarding Proposed Blight Ordinance

Chairman Santogatta advised to contact himself or the Clerk if anyone has any other items.

TAXPAYERS' TIME:

No taxpayers came forward.

EXECUTIVE SESSION:

Upon **MOTION** by Michael Bokon, seconded by Charles Marsella, it was unanimously voted to take a five minute recess at 8:05 p.m. and then **enter** into Executive Session for the purpose of discussing the following items: (1.) Contractual Matter and (2.) Security Matter, inviting Mayor Dunn, Joseph Macary and Kimberly Lumia to discuss the first item.

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Mr. Macary and Mrs. Lumia were excused from Executive Session at 8:30 p.m.

Chairman Santogatta called the regular session back to order at 8:50 p.m.

Upon **MOTION** by Francis Masi, seconded by Charles Marsella, it was unanimously voted to approve the Labor Agreement Between the Board of Education and the Wolcott Education Association (**on file**).

ADJOURNMENT:

Upon **MOTION**, Gale Mastrofrancesco, seconded by, Rachel Wisler, it was unanimously voted to **adjourn** the regular meeting at 8:51 p.m.

APPROVED:

Elizabeth Gaudiosi, Secretary
WOLCOTT TOWN COUNCIL

Michael J. Santogatta, Chairman
WOLCOTT TOWN COUNCIL

TYNAN & IANNONE
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January 17, 2011

Chairman Michael Santogatta
Wolcott Town Hall
10 Kenea Avenue
Wolcott, CT 06716

RE: Blight Ordinance 2010

Dear Chairman Santogatta and Members of the Wolcott Town Council:

When I was first asked to help revise the Ordinance established 21 years ago, my main intent was to keep the revised Ordinance simple. However, after reviewing this in depth, I believe an overhaul of that Ordinance is needed to solve the problems facing the Town of Wolcott.

The key issue is "what are we prohibiting or trying to accomplish?" I believe that it is three fold.

1. To dispose of, abandon, inoperable and unregistered motor vehicles within the Town. (This was a major concern in the 1980's in Wolcott)
2. Clean up existing blighted properties and prevent blight of buildings into the future. (This may not be as big an issue as other Town's which have recently enacted blight ordinances)
3. Enforce the removal of unsightly materials visible from streets or neighbors in order to protect, preserve and promote public health, safety and welfare as well as to preserve and protect property values.

In reviewing this matter I have received a copy from Naugatuck's Town Attorney of it's recently enacted Blight Ordinance. Also last week, the Mayor's office in Plymouth had emailed me their recently enacted Blight Ordinance. Both of these Town's have taken over six months to adopt their Blight Ordinances. While their Ordinances are both very good influences, they do not fit neatly into what the Town of Wolcott is trying to accomplish.

In order to revise and make a strong Blight Ordinance I believe that we would need to define a number of the key elements we are going to be using in the new Ordinance. The Ordinance from 21 years ago lacks the very definitions of actions we are trying to promote or prevent. Another key question is who should have the enforcement authority, whether that be the Mayor or his designee, the Zoning Enforcement Officer, a building inspector or a separate office or commission. I would prefer that the enforcer of this Ordinance be either the Zoning

NAN & IANNONE

Attorneys at Law

Enforcement Officer or Building Inspector. I would also prefer that one of the new Police Officers coming on duty in approximately July be involved with the enforcement of the new Ordinance. By having one of the young officers designated to assist the Blight enforcement officer would give more strength to the ordinance.

Once a complaint is submitted to the Town, the next issue would be what notice is required to respondent homeowner. We will also establish a Hearing process and if the property is not cleaned within a reasonable period of time then reasonable fines will be imposed. If the respondents do not clean up the property and fines are imposed, I would like to establish the ability to lien the property. Ultimately if the Town needs to take a more aggressive stand and remove materials from the property I would like to establish a process by which the Town would be reimbursed its expenses and the property liened.

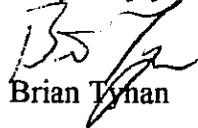
Finally, our ultimate ability to lien and clean the property will have provisions for the respondent homeowners to seek redress in the local Superior Court.

I am working on this overhaul of the existing Ordinance and expect to have a draft submitted to the Town Council as soon as possible but no later than the evening of your next meeting.

Thank you for your patience in this matter, however, I think that this is more involved than what I envisioned when I first became involved in this matter.

Thank you very much for your attention to this matter.

Very truly yours,



Brian Tynan

BT/an
TOW #6711

THOMAS G. DUNN
MAYOR



OFFICE OF THE MAYOR
TOWN OF WOLCOTT

January 11, 2011

Mr. Michael Santogatta, Chairman
Wolcott Town Council
10 Kenea Ave.
Wolcott, CT 06716

Re: Purchase of 358 Woodtick Road and an Adjacent Lot

Dear Chairman Santogatta and Town Council Members:

In accordance with the Wolcott Town Charter Section 704 (k), I recommend for the Town Councils approval the use of up to One Hundred Fifty Thousand Dollars \$150,000.00 from the Capital & Non-Recurring Fund to be used towards the purchase of 358 Woodtick Road and an Adjacent Lot. If approved, I recommend a Town Meeting be called for the purpose of this appropriation.

Very truly yours,

Thomas G. Dunn
Mayor, Town of Wolcott

TGD/mm
Cc: Town Council Members
Town Clerk

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**RESOLUTION TO APPROPRIATE \$150,000 FROM THE RESERVE
FUND FOR CAPITAL & NONRECURRING EXPENDITURES TO BE
USED TOWARDS THE PURCHASE OF PROPERTY LOCATED AT
358 WOODTICK ROAD AND AN ADJACENT LOT**

BE IT RESOLVED that the Town of Wolcott appropriate up to \$150,000.00 from the reserve fund for capital and nonrecurring expenditures to be used towards the purchase of property located at 358 Woodtick Road and an adjacent lot.

Adopted at the January 18, 2011 Wolcott Town Council Meeting.

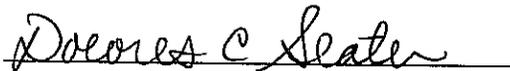


Michael J. Santogatta, Chairman
Wolcott Town Council

Dated at Wolcott, CT this 18th day of January, 2011.

CERTIFICATION

I, Dolores C. Slater, do hereby certify that I am the Clerk of the Town of Wolcott, a municipal corporation organized and existing under the laws of the State of Connecticut having its principal place of business at 10 Kenea Avenue, Wolcott, CT 06716, and that I am the keeper of the corporate records and seal. That the above is a true and correct copy of resolution duly adopted and ratified by the **Town Council of the Town of Wolcott on January 18, 2011**, in accordance with the constituent charter of the Town of Wolcott; and that the same has not in any way been modified, repealed, or rescinded, but is in full force and effect.



Dolores C. Slater, Town Clerk

Date: 1-19-2011

{SEAL}

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**RESOLUTION TO SUBMIT TO A TOWN MEETING
A RESOLUTION TO APPROPRIATE \$150,000 FROM THE RESERVE FUND FOR
CAPITAL & NONRECURRING EXPENDITURES TO BE USED TOWARDS THE
PURCHASE OF PROPERTY LOCATED AT 358 WOODTICK ROAD AND AN
ADJACENT LOT**

BE IT RESOLVED:

That the following resolution approved by the Wolcott Town Council concurrently herewith shall be submitted to the electors and persons qualified to vote at town meetings of the Town of Wolcott for approval or disapproval at a Town Meeting to be held in the Council Chambers of the Wolcott Town Hall, 10 Kenea Avenue, Wolcott, Connecticut on **Tuesday, January 25, 2011 at 6:30 p.m.**

**RESOLUTION TO APPROPRIATE \$150,000 FROM THE
RESERVE FUND FOR CAPITAL & NONRECURRING
EXPENDITURES TO BE USED TOWARDS THE PURCHASE
OF PROPERTY LOCATED AT 358 WOODTICK ROAD AND AN
ADJACENT LOT**

Adopted at the **January 18, 2011** Wolcott Town Council Meeting.

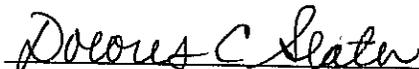


Michael J. Santogatta, Chairman
Wolcott Town Council

Dated at Wolcott, CT this **18th** day of **January, 2011**.

CERTIFICATION

I, Dolores C. Slater, do hereby certify that I am the Clerk of the Town of Wolcott, a municipal corporation organized and existing under the laws of the State of Connecticut having its principal place of business at 10 Kenea Avenue, Wolcott, CT 06716, and that I am the keeper of the corporate records and seal. That the above is a true and correct copy of resolution duly adopted and ratified by the **Town Council of the Town of Wolcott on January 18, 2011** in accordance with the constituent charter of the Town of Wolcott; and that the same has not in any way been modified, repealed, or rescinded, but is in full force and effect.



Dolores C. Slater, Town Clerk

{SEAL}

Date: 1-19-2011

THOMAS G. DUNN
MAYOR



OFFICE OF THE MAYOR
TOWN OF WOLCOTT

January 13, 2011

Wolcott Town Council, Mike Santogatta Chairman
10 Kenea Ave.
Wolcott, CT 06716

Re: Commission Appointments

Dear Mr. Santogatta:

I would like to put forward the following names for expired terms on the Planning & Zoning Commission. These appointments will be for a 2 year term.

Planning & Zoning Commission:

Peter Carmody <U>
Cathe Sherman <R>
Sam Zotto <R>

Very truly yours,

Thomas G. Dunn

Thomas G. Dunn
Mayor, Town of Wolcott

TGD/mm