



2022 OCT -7 PM 3:11

MINUTES
REPRESENTATIVE TOWN MEETING
Regular Meeting
October 3, 2022

RTM Moderator Paul Goldstein called the October 3, 2022 Regular Meeting of the Representative Town Meeting to order at 7:02 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Greg Attanasio, Michael Bono, Jennifer Bracciale, Mary Childs, Timothy Condon, Thomas J. Dembek, Susan Driscoll, Tim Fioravanti, Steven Garvin, Nicholas Gauthier, Paul Goldstein, Kristen Gonzalez, Ryan Healy, Richard Holmes, Jennifer Kohl, Cheryl Larder, Richard Muckle, Ted Olynciw, Dan Radin, Michael Rocchetti, David Sugrue, Danielle Steward-Gelinas, David Welch.

ABSENT: Kevin Girard

EX-OFFICIO MEMBERS PRESENT: First Selectman Robert J Brule.

EX-OFFICIO MEMBERS ABSENT: Chair of the Board of Finance Glenn Patterson; Selectwoman Jody Nazarchyk; Chair of the Board of Education Pat Fedor; Selectman Elizabeth Sabilia.

ALSO PRESENT: Town Clerk David L. Campo; Town Attorney Nicholas Kepple; Director of Finance Kim Allen.

MODERATOR Goldstein asked for a moment of silence to recognize the passing of a longstanding member of the RTM, Rod Gaynor.

AGENDA ITEM C – August 1, 2022 Minutes.

MOTION by Steward-Gelinas, seconded by Childs, to approve the August 1, 2022 Minutes with the following corrections: Add "Larder" after "committee member" in CALL ITEM 1. Replace Gary Schneider with Kim Allen as presenter in CALL ITEM 2. Larder noted that the minutes failed to note that the First Selectman was to give an update on the changes implemented in the Senior Services and Youth and Family Services at the next meeting.

MOTION PASSED: 20-0-3 (Radin, Rocchetti & Sugrue abstained)

CORRESPONDENCE

Moderator Goldstein noted that the following items were received: A petition in regard to CALL ITEM 5, A letter from Waterford Resident Carl Cascio, a Public Works Standing Committee Report, a resignation letter from Energy Task Force Member Emily Polakowski, A resignation letter from RTM Member Paul Konstantakis, and a letter from RTM member Tim Condon.

PUBLIC COMMENT

Waterford Resident Kathleen Bresnahan, 10 Myrock Avenue, stated concerns in regard to the new housing being built on Willetts Avenue Ext.

Waterford Resident Toni Chamberlin, 16 Myrock Avenue, stated concerns in regard to the new housing being built on Willetts Avenue Ext.

RTM Member Larder spoke in regard to her concerns on how the body handles PUBLIC COMMENT and noted that some other boards don't offer public comment. Ms. Larder asked Town Attorney Kepple how we can handle. Attorney Kepple replied that nobody is free to take a position on a topic such as this and communicate its position to other appropriate town agencies or one of the standing committees of the RTM.

COMMITTEE REPORTS:

Public Protection & Safety Committee Chair Timothy Condon noted that his Committee has met twice in regard to "Review of Ordinance 2.36" and are moving along.

Public Health, Recreation & Environment Committee Chair Mike Bono said Committee his working on its ordinance review and will be meeting soon again.

Public Works, Planning and Development Chair Mike Rocchetti noted that his Committee has submitted a recommendation. Moderator Goldstein said that it would be addressed under NEW BUSINESS.

CALL ITEM 1 – Seconn Fabrication LLC Tax Exemption

PRESENTATION: Seconn Fabrication LLC Atty. Jeffrey McNamara

MOTION by Bono, seconded by Steward-Gelinas, to approve a request from **Seconn Fabrication LLC** to grant previously waived exemptions for manufacturing machinery and equipment under authority provided by Connecticut General Statute 12-94e.

Discussion ensued.

MOTION PASSED: 22-0-1 (Condon abstained)

CALL ITEM 2 – Twin Haven Tax Abatement

PRESENTATION: Director of Finance Kim Allen

MOTION by Olynciw, seconded by Steward-Gelinas, to approve a request from **Twin Haven, Inc.** of 36 Mary St, Waterford, for a five (5) year extension of its November 2, 2011 Tax Abatement Agreement commencing August 31, 2022 to August 31, 2027.

MOTION PASSED: Unanimous

CALL ITEM 3: Cohanzie Fire House Tank Removal

PRESENTATION: Assistant Director of Public Works Daniel Matheson

MOTION by Condon, seconded by Dembek, to approve a recommendation from the Board of Finance for an appropriation in the amount of **\$38,500** from the unassigned fund balance of the General Fund to the **CIP Project Remove UST Tank at Cohanzie Fire House**, line item **33021-55867**.

Discussion ensued.

MOTION PASSED: 22-1-0 (Larder opposed)

CALL ITEM 4 – Jordan Cove Bridge Replacement

PRESENTATION: Assistant Director of Public Works Daniel Matheson

MOTION by Bono, seconded by Rocchetti, to approve a recommendation from the Board of Finance for an appropriation in the amount of **\$11,776** from the undesignated fund balance line **205-31520** of the Capital and Non-recurring Expenditure Fund to account **20530-57743 Jordan Cove Bridge Replacement**.

Discussion ensued.

MOTION PASSED: Unanimous

CALL ITEM 5: Repair of Pleasure Beach Sidewalk/Pathway

PRESENTATION: Recreation & Parks Director Brian Flaherty

MOTION by Steward-Gelinas, seconded by Sugrue, to approve a recommendation from the Board of Finance for an appropriation in the amount of **\$21,236** from the Undesignated Fund Balance line **205-31520** of the Capital and Non-Recurring Expenditure Fund to fund New Project (Account Number to be assigned) **Repair of Pleasure Beach Sidewalk/Pathway**.

Discussion ensued.

MOTION PASSED: 20-3-0 (Fioravanti, Childs & Larder opposed)

CALL ITEM 6: The Waterford/East Lyme Wastewater and Conveyance Agreement

PRESENTATION: Town Attorney Nick Kepple & Utility Commission Member Raymond Valentini

MOTION by Steward-Gelinas, seconded by Sugrue, to approve an agreement, entitled "The Waterford/East Lyme Wastewater Collection and Conveyance Agreement" and authorize the First Selectman to sign on behalf of the Town of Waterford, pending favorable recommendation by the Board of Selectman at a special meeting.

Discussion ensued.

MOTION PASSED: Unanimous

CALL ITEM 7: Ethics Commission Regular Member Appointment

NOMINATION by Steward-Gelinas, seconded by Condon, of Chris Nailon (R), 5 Leary Dr., as a Regular Member to the Ethics Commission to fulfill the term vacant due to the resignation of Laurie Kerp. (Term 02/07/2022 – 02/05/2024)

NOMINATION by Driscoll, seconded by Gauthier, of Jerry Fischer (R), 14 Westwood Dr., as a Regular Member to the Ethics Commission to fulfill the term vacant due to the resignation of Laurie Kerp. (Term 02/07/2022 – 02/05/2024)

VOTING IN FAVOR OF NAILON: Bono, Bracciale, Condon, Dembek, Garvin, Goldstein, Healy, Holmes, Muckle, Rocchetti, Steward-Gelinas, Sugrue, Welch.

VOTING AGAINST: Childs, Driscoll, Fioravanti, Gauthier, Gonzalez, Kohl, Larder, Radin.

ABSTAINED: Attanasio, Olynciw

NAILON appointed to the Ethics Commission (13-8-2)

CALL ITEM 8: Personnel Review Board Member Appointment

MOTION by Driscoll, seconded by Gauthier, to amend the motion and add an effective Date of 11/01/2022 and make it a singular appointment.

MOTION PASSED: Unanimous

NOMINATION by Driscoll, seconded by Gauthier, of Kathleen Mullen-Kohl (D), 18 Oswegatchie Rd., to fill the vacancy on the Personnel Review Board due to the resignation of Cathy Patterson (D), effective 11/01/2022. (Term 12/01/2020 – 11/30/2023)

VOTING IN FAVOR: Unanimous

MULLEN-KOHL appointed to the Personnel Review Board.

CALL ITEM 9: Chapter 2.38 & 2.12 Ordinance Amendment

PRESENTATION: Legislation & Administration Committee Chair Richard Muckle

MOTION by Steward-Gelinas, seconded by Dembek, to approve recommendation from the Legislation & Administration Standing Committee of the RTM to amend **Chapter 2.38 – Information Technology**

Committee and Chapter 2.12 Finance Department of the Town of Waterford Code of Ordinances. (See Attachment)

MOTION PASSED: 22-1-0 (Larder opposed)

CALL ITEM 10: Chapter 2.42 Ordinance Amendment

PRESENTATION: Legislation & Administration Committee Chair Richard Muckle

MOTION by Steward-Gelinas, seconded by Dembek, to approve a recommendation from the Legislation & Administration Standing Committee of the RTM to amend **Chapter 2.42 - Route 11 Greenway Authority Commission** of the Town of Waterford Code of Ordinances. (See Attachment)

MOTION PASSED: Unanimous

CALL ITEM 11: Executive Session

MOTION by Steward-Gelinas, seconded by Driscoll, to go into executive session to discuss strategy and/or negotiations with respect to multiple collective bargaining units. This motion is made pursuant to General Statutes 1-200 (6), without prejudice to the RTM's right to discuss in a non-meeting pursuant to 1-200 (2). In addition to the members of the RTM, the executive session will include First Selectman Rob Brule, Director of Finance Kim Allen, HR Director Christine Walters and Labor Counsel Eileen Duggan at 9:07 P.M.

MOTION PASSED: Unanimous

MOTION by Dembek, seconded by Driscoll, to come out of executive session at 9:56 P.M.

MOTION PASSED: Unanimous

RTM Member Mike Bono left.

CALL ITEM 12: Waterford Public Safety Dispatcher Unit Agreement

MOTION by Gauthier, seconded by Condon, to approve the funds necessary to implement the Tentative Agreement between the Town of Waterford and UPSEU, Waterford Public Safety Dispatcher Unit, covering the period July 1, 2022 – June 30, 2026.

MOTION PASSED: Unanimous

NEW BUSINESS:

First Selectman Robert Brule gave a verbal update on the status of Youth & Family Services and Senior Services in regard to the budgetary implications. A discussion ensued and it was decided that a more detailed presentation would be given at a later meeting.

RTM Member Tim Condon discussed the subject of his letter in regard to a possible fire marshal's fee schedule. (See Attachment)

MOTION by Dembek, seconded by Welch, to refer the subject of "implementing fees for The Town of Waterford's Fire Marshal's Office".

MOTION PASSED: 21-1-0 (Larder opposed)

MOTION by Dembek, seconded by Rocchetti, to accept the report by the Public Works, Planning and Development Commission with no action taken. (See Attachment)

MOTION PASSED: Unanimous

NOMINATION by Driscoll, seconded by Radin, to appoint Tennyson Benedict, 239 Great Neck Road, to the Ad Hoc Energy Task Force due to the resignation of Emily Polakowski. Discussion ensued.

VOTING IN FAVOR: Attanasio, Childs, Driscoll, Fioravanti, Gauthier, Gonzalez, Kohl, Larder, Olynciw, Radin.

VOTING AGAINST: Bracciale, Condon, Dembek, Garvin, Goldstein, Healy, Holmes, Muckle, Rocchetti, Steward-Gelinas, Sugrue, Welch.

NOMINATION not approved (10-12-0)

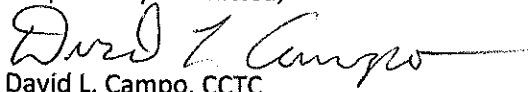
RTM Member Sugrue enquired about the process for setting the time of meetings. The body was notified by Clerk Campo that the meeting schedule will be on the agenda at the December Meeting.

RTM Member Larder commented on our *PUBLIC COMMENT process* and whether it can be improved. Moderator Goldstein will ask Attorney Kepple what options we have.

MOTION by Steward-Gelinas, seconded by Gauthier, to adjourn at 10:37 P.M.

MOTION PASSED: Unanimous

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David L. Campo", with a long horizontal flourish extending to the right.

David L. Campo, CCTC

Waterford Town Clerk

Chapter 2.38 - INFORMATION TECHNOLOGY COMMITTEE^[1]

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Footnote:

— (1) —

Editor's note — An ordinance adopted Oct. 3, 2022, repealed the former Ch. 2.38, §§ 2.38.010 – 2.38.060, and amended Ch. 2.12, §2.12.020(A), to reflect the disbanding of the Information Technology Committee and the assumption of its prescribed duties and functions by staff in the reorganized Finance Department.

2.38.010—Establishment and purpose.

- A. The information technology committee is established to implement Waterford's strategic technology plan as it may be amended through:
1. Review of all computer hardware and software, including associated networks and applications;
 2. Submission of budgetary requests for appropriations for purchasing computer hardware and software, including associated networks and applications, for the Town of Waterford and with technology recommendations to the Waterford board of education as appropriate.
- B. The committee shall use the following criteria in reviewing and requesting appropriations for computer hardware and software including associated networks and applications:
1. Conformance with established town standards;
 2. Compatibility with current Waterford technology;
 3. Usefulness to other town departments;
 4. Overall consistency with Waterford's strategic technology plan as it may be amended.

(R.T.M. 12-6-99 (part))

2.38.020—Duties of the information technology committee.

Duties and responsibilities shall pertain to all Waterford boards, agencies, commissions and departments except that for the board of education such responsibilities will be limited to reviews and recommendations on administrative technology (not classroom equipment and applications) and shall exclude requirements for committee approval of any proposed board of education technology purchases or projects:

- A. Implementation of the Town of Waterford strategic technology plan;
- B. Establishment and amendment of computer hardware and software specifications to define software applications, operating systems, networks, and other system components upon which all departments will be standardized;

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- C.—Review and approval of all technology-related requests and preparation and submission of appropriation requests for all technology-related projects and/or activities for Waterford boards, agencies and commissions;
- D.—Establishment of policies for appropriate use of computers, the internet, and security;
- E.—Establishment of personnel training requirements and procedures;
- F.—Guidance to the committee's technical support personnel and/or authorized vendors in the execution of committee duties and responsibilities;
- G.—Monitoring of evolving information technology and new applications that may have value to the Town of Waterford and amendment of the Town of Waterford Strategic Technology Plan and associated technological specifications as warranted;
- H.—Establishment of appropriate procedural documents for submission by departments when requesting technology projects and/or purchases.

(R.T.M. 12-6-99 (part))

2.38.030—Duties of town boards, agencies, commissions and departments.

Duties and responsibilities shall pertain to all Waterford boards, agencies, commissions, and departments except for the board of education where such responsibilities are advisory only and restricted to administrative use of technology (not classroom equipment and applications) and shall exclude requirements for committee approval of, and submission of budgetary requests for, proposed board of education technology plans or purchases:

- A.—Conformance to the Town of Waterford Strategic Technology Plan, any amendments to the plan, and all standards and specifications established;
- B.—Submission to the information technology committee for review and approval of all technology-related project and budgetary requests;
- C.—Submission to the information technology committee of all necessary documentation for inclusion in the committee's appropriation requests.

(R.T.M. 12-6-99 (part))

2.38.040—Membership.

- A.—The information technology committee shall consist of the following members appointed by their respective boards, agencies or commissions:

~~1. Board of selectmen (one);~~

~~2. Board of finance (one);~~

~~3. Board of education (one);~~

~~4. Representative town meeting (two).~~

~~B. The information technology committee shall also include the following members or their designees:~~

~~1. Assessor;~~

~~2. Chief engineer, utilities commission;~~

~~3. Communications supervisor;~~

~~4. Director of finance;~~

~~5. Director of public works;~~

~~6. Director of recreation and parks;~~

~~7. Library director;~~

~~8. Planning director;~~

~~9. Police chief;~~

~~10. Tax collector;~~

~~11. Town clerk;~~

~~12. Superintendent of schools;~~

~~13. Director of fire services;~~

~~14. Other members deemed appropriate by the information technology committee.~~

~~{R.T.M. 12-6-99 (part)}~~

~~{Amend. of 6-6-11(5)}~~

~~2.38.050 – Operating procedures and quorum.~~

~~The information technology committee shall establish internal operating procedures and guidelines including but not limited to committee structure and recordkeeping, quorum for conduct of business, meeting dates and times, etc.~~

~~{R.T.M. 12-6-99 (part)}~~

~~2.38.060—Appeal from committee action.~~

~~Any town board, agency or commission may appeal to the representative town meeting when it is alleged that any decision of the information technology committee has been arbitrary, inconsistent or otherwise against the best interests of the Town of Waterford. The appeal shall be filed with the town clerk and considered at the next regularly scheduled meeting of the representative town meeting, or sooner if so determined by the moderator. Both the committee and the board, agency or commission shall be given an opportunity to be heard, and the majority decision of the representative town meeting to uphold or reject the appeal shall be final.~~

~~{R.T.M. 12-6-99 (part)}~~

~~{R.T.M. 10-03-22}~~

Chapter 2.12 - FINANCE DEPARTMENT⁽¹⁾

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Footnote:

— (1) —

Editor's note — An ordinance adopted Oct. 3, 2022, repealed the former Ch. 2.38, §§ 2.38.010 – 2.38.060, and amended Ch. 2.12, §2.12.020(A), to reflect the disbanding of the Information Technology Committee and the assumption of its prescribed duties and functions by staff in the reorganized Finance Department.

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2.12.010 - Created.

In accordance with Sections 5.15, 5.15.1 and 5.15.2 of the charter of the town, there shall be a department of finance which shall be managed by a director of finance appointed by the board of selectmen.

(Prior code § 2-160)

2.12.020 - Duties.

- A. The department of finance shall manage the centralized financial and information technology functions of the town. Duties of the department shall include the processing and recording of financial transactions (payroll, receipts, disbursements, accounting, records maintenance); managing the technology functions of the town to ensure standardization, security, and functionality; and such other administrative duties as may be assigned by the first selectman.
- B. The director of finance shall perform his/her duties in accordance with the job description and as approved by the board of selectmen and under the administrative supervision of the first selectman. The director of finance shall provide financial management advice and recommendations to the policymaking bodies of the town. He/she shall provide budget preparation assistance to all departments. He/she shall provide all services requested by the town treasurer whose authority and responsibilities are defined in Section 7-80 of the Connecticut General Statutes Annotated. He/she shall serve as clerk and treasurer to the retirement commission of the town and provide such services as are required by that commission.

(Prior code § 2-161)

(R.T.M. 10-03-22 (part))

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Chapter 2.42 - ROUTE 11 GREENWAY AUTHORITY COMMISSION^[1]

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Footnote:

— (1) —

Editor's note — An ordinance adopted Oct. 3, 2022, repealed the former Ch. 2.42, §§ 2.42.020 – 2.42.070, to reflect Waterford's withdrawal from the Route 11 Greenway Authority Commission under Public Act 00-148 §40(D), pursuant to the June 5, 2017, RTM Resolution..

2.42.020 Establishment.

Pursuant to Public Act 00-148 the Town of Waterford establishes a Route 11 Greenway authority commission. This chapter shall take effect at such time as the towns of East Lyme, Salem and Montville shall have adopted the ordinance required by said Act.

(R.T.M. 10-2-00 (part)).

2.42.020 Membership.

Membership of the commission shall consist of the commissioner of environmental protection, or said commissioner's designee, the commissioner of transportation, or said commissioner's designee, a member and alternate member from each of the towns of East Lyme, Montville, Salem and Waterford, appointed by the first selectman of each of said towns, and a member and alternate member of the Southeastern Connecticut Council of Governments appointed by said agency. Any vacancy on the commission shall be filled in the same manner as the original appointment for the balance of the unexpired term. No appointed member shall receive any compensation for service on said commission.

(R.T.M. 10-2-00 (part)).

2.42.030 Membership—Term.

Each member shall serve for a term of two years, from the date when the last of the four towns has adopted such ordinance, and until such member's successor is appointed and has qualified.

(R.T.M. 10-2-00 (part)).

2.42.040 Alternate members

The alternate member shall be empowered to vote on said commission in the absence of the member for whom such person is an alternate.

(R.T.M. 10-2-00 (part)).

2.42.050 Duties—Responsibilities.

The commissioner of environmental protection and the commissioner of transportation, not later than sixty days after the effective date of this act, shall call a meeting of said commission which shall, within ninety days thereafter:

1. Hold public hearings for the purpose of developing standards for:
 - a. Defining the initial boundaries of the Route 11 Greenway;

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- b. ~~Planning the design, construction, maintenance and management of the Route 11 Greenway trail system and intermodal transportation access system;~~
 - c. ~~Identifying and prioritizing lands that should be added to the Route 11 Greenway;~~
 - d. ~~recommending land use within the Route 11 Greenway; and~~
 - e. ~~Acquiring land and securing conservation easements for the Route 11 Greenway, except that nothing in Public Act 00-148 shall be construed to prohibit the acquisition of land within the Route 11 Greenway by the Town of Waterford; and~~
2. ~~Establish by laws by which the commission shall:~~
- a. ~~Conduct its meetings, including a provision specifying that no action by the commission shall be effective except by the concurring vote of at least four members;~~
 - b. ~~Protect and preserve the lands under its custody;~~
 - c. ~~Supervise staff;~~
 - d. ~~Maintain its records; and~~
 - e. ~~Report to the General Assembly, on or before February 15th, annually, on its activities of the previous year and its finances.~~

~~(R.T.M. 10-2-00 (part)).~~

2.42.060 – Authority.

~~The commission may:~~

- 1. ~~Acquire or convey by purchase, gift, lease, devise, exchange or otherwise, any land or interest therein including, but no limited to, conservation easements, located wholly or partly in the conservation zone, provided such acquisition does not utilize funds furnished by the state;~~
- 2. ~~Transfer, with the approval of the commissioner of transportation, any land or interest therein to the state with or without consideration, provided any funds received therefor shall not be deemed funds furnished by the state for the purpose of this section, and~~
- 3. ~~Contribute or transfer funds to, and enter into agreements with, land trusts or other organizations, to carry out the purposes of this act.~~

~~(R.T.M. 10-2-00 (part)).~~

2.42.070 – Termination.

~~The existence of the commission shall terminate at such time as all of its member towns have withdrawn or it is abolished by the General Assembly.~~

~~(R.T.M. 10-2-00 (part)).~~

(R.T.M. 10-03-22)

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Moderator Goldstien,

October 3rd, 2022

Sir I am requesting that the Representative Town Meeting via one of the standing committees investigate and possibly create an ordinance implementing fees for the Town of Waterford Fire Marshal's office permits and inspections as allowed under Connecticut law.

All of the expansion our Town is currently enjoying also brings a larger demand for some services including fire safety plan review and annual inspection. Connecticut law allows the Town via ordinance to establish a fee schedule for such services. Implementing fees can offset the cost of operation of the Fire Marshal office and possible blunt future increases to the taxpayers. Some of our neighboring communities such as Montville and Groton have implemented such ordinances and are enclosed for review. I have spoken with Fire Department Director Howley about my request of which he supports.

I thank you for your consideration.



Respectfully submitted

Timothy Condon

Representative District #1

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Director of Engineering
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FIFTEEN ROPE FERRY ROAD
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**PUBLIC WORKS PLANNING & DEVELOPMENT STANDING COMMITTEE of the RTM
COMMITTEE REPORT**

Appraisal of sidewalk ordinance and associated safety issues, RTC 02/01/2021

BACKGROUND

At the February 1, 2021 meeting of the Representative Town Meeting, the body assigned the following matter to the Public Works Planning and Development Committee of the RTM: Appraisal of sidewalk ordinance and associated safety issues.

SUMMARY

This committee met April 7, 2021, February 22, 2022 and June 15, 2022. The committee met with the Director of Public Works Gary Schneider at each of the three meetings.

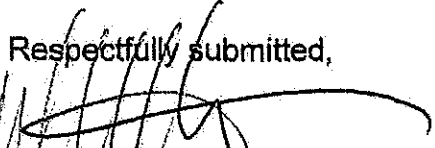
RECOMMENDATION

At the June 7, 2022 Meeting the committee unanimously recommended the issue out of committee with no action taken, because the committee was assured that Public Works has a plan to address sidewalk conditions throughout the Town of Waterford.

Attachments

Minutes and supporting documents available online and/or by request.

Respectfully submitted,


Michael Rocchetti
Chairman

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