MINUTES
COVENTRY TOWN COUNCIL
JUNE 15, 2020
TOWN HALL ANNEX & VIRTUAL

7:00 P.M. – PUBLIC HEARING, NEIGHBORHOOD ASSISTANCE ACT PROPOSAL

7:30 P.M. – REGULAR MEETING

1. **Public Hearing, Neighborhood Assistance Act Proposal**
   Blanchard called the meeting to order at 7:00 p.m.

   Blanchard read the legal notice:
   Application of the Creative Living Community of Connecticut Inc. (CLCC) to request funds provided by the State of Connecticut Department of Revenue Services Neighborhood Assistance Act Program in the amount of $132,557.00 in order to construct an energy efficient vocational greenhouse at property owned by CLCC located at 2645 Boston Turnpike.

   Patrick Burn, Executive Director of CLCC, presented. The overall site plan was shown. There is now farming on the land. Some site work is to begin for the most northern parking area. Farm stand operation will be there. CLCC’s Mission is to service adults with developmental disabilities through agricultural activities. The end goal is to have residential and program offerings on the property. CLCC operates a greenhouse in Vernon growing and selling microgreens to restaurants. The proposal is to purchase and construct a teaching greenhouse on the property to provide year-long training and agricultural activities. The cost of purchasing and constructing the energy efficient greenhouse is $192,121. CLCC will secure the remaining funds that are needed for the project. The greenhouse is integral to the mission of CLCC.

   Elsesser commented the Neighborhood Assistance Act is a program offering by the State of Connecticut. There is no cost to the Town but they do want to make sure the Town has buy in so the application has to be approved and is due June 30, 2020. This will be the Town’s first application for a program that has been around for 30 years. Eric Trott will be the liaison between the Town and CLCC.

   Is there a guideline for the mix of disabled and non-disabled persons? Burns stated typically it is a 50/50 mix for the programs. All programs are open to the public for volunteering. For the housing it is about 25% residential with disabilities and the remaining residential without disabilities.

   Hand expressed his support of the concept and services that CLCC provides. Thomas echoed Hand’s comments. Thomas has watched CLCC develop over a number of years; it is exciting it is coming to fruition.

   The hearing is closed.

2. **Call To Order, Roll Call:**
The meeting was called to order by Blanchard at 7:30 p.m.

Members present:
Julie Blanchard – Chair
Lisa Conant – remote
Jonathan Hand - remote
Matthew O’Brien, Jr. – remote
Matthew O’Brien, Sr. - Vice Chair - remote
Lisa Thomas
Richard Williams – Secretary - remote

Members absent:

Also present:
John Elsesser – Town Manager
Amanda Backhaus – Finance Director - remote

3. **Pledge Of Allegiance:**
   Council members and Staff stood to recite the pledge.

4. **Audience Of Citizens:**
   (30 minutes)
   Submit comments to be read aloud to: audience@coventry.org

   The following citizen statements were read. The statements in their entirety are attached to these Minutes.

   **Chris Morgan, 62 North Ayers Road** – Apologized for his actions at the June 1, 2020 meeting and clarified his view of the interaction. The Council ignored and marginalized the people who took the time to write to the Council. The charter of the Town is protected by the State constitution, as is our vote.

   **Erin Riley, 1102 Main Street** – Wrote to express her view about the Council’s statement on the death of George Floyd. People have taken to the streets to express their rage in the midst of a pandemic. Wouldn’t it be better to say there is going to be an examination of any racial bias and have a plan of action in place? Riley saw Thomas, Conant, and Hand at the Black Lives Matter protest. She does not feel the message from the Council about the death of George Floyd was appropriate.

   **Rick Martin, 195 Northfield Road** – Strongly urges the Council to condemn racism in all forms. Please send a clear message.

   **Tom & Jan Weston, 158 Beebe Farms Road** - Please clarify the COVVRA rate as discussed and passed in item 6.E. of the June 1, 2020 meeting.

   Elsesser responded $15 raises the base. It does not say there will be another $15 the following year. This will be the rate moving forwarded unless it is amended. Blanchard will send a written response to Mr. Weston.
Jason Blakesley, 27 Berry Ave. – What is blue privilege? Will the findings of the internal investigation of Hicks be released?

Jennifer Burdette, Andover, CT - Officer Hicks resigned rather than face a hearing. Coventry then concluded the investigation without making a determination. She believes there is a pervasive problem with internal police investigations. A total reform of this is needed. Where is the Council’s statement about what a Coventry police officer did to her daughter?

Owen Smith, 89 S River Road – Was dismayed to see Coventry mentioned in a June 12 article in the Connecticut Mirror about Connecticut police receiving millions of dollars in military equipment. Coventry Police Department has received 19 rifles, likely to be M4s or M16s. Why is the town paying to train our police officers in the use of combat rifles?

Sandye Simon, 425 Geraldine Drive – Wrote to voice her concerns that not all Audience of Citizens letters received where read at the last meeting. In this year when the citizens cannot vote on the budget every letter should have been read. Asked that the Town Council recognize Laura Rand and family for the hearts that have been placed in town. Simon wants to hear strong support from the Town Council about Black Lives Matter.

Blanchard stated the next item to be discussed is agenda item 9.G.

5. Acceptance Of Minutes:
   • Special Meeting: May 18, 2020
     Motion: I move to accept the minutes of the May 18, 2020, Special Meeting.

     By: O’Brien, Sr.  Seconded: Conant

     Voting:
     For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Thomas, Williams
     Against: None
     Abstain: Conant

     • Special Meeting: June 1, 2020
     Motion: I move to accept the minutes of the June 1, 2020, Special Meeting.

     By: O’Brien, Sr.  Seconded: Hand

     Voting:
     For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
     Against: None
     Abstain: Conant

     • Regular Meeting: June 1, 2020
     Motion: I move accept the minutes of the June 1, 2020, Regular Meeting.

     By: Thomas  Seconded: Hand
With the following corrections:
- Page 4, first Discussion – add “single-spaced” after “pages”.
- Page 5, seventh paragraph, second sentence – add “replied the Farmer’s Market team” after “Backhaus”.
- Page 5, item 6.E.1., second paragraph – add “, the loss of recycling revenue, and the new cost of recycling” after “disposal”.
- Page 6, Discussion, first sentence – add “Blanchard asked” to the beginning.
- Page 6, item 6.F.1., first paragraph, first sentence – change “sick” to “vacation”.
- Page 8, second paragraph, seventh sentence – change “this fund.” to “the 1% fund.”.
- Page 8, second paragraph – strike the tenth sentence.
- Page 8, fourth paragraph – add “We can do both.” after the third sentence.
- Page 9, second paragraph after the voting, second sentence – remove a duplicated “in”.
- Page 9, second paragraph, seventh sentence – change to read “O’Brien, Sr. stated if money was returned to the BOE it was designated to be spent in the BOE’s budget.”
- Page 10, sentence after the voting on the budget motion – change to read “Thomas, Conant, and Hand stated…”.
- Page 12, item 9.A., first paragraph – change “imprecisions” to “impressions”.
- Page 12, item 9.A., second paragraph, fourth sentence – add “O’Brien, Sr. stated” before “there” and add after that sentence – “O’Brien, Sr. asked who was spreading this false information? Hand responded he did not know.”.

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

6. Consent Agenda:
All items listed with an asterisk (*) will be acted on by one motion. There will be no separate discussion on these items unless a Council members so requests, in which case, the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Motion: I move to accept the Consent Agenda.

By: Conant
Seconded: O’Brien, Jr.

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

7. Reports:
7.A. Council Chairwoman: Julie A. Blanchard
Blanchard appreciates the Rand family that are making the hearts. Our community is that kind of community, that caring.

7.B. Council Members:
O’Brien, Sr. went to Flag Day ceremony at the library. Representative Ackert, some veterans, and some boy scouts were there. It is a moving ceremony of retiring the flag.

Conant mentioned she ordered for the first Farmer’s Market this past Sunday. The process went smoothly with ordering and pick up at Nathan Hale was smooth. It was very well organized. A couple of farmers were hoping to get back to the Market in the field. Even with the difference, the farmers were making more sales than before. Also, Conant reported she, Thomas, and Hand attended the Black Lives Matter protest at Patriots Park that was part of a national response to the death of George Floyd and also a response to racism. The march was well organized and there were a number of great speakers. Conant was honored to make some remarks; Thomas and Hand made remarks. Hand shared Elsesser’s remarks. Everyone was observing social distances and safety measures. The CPD was helpful in keeping people safe and moving along. There remains much work to be done.

Hand was honored to be invited and attend the Black Lives Matter peaceful protest. It was well attended. Hand is proud of the residents who showed up to speak out against racism. Those who spoke of their encounters with racism in town were brave to share their stories. Thank you to CPD and EMS for their support and presence for the safety of the crowd. Huge congratulations to the Class of 2020 and the BOE and the district staff for putting on a graduation to remember. Another thank you to Beth Pratt and the food service staff; they did a great job of supplying foods to kids for the remainder of the school year. Hand sent congratulations to the Coventry Scholarship Fund, Dollars for Scholars, for awarding thousands of dollars to Coventry’s graduating Seniors.

Thomas stated:

Tonight I would like to address two issues: the resignation of Sgt Michael Hicks and the community Black Lives Matter rallies sparked by the recent murders of Ahmaud Arbery, George Floyd, and Breona Taylor.

When allegations against Sergeant Michael Hicks were made public, we Councilors were advised by our town attorneys not to discuss the case in any way. They warned that this could jeopardize ongoing and future investigations. They also warned it could jeopardize any agreement we might reach in terminating Mr. Hicks’ employment. A few people specifically called me out for not being vocal enough about Hicks’ alleged behavior. They talked about how fiercely I spoke against former volunteer firefighter Joe Carilli when he was accused of, and later found guilty of, illegal sexual conduct with junior firefighters. Joe Carilli was not a town employee so there were not the same legal hazards in my speaking up. Now that Sgt Hicks has resigned from the Coventry Police Department, we Councilors have been told that we are freer to speak, though must still be cautious given that there is an ongoing federal investigation. We have not been advised of any details in that investigation so it is challenging to know what can be said without jeopardizing that investigation. It has been very painful for me to stay as quiet as I have. So I will simply repeat what I have said many times before, including when I first learned of the allegations against Sergeant Hicks. I stand with and support all victims of sexual abuse and harrassment - those who are alleging such behavior and those against whom such behavior is confirmed. As a Councilwoman, I will always be an advocate for those victims, though you might not always be able to see me doing that work.
I also want to express my dismay at how long it has taken for this Council to come together and issue a statement in support of racial justice, Black lives matter, and support for people of color living in our town. I stated during our special meeting on June 8 and in emails to the Council Chairwoman that while I support our Coventry PD and am pleased that they issued a statement condemning the murder of George Floyd, I think that the first communication to our community from Council leadership should have been about supporting our community and affirming our commitment to residents who are people of color and not focused on our police department. So I would like to share with you the comments I made last Friday evening at the Black Lives Matter march and rally here in Coventry. And I hope that later on in tonight’s agenda we will be able to agree on a statement from the Council as a whole.

My statement at the Friday rally was as follows: This evening we stand together to say Black Lives Matter. We are here to oppose the brutal, oppressive treatment of our black community, amplified this month by the murders of George Floyd, Breonna Taylor and Ahmaud Arbery. Their deaths are part of daily, systemic racism in every corner of our country, our state, and our town. As a proud member of the Windham/Willimantic NAACP, I have been given many opportunities to confront my own white privilege and learn how I can take meaningful action. I am grateful for their guidance and friendship. The fight against racism requires all of us. Within this process there is room for hope and for community. The society we are building must celebrate our differences and provide a welcome place for everyone. By joining together across the social construct of racial lines, we can reject those trying to divide us; we can reduce racism; and we can nurture a society that equally values each and every person, whatever our identity. I hope that all of us here today will be part of the effort.

As a white woman in a leadership position, I understand that these times are essential to understanding the world that people of color face every day in communities across Connecticut. It is our responsibility and ethical duty to support men and women of color to successfully run for office so that they have an equal voice at the decision making table. It is our responsibility to ensure that the actions we take as elected leaders are grounded in equity. Just as it is also our responsibility to examine the functions of town government to ensure that they are carried out with justice for all. We must each promise to do exactly that. You have my promise.

O’Brien, Jr. knows that the Hicks investigation was unable to be concluded. Are we at any time going to be able to see the facts that were found out in that case? Elsesser replied in the negative. This would only be one side of the story and it would also revictimize the victims.

7.C. Finance Committee: Matthew O’Brien, Sr., Chairperson

O’Brien, Sr. sent his prepared report to all Council members. He reported:

One of the first things we discussed is that Governor Lamont established a program called the Covid Relief Fund (CRF) to reimburse Towns and Cities for expenses related to Covid-19 with current funding of $75 million. OPM said that the total amount of expenses submitted by all of Connecticut’s towns and cities equals about $41 million so far.

This is the first round of funding and is intended to deal with the Towns’ expenses through June 30, 2020. We have until August to submit additional expenses. The
most recent guidance says that funds received from CRF can be used as the local
25% match against the FEMA 75% Disaster Declaration reimbursement. The
maximum that has been awarded to Coventry to date is $81,004. Coventry does
not expect to receive this amount from CRF because this represents the total
amount of expenses that Coventry has submitted to FEMA for reimbursement.
The CRF funds will pay for those expenses not covered by FEMA or any other
Federal program.

We also learned that if municipalities and their respective boards of education
have expenses beyond the amounts of eligibility of the Elementary and Secondary
School Relief Fund (ESSERF), they may still apply for reimbursement under the
Connecticut Municipal Coronavirus Relief Fund Program (CRF). This opens a
new source of funds to meet Covid-19 expenses for our Board of Education.

Amanda Backhaus reported on our financial statements which showed things in
line with expectations.

We then discussed the Board of Education Fiscal Reports.

The chair asked if savings that are shown in the Management Report from Social
Security ($21,517.36) and Medicare ($4,797.88) which resulted from No match
for Substitutes (noted in the margin) are Covid-19 related? They appear to be.

The chair asked Amanda if the Board of Education had been paying their
substitute teachers through the Contracted Services line item because they were
being provided by an outside company, Kelly Services.

The chair also commented that the Board of Education P & L statements for the
food services showed an accumulated projected loss of about $25,212 in the
March report and $29,397.47 in the April report. We asked Amanda to find out if
the Board’s earlier projection of an end of the year loss of $60,000 had changed
noting the Board had transferred $60,000 to cover that projected loss.

Next we discussed the Correspondence that the Council had received from the
Board of Education on June 1st in response to our budget related questions. There
was an original set of questions sent to the Board on 5/26/20 and then some
follow up questions which the Board had provided answers for.

The chair pointed out two errors in the numbers the Board provided related to
their calculation of the Covid-19 savings available on June 1st and the possible
changes that the Board of Education’s negotiations with the Special Education
Programs that were still ongoing might make.

In the Board’s calculation of the available Covid-19 savings that had been
identified they indicated that they deducted $32,000 from the savings because
$32,000 of Covid-19 related expenses, that they already made and were reflected
in the line items in the Management Report were submitted to FEMA for possible
reimbursement. The chair discussed that these items have been included in the
line items in the Management Report and have already been offset by other
savings and are already accounted for in the Covid-19 savings identified. Based
on the this, the Board should have reflected a total of $323,610.93 available due to Covid-19 savings. The Director of Finance agreed with this information. The second point relates to the ongoing negotiations with the Special Education Programs because of the closing of our schools. The current negotiations for Covid-19 savings does not include any money that may become available through these negotiations.

If negotiations are unsuccessful and the Board does not realize the 10% projected savings, the Special Ed Tuition/Excess Cost line item would change to a MINUS $3,213.92 and would result in the REDUCTION of the projected Covid Savings by that amount.

If the negotiations are successful and the Board does realize the 10% projected saving, the $38,432.08 surplus in that line item would be realized and this amount would become additional Covid-19 savings and would increase the End of the Year projection by that amount.

If the negotiations are even more successful and the Board realizes additional savings in excess of the 10% projected, then those additional savings would increase the projected Covid-19 savings by that additional amount on top of the $38,432.08.

If the Town were to receive any reimbursement from FEMA, that amount would not change the amount of Covid-19 savings available.

Julie Blanchard, Chairwoman, sent a letter to Jennifer Beausoleil, the Board Chairwoman, to share this information with the Board to help them as they calculate their end of the year Covid-19 savings and determine what amount of Covid-19 savings the Board will return to the General Fund.

Next the Committee discussed the Year-End Transfers that Amanda Backhaus has presented. The committee also discussed adding one more transfer to provide $25,000 to be used in the rebranding of the Fire Department as they become a single department. The committee recommended that the Town Council approve the list of transfers including the new one. The Committee discussed the Board’s request to transfer $100,000 of surplus from the current year’s budget into the Board’s 1% capital needs account and the committee recommends that the Council approve that transfer.

Next the committee discussed the creation of the Town Council Covid-19 Reserve Fund as proposed by O’Brien Sr at the June 1st Town Council meeting. The committee made some minor changes to the language presented and do recommend that the Council create this fund as described.

Then the Committee discussed recommended uses of the Council’s 1.5% account before year end. The Committee recommended that the Council approve three appropriations:

Town of Coventry Covid Educational Fund $99,999
Police car from the 20/21 budget $53,000
CNREF $99,999

The committee discussed the proposed Covid-19 Financial Response Plan. The Town was recommended to create this plan as a means to demonstrate the thoughtful and calculated steps the Council and the Town of Coventry have taken and will take in response to the Covid-19 epidemic.

The committee discussed the plan and recommends that the Council adopt the Covid-19 Financial Response Plan.

Next the committee discussed the possibility of holding a referendum on the November ballot for one or more of the 4 items included in the Capital Improvement Budget which include the School Roof project, the Library renovation project, the Girl’s softball fields project, and the Fire Alarm Replacement Project for the Schools.

There was agreement that it may be a good idea to put forward a referendum to deal with one or more of these projects in November it was clear that the Committee was not recommending any projects that have not yet been approved by the Council. It was noted that the school roofs do need to be replaced and that the Library project would depend on a grant that is approved through November of this year. The committee did recommend to the Council to ask Staff to move forward in planning for these items possibly going to referendum in November. The chair also commented that events occurring going forward due to the Covid-19 pandemic may play a role in the Council’s decisions on timing of referendums.

The Council had received some information about past year’s financial performance of the Library that raised some questions. The chairman discussed that in 2018 and 2019 the Library’s total expenses had been less than the amount of the grant the Library received from the Town and the Library had not spent the money that they had committed to the operating budget in those years and that the Library Board has substantial assets. We also received information about the contract that the Town has with the Library.

The Chair started the discussion by raising the possibility that the Council should consider asking the Library Board to work with the Town to set up a Capital Needs fund similar to the Council’s CNREF and the Board 1% capital needs account to serve as a means to provide funds for necessary maintenance and repairs and possibly for renovations, etc. The chair said that any such fund would have to be created in agreement with the Library Board and would be set up as agreed by them. The chair discussed that for example it may be possible for the Board to move unspent funds in a given budget year into that account for future capital needs. He also said that there could be other sources for funding that could include fund raising efforts, donations, the Library Board might contribute to it, and a future Council might include some funds in a future grant, etc. Of course, this would all need to be part of the Library Board’s wishes in setting up the fund.

The Chairman recommends that the Council consider opening a discussion with the Library Board on this subject.


7.D. *Steering Committee: Matthew O’Brien, Jr., Chairperson

7.E. COVRRRA – John A. Elsesser:
We are still waiting on pricing on trying to go cashless. The Transfer Station was getting busy on Saturdays.

7.F. Town Manager – John A. Elsesser
7.F.1. Projects Update
Some items that have come up since the background memo was distributed are:
• The two small benthic barriers have been removed. They are teaming up with Dr. Kortmann about removing the large ones. The first treatment to the Lake will be in July. In the Lake Survey they found two more invasive plants. There is some concern about the ongoing costs of treating the lake.
• We will be sending out information about the Summer Roads projects. There is frustration about the Northfield project; materials have shown up for that but the contractors have not. COVID-19 has wreaked some havoc with some of the Public Works jobs also. Three contractors will begin the basin work after July 4, 2020, with completion of that phase at the end of the month. The firm is lined up to do the milling, the grading, and to put down the base material. The final coat will not go on right away. We want to see how the base compacts. It sometimes takes three to four years to see what is happening before the final layer goes on. The binder is expected to be down by August.
• We are still expecting the plans for the design of the traffic signal at the intersection. We will be trying to schedule a meeting soon on that project.
• On June 29th we are having swearing in ceremony of the officers of Station 18. Some of the trucks already have the Station 18 decal. The first officers meeting was last week. Effective July 1, 2020, the new department will be running.
• On the micro-grid project the PURA hearing was held on how metering will work. There are three derogatories that must be responded to.
• An email was sent to the Council about a tax issue that may be added to the agenda.

Motion: I move the Council add to the agenda – 9.K. 19.20-88 Discussion regarding using our claims and losses to cover a tax payment.

By: O’Brien, Sr. Seconded: Hand

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

Williams wants to add an item to the agenda regarding the letter received from Mr. Morgan and read this evening. Williams wants to get a better understanding of what
Morgan is referencing and the Council to have a discussion of that. And to have a better understanding of why we did what we did and for the public have a better understanding of what we did in the voting of the budget. Can we have a discussion about that or is it something that has to be added to the agenda? Williams would like to lay out the steps we took and why.

**Motion:** I move the Council add to the agenda – 9.L. 19/20-89 Discussion around Chris Morgan’s letter and why the Council proceeded with our budget as we did.

By: Williams  
Seconded: O’Brien, Jr.

**Discussion:** Thomas stated this is an important subject and wonders if Williams wants to put this on the next meeting agenda for earlier in the meeting to get people’s attention. Williams appreciates the thought but he wants this done tonight.

**Voting:**  
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams  
Against: None  
Abstain: None

**7.F.2. COVID-19 Update**  
Elsesser reported things are moving rapidly. Recreation is starting to move forward on some issues. Swimming will be available this coming weekend. Playscapes will be reopened under the direction of the Health Director.

Town Hall is open by appointment. We are waiting for some changes to the Tax Collector’s office. The barrier ordered was not acceptable; another vendor will be in this week. Regardless, there will be issues as we can only allow a certain number of people into the office to pay taxes. A letter with tax bills will urge people that if you are going to come, you have to wait outside.

Human Services has been successful in working with the Salvation Army. We are getting twenty-five meal boxes, that includes bread from a generous donor, per week. There is an uptick in requests for assistance from the Food Bank now that the school meals stopped last Friday. A flyer in the school meals boxes directed people to seek assistance from Human Services if needed. The Food Bank still has adequate supplies.

The cases in Town of the virus have been static this past week.

**7.F.3. Microgrid Update**  
Discussed under item 7.F.1.

Discussed under item 7.F.1 and the survey profile was shared.

**7.F.5. State Of CT OPM: Municipal Coronavirus Relief Fund (CRF) Program**  
Elsesser stated the Finance Chair discussed this. Backhaus and Elsesser have been in contact with the State person helping us to go through this. We are being urged to redo the submittals on a quarterly basis and they want concrete expenditures through
June 30th. They want to get FEMA’s approval and then kick in the 25%. Backhaus feels good after having a conversation with the State person today about this more concrete plan. This will be monitored. The numbers out there may not be of any semblance of what we may get, it may be higher or lower. There are ongoing expenses as we get the technology and Town Hall open. Insurance reimbursements, if received, of $60k is not FEMA reimbursable; this is a huge variable of the $80k. The FEMA application goes through September 2021. Part of that is the second wave.

We are getting close to a 90-day supply of PPE for police and ambulance.

Elsesser concluded by saying we are getting clear guidance now.


8. Unfinished Business:
8.A. 19/20-58: Consideration/Possible Action: Call To Town Meeting For Purchase Of Portion Of Stewart Property On Knollwood Drive For Open Space And Future DPW Use (Not Ready For Action)

8.B. 19/20-68: Consideration/Possible Action: Appointment Of Long-Term Recovery Coordinator (Not Ready For Action)

8.C. 19/20-69: Consideration/Possible Action: Amendment To Charge, Veterans Memorial Commission And Call To Public Hearing (Not Ready For Action)

8.D. 19/20-75: Consideration/Possible Action: Review Of Neighborhood Assistance Act Proposal
Blanchard commented this item ties into the public hearing held earlier in the evening.

Motion: I move the Council authorize the Town Manager to execute agreements to submit the CLCC’s project to the Neighborhood Assistance Act.

By: Hand Seconded: O’Brien, Sr.

Discussion: Blanchard stated this sounds like a wonderful project and hopes they have success. O’Brien, Sr. added they are the reason why we entered into this whole thing.

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

9. New Business:
9.A. 19/20-78: Consideration/Possible Action: FY 19/20 Year-End Transfers

Motion: I move the Council approve the transfers as proposed.

By: O’Brien, Sr. Seconded: Thomas
Discussion: O’Brien, Sr. stated Finance went over these items at the meeting. Backhaus
does a good job. It does include the $25k we had talked about at Finance for the rebranding
effort.

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

9.B. 19/20-79: Consideration/Possible Action: Board Of Education Transfer To 1% Fund (For Distribution)
Elsesser sent an email to Council members today about this matter. O’Brien, Sr. is happy to
support the $100k transfer to the fund. The O’Briens would like to see the added language.
Backhaus read the language – The Board will use these funds for capital and non-recurring
expenditures as identified in the Capital Improvement Plan. In addition these funds may be
used for any emergency conditions, repairs, or replacements to capital items not included in
the CIP. O’Brien, Sr. remarked the only thing missing is ‘with the Council’s agreement.’
They can spend the fund on any item in the CIP any time they wish. But for other items
they come back to the Council. If they are just incorporating the language of the fund, that
is fine with O’Brien, Sr. They are not making any suggested change. O’Brien, Sr. is in
support of the transfer to the 1% fund as long as the BOE follow the existing 1% fund rules.

Motion: I move the Council approve the transfer of up to $100,000 as is available at the
end of the year in the Board of Ed’s budget surplus.

By: O’Brien, Sr. Seconded: Williams

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

9.C. 19/20-80: Consideration/Possible Action: Creation Of COVID Educational Expense Reserve Fund
Motion: I move the Council create the Town of Coventry COVID Educational Expense
Fund as recommended by the Finance Committee.

By: O’Brien, Sr. Seconded: Thomas

Discussion: Hand wants to ask about the conditions upon which money can leave this
account and go to fund the Board? What is it that is to be expected? O’Brien, Sr. remarked
this is to provide funds that the Board may possibly need depending on what the State does
as far as schools in excess of funds that they can receive from their ESS/CNF fund, CRF
fund, any savings that occur in the COVID back and forth depending on the plan that is
created. Basically, it is if they have no other source of funds and there’s something that
needs to be done and that is COVID related they should come back and talk to us and we
would work with them on it. Hand asked about the last part of O’Brien, Sr.’s answer –
What do you envision the work with us and is it a simple majority vote, is it a consensus?
Hand is curious to talk about that part now. O’Brien, Sr. responded that has been discussed
before as it being a simple majority vote unless it was stated in the creation of the fund that something else was needed. Hand replied if that is what it is, it is very clear and hearing O’Brien, Sr. state that one more time clears things up. Hand appreciates the restatement. O’Brien, Sr. commented that he thinks that any fund that had a special requirement would have to be explicit in their creation of the fund and the language that is used, otherwise it doesn’t exist.

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

9.D. 19/20-81: Consideration/Possible Action: Appropriation From Council 1.5% Fund
Motion: I move the Town Council approve these three appropriations from out of the 1.5% fund. To fund the Town of Coventry COVID Educational Expense fund with $99,999. We are appropriating $53,000 to pay for the police car that was pulled from the 2021 budget and we are appropriating $99,999 to the CNREF.

By: O’Brien, Sr. Seconded: Hand

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

9.E. 19/20-82: Consideration/Possible Action: Transfer To Suspense Tax Book
Blanchard stated we get this list annually. If you know anyone on the list you can share that with our Tax Collector.

Motion: I move the Council approve these items to the transfer of the suspense tax book as detailed in the agenda.

By: O’Brien, Sr. Seconded: Hand

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

9.F. 19/20-83: Consideration/Possible Action: Authorization To Extend Vacation Rollover Due to COVID With Various Union & Non-Union Employees
Backhaus would like to make one change to the proposed MOU. She would like item 1 to go through July 15, 2020. Backhaus has reviewed the employees who have anniversary dates during this time. There is an individual in the Tax Department that she does not want to see take time now or forfeit it and she wants to make sure that person is encompassed into this rollover. After that there are no significant issues after that. Many employee’s vacation plans have been cancelled due to COVID and people who have not been able to take time off due to quarantine needs. She feels it is very important for morale to have them be able to use this time going forward. Accruing vacation time is based on anniversary date. If the
date is not extended until July 15th for someone’s anniversary date in the Tax Department, we will have to let that person take vacation time now and we are a little busy in that department for anybody to be taking vacation.

**Motion:** I move the Council adopt the MOU with the amendment to July 15th.

By: O’Brien, Sr. \hspace{1cm} Seconded: Hand

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

Backhaus thanked the Council. She knows that people at Town Hall have been very concerned about this; we appreciate this.

**9.G. 19/20-84: Discussion With Registrar Of Voters: August 2020 Primary (7:35 PM)**

Marge Roach, the Democrat registrar, and Pam Sewell, the Republican registrar, were present.

Marge Roach began by stating a packet of information was sent to the Council. This is the plan on how to conduct the primary. A weekly conference call with the State is attended. The plan was due three weeks ago. We’ve had to find out if the workers are going to work. A good percentage said they would not work. We do have enough workers however. There would not be enough room at the Fire Stations. Dr. Petrone agreed to allow use of one of the gyms at the high school. Because of work taking place at the high school the Health District said as long as there is no contact between the work site and the gym there is no problem. The small gym will be a good space to be used. The cost of the maintenance person to wipe down surfaces and take care of the bathrooms is being researched. Chief Palmer has been contacted to provide a police officer for the day. The emergency plan will be updated. Everyone will get an absentee ballot application.

The absentee ballot can be used for any reason this year. There will still be curbside voting. There has to be a reason for curbside. This encompasses both parties. The primary is for both parties. The plan has to be approved by the State. An email received today from the company that provides voting with earphones indicates they will visit July 31, 2020, to check the equipment out. All of the supplies have been ordered. Elsesser asked Roach if they will need to install a phone jack in the gym? Roach indicates this will be checked out.

O’Brien, Sr. asked if they are still looking for volunteers? If someone is interested in working can they call the Registrars’ office? There are some college students that are willing to work. There is a recommendation that people over 60 not work. Roach thinks we will have a good turnout at the high school. Roach has not dismissed use of the fire stations; if there a high use of absentee ballots we can move the voting location back to the fire stations.

Thomas feels one location should be chosen and not be changed. Roach has to get the letter into the State by July 11, 2020. We will use various means to advertise the new location. The application form for absentee ballot has to be filled out and returned to the Town Clerk. The Clerk will send you a ballot with a postage paid return envelope. The completed ballot
can be mailed back or placed in a locked drop box for absentee ballots that will be located in Town Hall. Do not place more than one absentee ballot in one envelope as multiple ballots in a single envelope will be rejected.

Social distancing guidelines must be observed. The State will do a deep cleaning of the equipment the Registrars use post primary day. Ms. Roach does not yet have any idea of how the November election will be conducted.

Pam Sewell added she has a good number of volunteers. Ballots have to be ordered for 80% of voters for absentee ballots and 80% of the voters for the location ballots. Elsesser added that is the registered Republicans and Democrats, not the unaffiliated. The number of ballots needed in November will be huge.

Conant asked if there is a certain date the ballots have to be postmarked to be counted? The Registrars have to have the absentee ballots in their possession on August 11, 2020. If an absentee ballot is postmarked August 11 but not received by the Registrars that day, the ballot will not count.

O’Brien, Jr. thanked Roach for the conversation the other night. O’Brien, Jr. reached out to the candidate for the Republican Registrar in the November election, J.R. Roberts, who is more than willing to help in the office now. O’Brien, Jr. thanked Roach for all the work being done for the voters in town.

Roach reported J.R. is going to be the moderator at the high school. Carrie Bojack will be the moderator for the absentee ballots and will be the head moderator.

Hand expressed thanks to Roach for all the work and that the election is going to happen and take place smoothly.

Blanchard moved to agenda item 9.J.

Motion: I move the Council accept the conveyance of the Conservation Easement associated with the Farr Subdivision on Pucker Street as described in the attachment to our agenda.

By: Thomas Seconded: Hand

Discussion: Elsesser reported this was reviewed and recommended by the Planning & Zoning Commission as part of the original subdivision.

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

9.I. 19/20-86: Consideration/Possible Action: Town Council Statement Regarding The Murder of George Floyd
Blanchard indicated there was a prior meeting with discussion of some items. O'Brien, Sr. had a question as he was not at the prior meeting – in regards to the fourth line ‘the systemic and structural racism in our Country.’ He is happy to condemn all forms of racism where ever it exists. That phrase seems to be more of a political statement than a statement of fact. Thomas asked O'Brien, Sr. to explain what he means by that. O'Brien, Sr. replied he is not sure we are condemning all police departments in the country. He has heard all these things on public, so what do you mean by these words or who wrote them? Thomas replied it does not mention police departments. O'Brien, Sr. asked in what form are you condemning? Thomas replied in any form whether it's housing discrimination, unfair practices, or application of the law. What is the difference between that phrase and ‘racism in any form’? O'Brien, Sr. wants to change the words, striking ‘systemic and structural’. Thomas stated there is a difference in the two phrases. O'Brien, Sr. condemns racism in any form. Hand feels strongly the words ‘systemic and structural’ are quite descriptive with regard to the type of racism even if people feel there is not so much overt racism. Systemic and structural is descriptive of the type of problem we need to look out for. They are descriptive terms that are fairly all-encompassing. It's counter to describing how Hand feels to list off a short list when these terms are all inclusive. Hand thinks we can probably combine what O'Brien, Sr. said which is essentially ‘all forms including systemic and structural’ and put that sentence to bed. O'Brien, Sr. is opposed to ‘systemic and structural racism’ if it exists. O'Brien, Sr. is not making a blanket statement that I think in our country there is systemic and structural racism. If I had evidence and I do believe it, then I do oppose it. I oppose any form of racism that exists. It was discussed that police officers are not mentioned in that line. Blanchard asked O'Brien, Sr. if he wants to add ‘in all forms’? O'Brien, Sr. replied he was hoping to make a substitution of the phrases but is open to discussing it. Elsesser stated the difference, from his understanding, is racism is an individual opinion and what you are looking at is institutional racism. O'Brien, Sr. would say that then – institutional racism. Elsesser continued that ‘systemic and structural’ is institutional. That is where the phrase was coming from. Conant added that ‘systemic and structural’ is not a political statement. It’s really reflective of our history as a country and what has been happening to people of color essentially since our country’s founding. Everything from the Jim Crow era, housing discrimination, there’s just a lot going on. The phrase ‘systemic and structural’ is intentional. Conant does not have a problem adding ‘and racism in any form’ if O'Brien, Sr. would like to do that. Putting ‘any’ instead of ‘the’ dilutes it per Conant. Conant continued this statement is coming from the Council and we need to be unequivocal. Conant likes the sentence as is and adding ‘and racism in any form’ to the end she does not have a problem with. O'Brien, Sr. will take that as a change. O'Brien, Jr. stated that seems fine; it is a little easier for people to understand if that is in there.

Community Conversation can be capitalized but Conant is not sure it needs to be capitalized in this instance. Referencing ‘In addition to supporting the peaceful protests we support starting a Community Conversation with impacted partners on how we can work together to become a better and more inclusive community’ Conant is not sure we ended up with the one remedy as a step in the process. We may have run out of time. If we pick the one it just ends it right there. Thomas suggested ‘we will work together to take action to become a better and more inclusive community’. It would read – In addition to supporting the peaceful protests we commit to taking action towards becoming a better and more inclusive community. We would have to work as a Council on what changes we can make to be more inclusive and proactive.
Hand commented the word ‘post’ be changed to ‘posts’ per his observations. Conant suggested changing ‘Facebook’ to ‘social media posts’ to make it a little more general.

Elsesser mentioned that Thomas removed ‘impacted partners’ from the revision of the last sentence. Revise to ‘work with impacted partners to take actions…’ Conant likes that because including impacted partners it’s not just taking a top-down approach, we are not dictating to people, we’re not condescending. It’s more working in partnership with people who can tell us their experience and how they’ve been impacted, what they think appropriate remedies would be. Thomas suggested it could read ‘work with impacted partners to take action to become a better and more inclusive community’ or to ‘develop actions’.

Motion: I move the Council adopt the statement on the murder of George Floyd.

By: Thomas  Seconded: Hand

Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

Hand commented there were a couple of letters read in the Audience of Citizens asking the statement Blanchard put up be taken down. It’s not an agenda item, but it seems that it is germane to the conversation we were just having. It seems when we hear from our constituents about that stuff we generally listen. Blanchard replied she wrote it, it is from her, and she wanted to support our staff in the Town, I want to support our police officers and the work that they do. And I believe in the work that they do, the procedures they have and I think most are respectful people and you can’t let one bad apple spoil the whole bunch. O’Brien, Jr. did not see anything wrong with the statement besides the lack of Council input. Now that we’ve come out with our own statement, O’Brien, Jr. thinks it should be left up to Blanchard if she chooses to retract it or not. It’s her statement. Blanchard replied, right and she has seen that each political party has put statements on social media, everybody has made statements, and it is my statement. She did not claim she was speaking for all of the Council members but she certainly wants to support our town Staff and the police officers that are there doing good work for us. O’Brien, Jr. thinks that was an important piece as well. Hand is okay and he saw that the Chief put out his statement and that was great to see.

9.J. 19/20-87: Update From Softball Field Study Committee (8:00 PM)
Bonnie Edmundson began the update to share the Committee’s findings and the proposed next steps. Edmundson expressed thanks to Elsesser and the study committee Members for their efforts. Edmundson is the Council’s representative to the Softball Field Study Committee. The Coventry Softball Field Study Committee Recommendation June 2020 document was read.

Elsesser shared the site plan of the proposed softball field location. An easement would be needed from Phil DeSiato to access the location; DeSiato has confirmed he will work with the Town on this matter. This would align with South Street Ext. Elsesser agrees a paved parking lot is not needed. Infiltration will not be an issue here as the land has a large amount of gravel. While it is not expected to expand the sewer plant areas have been
reserved for two additional lagoons. It is not uncommon to have sports fields near a sewer treatment plant. Our sewer plant does not give off any odors. Elsesser spoke about the cost estimates included in the packet, which was based on conceptual engineering. $24,800 for engineering costs remain. There is currently $400k in the CIP for this project. The remaining costs can go to referendum. Thomas hopes DeSiatto is able to construct senior housing nearby; the multi-generational interaction is positive for all. There could be possible river access. Hand is concerned for the safety of children who may be going back and forth between the Little League fields and these fields. It is outside the scope of this project but it will be a real issue that has to be dealt with. Hand stated this plan looks great as does the senior housing and possible kayak launch or fishing spot. Elsesser stated a solution may be the flashing crosswalk beacons for safe crossing of Main Street. The preferred method would be for parents to drive across Main Street if they have children playing on either field which is why the road is being lined up with South St. Ext. The actual projected cost without a paved parking lot would bring the cost into the $800k-850k range. O'Brien, Sr. asked what percentage of past field construction was given by the Town and the group advocating for the fields provided the rest? Elsesser indicated the Town put in $80k for improvements at Laidlaw Park; Town labor and diesel were contributed as was contractor time/labor, volunteer labor, and contributions such as gravel. Total value was around ~$200k. Details of this and Miller Richardson costs will be provided. Elsesser commented other than for school fields Coventry has never borrowed money for athletic fields. We have gotten several grants in the past. At Miller Richardson we used LOTCIP funds, we are sharing costs of the irrigation system, and the Town did parking lot work. We don't have clearly identifiable funding sources right now. O'Brien, Sr. is in support of this project and would like to gather more information about funding opportunities. Committee member Jen spoke about the grants that are available for application once the location of the fields is determined. O'Brien, Sr. would like to get something in writing that the location is available for this purpose. The WPCA operator is working on that with the Boston EPA. The WPCA is not opposed to this idea; their blessing would be needed.

9.K. 19/20-88 Discussion regarding using our claims and losses to cover a tax payment
Elsesser stated when the Town Hall was closed due to the virus someone left a cash payment in the back hall, did not call Staff to come get it and get his receipt, and there is no record of the cash. Highly unusual circumstance. We can never forgive a tax bill; we would have to take it out of our claims and losses.

Motion: I move the Council approve the authorize the payment of $310 from our Claims and Losses.

Amendment by Hand and accepted by O'Brien, Sr. – the amount is $321.

By: O'Brien, Sr. Seconded: Hand

Voting:
For: O'Brien, Sr., O'Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None

9.L. 19/20-89 Discussion around Chris Morgan's letter and why the Council proceeded with our budget as we did
Elsesser commented we went through this three to four times with the Council and we had opinions from Halloran and Sage that the Council has to follow the Governor’s Executive Orders given the emergency power. Elsesser understands Mr. Morgan’s beliefs but our attorneys as your legal counsel believes, like every other town in the state of Connecticut, for the annual budget process that a referendum was not legal per the Governor’s Executive Orders. Elsesser has shared those various legal opinions with the whole Council. Basically, your attorneys told you, you can’t, that it would be an illegal action.

O’Brien, Sr. commented that if we had adopted the view that we considered somehow the executive order to be unconstitutional we would have had to sue in court. Is that even the way to approach that problem? Elsesser cannot answer that as he is not the Council’s attorney. O’Brien, Sr. continued he does not how to challenge that without going to court. If you want to have a rule on the constitutionality of the executive order you would have to go to court per Elsesser. O’Brien, Sr. feels that would have been very costly and untimely because that would carry us through the budget season with no budget. Elsesser stated it probably would have been a year and one-half to two years at least. O’Brien, Sr. stated if we stood on a principal somehow and believed we could win that we would still be doing something detrimental to the financial health of the Town in his opinion. O’Brien, Sr. thinks the Council did accept the legal opinions from our attorneys and did believe as they suggested that if we had gone forward and done something differently the tax bills that we might have sent out would not have been valid even. It was a real conundrum to really want to do something but really no clear and sane alternative that was fiscally responsible in O’Brien, Sr.’s opinion.

Elsesser can certainly assure our public that we went back to our attorneys four to five times. It wasn’t one and oh, well. Different executive orders came out and we said how about now? How about a referendum now? We kept through this process and even in a motion said if those were lifted that we would in a timely basis go back and have that. But the Council was directed by the Governor to adopt the budget by this said date and to get the bills out. O’Brien, Sr. added with no public vote, he actually directed us with no public vote. Not just to do it but he directed us to do it with no public vote.

O’Brien, Jr. thinks there is a legal challenge, Murphy et al vs. Lamont, that is in court right now. O’Brien, Jr. thinks they met once and they are going to meet again in July for discovery but there’s a lot of people on this lawsuit so he would be interested to know what the outcome is going to be. Not just on the legality of suspending a Town’s charter or suspending a vote, it’s on a couple of different executive orders that have been issued that may or may not be legal or constitutional. O’Brien, Jr. thinks that is the main basis for Morgan’s concern. I guess we have to ask ourselves what’s going to happen if this is upheld and the executive orders are struck down. Does that mean that we have go back and hold a vote so that we’re legal and the tax bills are valid? Did the attorney look at this case by any chance? It was mid-May that it was initiated. Elsesser replied he is not familiar with the case. If you have specific questions to ask the Town Attorneys Elsesser is glad to forward those to them. O’Brien, Jr. will put it in an email; he is interested to see what the opinion is and what the contingencies might be if something happens in court that we’re not expecting.

Williams commented that he was trying to get a better understanding of it. Mr. Morgan is an employee of one of the supermarkets Williams services and he sometimes talks about it and has a clear cut understanding in his mind of how this should be. Williams is trying to get a better understanding of it. In years past we have done different things so Williams is
curious to other than there being an executive order, which may or may not valid, could we have done something else or should we have done something else.

Elsesser stated there was one town that tried to somewhat violate that and we got another executive order. There was a thumbs up/thumbs down vote, a Town meeting vote on moving funds around, not on the budget, for refinancing. O’Brien, Jr. still does not know why that was a bad thing; everyone was safe, everyone was in a car. Conant thinks it is because it disenfranchises people that don’t have a car. O’Brien, Sr. added they actually had walk up as well. Conant relied you still need transportation to get to the polls. Conant is sharing what Elsesser said the attorneys said.

Elsesser reported we have gone through many thousands of dollars on this question in legal fees but we certainly can do more. I need specific questions. I have the Murphy et al question but at this point it is moot because you’ve already voted per the executive order and for the tax bills to go out. Elsesser does not think we are at risk because we are with every other Connecticut town that has a required Town Meeting and referendum.

Williams expressed thanks for letting him have a better understanding and for us having the discussion. O’Brien, Jr. will submit the question to the Town Manager. O’Brien, Jr. stated it was happening on the fringes when we were going through this and it just wasn’t on the radar but he would like to know what could happen here if we are going to have to take further action as a Council if something happens with the legal case.

10. Miscellaneous/Correspondence:
10.A. *Public Hearing, Tolland Planning & Zoning Commission, July 13, 202:
Proposed Amendments To Zoning Regulations For Roof-Mounted Solar Panels

10.B. Coventry Zoning Board Of Appeals, Public Hearing, June 16, 2020: Property Line Setback From Road Encroachment
Elsesser mentioned we don’t have to talk about this.

10.C. *Board Of Education: 5/14/20 Minutes; 6/11/20 Agenda

11. Executive Session

- Labor
Motion: I move that the Town Council enter into Executive Session pursuant to Connecticut General Statutes 1-200(6)(E)-discussion of any matter which would result in the disclosure of public records or the information therein contained described in subsection (b) of Section 1-210 with the following people in attendance the seven members of the Town Council, the Town Manager John Elsesser, and the Finance Director Amanda Backhaus.

By: O’Brien, Sr. Seconded: Thomas
Voting:
For: O’Brien, Sr., O’Brien, Jr., Hand, Blanchard, Conant, Thomas, Williams
Against: None
Abstain: None
The Council entered Executive Session at ____ p.m.

The Council exited Executive Session at ____ p.m.

12. Adjournment:
   Motion: I move that the Council adjourn at ____ p.m.

   By:                 Seconded:

   Voting:
   For: Hand, Conant, Blanchard, O’Brien, Sr., O’Brien, Jr., Thomas, Williams
   Against: None
   Abstain: None

Respectfully Submitted,

Yvonne B. Filip
Yvonne B. Filip, Town Council Clerk

PLEASE NOTE: These minutes are not official until approved by the Council at the next Council meeting. Please see the next Council meeting minutes for approval or changes to these minutes.