

**ENFIELD TOWN COUNCIL
MINUTES OF A SPECIAL MEETING
MONDAY, MAY 6, 2019**

A Special Meeting of the Enfield Town Council was called to order by Chairman Ludwick in the Enfield room of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Monday, May 6, 2019. The meeting was called to order at 5:32 p.m.

Present were Councilors Bosco, Cressotti, Deni, Kiner, Ludwick, Muller, Sferrazza, Szewczak, and Unghire. Councilor Cekala arrived at 5:36 p.m. Councilor Davis was absent. Also present were Town Manager, Christopher Bromson Town Attorney Maria Elsden; Town Clerk Suzanne Olechnicki

MOTION #4991 by Councilor Szewczak, seconded by Councilor Bosco to go into Executive Session to discuss Enforcement of Legal Right and Pending Litigation.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #4991** adopted 9-0-0 and the meeting stood recessed at 5:33p.m.

EXECUTIVE SESSION

The Executive Session of the Enfield Town Council was called to order by Chairman Ludwick at 5:34 p.m.

Present were Councilors Bosco, Cressotti, Deni, Kiner, Ludwick, Muller, Sferrazza, Szewczak, and Unghire. Councilor Cekala arrived at 5:36 p.m. Councilor Davis was absent. Also present were Town Manager, Christopher Bromson Town Attorney Maria Elsden; Town Clerk Suzanne Olechnicki

Chairman Ludwick recessed the Executive Session at 6:01 p.m., reconvened the Special Meeting at 6:02 p.m. and stated that during Executive Session, Enforcement of Legal Right and Pending Litigation were discussed with no action or votes being taken.

The Special Meeting moved to the Council Chambers.

Also present for this portion of the meeting were Director of Development Services, Lauren Whitten; Director of Public Works Donald Nunes, Assistant Town Engineer John Cabibbo, Facilities Manager Mark Gahr, Chief Technology Officer Paul Russell, Chief of Police Alaric Fox,

DEPARTMENT OF TRANSPORTATION – SOUTH RIVER STREET BRIDGE

Present from the Connecticut State Department of Transportation was Mark Burns.

Mr. Burns stated there was a public hearing on April 17th to discuss this project and Project 48-190, which is the multi-use path project. He noted at that hearing several people spoke out, mostly against the proposed property acquisition. He stated after that meeting it was determined in order to move forward, they needed the Town Council to adopt a resolution to move with the acquisition of the property because this is a town-run project, and the town is going to be the administrator and owner of it. He noted DOT is here just to provide administrative oversight to insure that all federal and state procedures are being followed, therefore, the decision is with the town on how to move forward, which means whether or not to go with the proposed improvements, or to not acquire the property and scale back the overall design.

Mr. Bromson suggested Mr. Burns describe the project. Mr. Burns displayed an illustration showing the proposed bridge with a five to six-foot wide sidewalk overhanging the Connecticut River side of Freshwater Brook, and there will be two ten-foot lanes with two, two-foot shoulders along with minor drainage improvements adjacent to the boat launch. He noted the sidewalk will be installed in conjunction with the trail project. He stated part of the road is an Amtrak right-of-way, so in an effort to avoid conflict with Amtrak, they propose moving the road off the Amtrak right-of-way, which will result in property acquisitions.

Mr. Bromson reminded the Council this is the South River Street Bridge, and this is where DOT told the town last year this bridge wasn't up to standards, therefore, they closed it to do temporary repairs. He noted the Council found financing to re-open the bridge knowing monies were in place to replace the bridge in the future. He stated during the course of this project, when he discovered there was a taking that was going to be involved, he informed the landowner so he would have adequate time to look at this and not be surprised and be able to talk to Public Works and look at the project in its entirety. He stated this not only impacts the bridge itself, but also involves the Connecticut River access project, access to the potential and future train station, and they hope to soon acquire the Eversource property.

Councilor Cressotti stated at the public hearing residents questioned the necessity of the bridge being 24 feet wide and sidewalks six feet wide. He noted it was questioned whether it could be narrower than what's being proposed. He questioned the rationale for the width of the bridge. Mr. Burns stated 24 feet is the minimum town standard for two-way traffic on a local road, and that is why the road would be 24 feet wide. He stated the six-foot wide sidewalk was reduced because the pathway for the Connecticut River access is ten feet wide, and they reduced it to six feet wide in this design because of space constraints, not just with the corner property but also with 2 South River Street.

Councilor Cressotti stated he heard that two wheelchairs have to be able to fit on a sidewalk, and Mr. Burns stated ADA standards require five feet, but six feet is recommended because they measure a wheelchair as three-feet wide, therefore, if two wheelchairs are passing at the same time, six feet would be needed. Councilor Cressotti stated that just needed to be clarified because he does not believe that was stated at the public hearing.

Councilor Cressotti requested clarification as to why the road could not be coming out to where the Amtrak right-of-way is because a redesign was mentioned at the public hearing. Mr. Burns referred to an illustration showing where the town's property ends. He explained it's 12 feet, two inches wide from the end of the Amtrak property to the property at the corner of Main and South River Street, and that's barely enough for one lane with a shoulder. He stated his impression the town's standards of a 24-foot wide roadway means they need to widen the road and acquire private property because they will not seek property acquisition from Amtrak.

Councilor Sferrazza questioned when this bridge was inspected, and what was the rating. Mr. Nunes stated last May, it was rated a "2" out of a scale of "1" to "9" scale. He noted a "1" rating would be considered impending failure with "2" being critical. He noted after repairs were completed, the bridge went from a "2" to a "4" rating. He stated these interim measures were done to get the bridge open for a couple more years.

Councilor Sferrazza questioned the cost of the entire project, and Mr. Nunes responded \$3.3 million dollars.

Councilor Sferrazza questioned which entity is covering 80% of the cost of this project, and Mr. Burns responded 80% is covered by federal funds with no state dollars.

Councilor Sferrazza stated his understanding Enfield will pay 20% and get the bridge repaired to a rating of "10", and if they don't move forward with this project, they can expect impending collapse in a few years and the town would have to completely fund the replacement of the bridge. Mr. Burns stated federal funds would still be available as long as any deficiencies are being addressed.

Councilor Bosco questioned whether this plan can be modified to a point where it will address all issues and still keep that house, and what would be the outcome. Mr. Burns stated even though the town's standard is 24-foot wide, they use their federal coding guide based on average daily traffic. He stated GM2, the designer, did a traffic count and determined the vehicle count was roughly 375 vehicles per day. He stated per a coding guide for an average daily traffic count of under 400 cars per day, they could go with a 20-foot width, and this could be done if the town chose, but this would be going against the town's own standard, but it would be fundable because it would be the minimum bridge width that would be acceptable to the department. He added if the town did not wish to go forward with the acquisition of the property, they would scale down the improvements on both approaches of the bridge to merely be 25 to 50 feet on each side while staying within the town right-of-way. He noted this would address the deficient bridge, however, they would not complete a sidewalk going towards Main Street because they would not pursue the property acquisition, the trail project would terminate at the boat launch, and that still does not address the fact that there is a town road on the Amtrak right-of-way.

Councilor Deni stated one of the things that was brought up before by residents in this area was that this road has been on Amtrak property for many years, and why all of a sudden it must be

moved. Mr. Burns stated it's never been an issue because there's never been a project related to the right-of-way, so no one has really looked into this issue. He noted it's also never been an issue because Amtrak has never requested that the town move the road, which is within their right. He pointed out the town could get a call tomorrow from Amtrak to tell the town to vacate its property off Amtrak's property, which is their right since they own the property. He stated this is coming up now because they started looking into this project and the potential future train station and trail project.

Mr. Bromson stated the town has been dealing with Amtrak since the fall season because they're upgrading the water pollution control plant, and they need to go slightly into Amtrak's right-of-way to install an earthen berm required by DEP, and they've had Congressman and U.S. Senators assisting the town in this endeavor, and Amtrak has made it almost impossible to get permission to do this. He noted Amtrak is requiring licensing agreements, insurance of hundreds of thousands of dollars per year to be kept in perpetuity to have some dirt in their right-of-way. He stated it's very difficult to deal with Amtrak because they're a federal entity unto themselves, and they're untouchable and difficult.

Councilor Szewczak questioned if this design is similar to the Powder Hollow Bridge, and Mr. Cabibbo stated it's similar in some ways. Councilor Szewczak stated it's much safer than it was before.

Councilor Szewczak stated another project had to do with the realignment of South Road to Elm Street, which was a state project that required the acquisition of a home and tennis court.

Councilor Cekala stated her understanding this project must be done, but there's no way to keep this house if they do everything they need to do and stay off Amtrak property. Mr. Nunes agreed.

Councilor Bosco stated he doesn't want to take anyone's property. He questioned the possibility of a one-lane road, and Mr. Burns stated it wouldn't be fundable under the program. He noted if they didn't want to acquire the house, they would replace the bridge, go to the approaches and leave. He noted this would be a one-lane road going up to the bridge. He noted this still leaves the door open for Amtrak to tell the town to move the road.

Chairman Ludwick questioned how Amtrak's right-of-way effects the rest of South River and North River Streets. Mr. Burns stated if Amtrak starts going through property records, there's nothing stopping them from doing their due diligence in making sure there's not private property or town-owned facilities on their property, but this is a unique situation from the way the road is curved. He added it seems most of the houses are on the opposite side of the road, therefore, the odds of them being on Amtrak property are more minimal.

Chairman Ludwick questioned the definition of fair market value, and Mr. Burns stated he does not know because he does not work in the office of rights-of-way, but through the process there

will be an appraisal, and the owner will be given an offer, and if the owner feels the offer is unfair, they can continue to fight it through the legal system, and that offer can be adjusted.

Councilor Cekala stated her understanding the Town Manager doesn't believe it's a viable option to ask Amtrak for permission to keep that road on their property. Mr. Bromson stated the town is trying to do a simple negotiation with Amtrak, and this has been going on for six to eight months with no resolution, and this involves some dirt in the woods and has no impact at all on Amtrak. He noted he doesn't know how Amtrak would feel about a road this close to the tracks.

Councilor Cekala questioned if it would impact the timeline of starting a project if they wanted to approach Amtrak for permission to keep the road on their property. Mr. Burns stated they'd have to go through the Service Transportation Board, which he believes is a Congressional board, and that could take years, and he does not believe anyone wants to spend more town dollars. He noted the designer will stop because they won't know how much further they want to go. He stated if the town wished to go down that path, this project would come to a halt.

Mr. Bromson stated even if the town did all of that and got permission to change it, they're going to terminate the other projects that are in the works. He noted representations have been made to DOT regarding the train station and cleaning up this intersection in order to access that. He stated he cannot say what the jeopardy or ramifications will be to those other projects, but it could very well terminate those as well.

Chairman Ludwick stated DOT is generally very reasonable, and he knows it's not their intent to take someone's home. He expressed his appreciation for DOT speaking before the Town Council.

Mr. Bromson stated he shares the reticence of the Council regarding taking anyone's property, and this would not be done lightly or if there were any other reasonable alternatives. He noted this has been on the drawing boards, the funding is in place, and he would not count on any funding from the state or federal government being available once the town says no to a project. He stated the problem is that the repairs made to this bridge were short term, and if this project is pushed down a couple years, the bridge could become critical and the town would have to come up with several hundred thousand dollars to address the issue. He noted the other projects working in concert with this will also be compromised. He stated he feels badly for the landowner, and that's why he informed him a year ago. He noted there's no good alternative, but he believes they must look for the greater good, and he believes the Council is doing due diligence in good faith. He thanked DOT and Public Works for coming in and making themselves available.

Councilor Bosco stated he just wished he knew a year ago, and he found out about this at that last meeting. He noted this puts them in a bad spot, but they don't really have much of a choice.

BOARD OF EDUCATION

Present for this item were Deputy Superintendent, Andrew Longey; Director of Pupil Services, Julie Carroll; Special Education Teachers Brian Olsen and Lauren Andrews

Mr. Bromson stated his belief this is a great program for the Town of Enfield and all students and residents.

Ms. Carroll provided an overview of a new initiative, which is the Eagle Academy, an academic and therapeutic school. She stated many school systems have experienced an increase in the number of students struggling with social, emotional and behavioral needs. She noted in response to their students' needs, they've implemented a wide range of interventions and supports that have been very effective, but they still have a small percentage of students who require more intensive programming in a separate, small school setting. She stated there are some school systems in Connecticut that have developed their own separate, small, academic and therapeutic schools within their own school districts. She noted currently Enfield does not have this option for its students.

She stated when Enfield students need this level of programming and intervention, they consider placement in separate schools outside of Enfield, and these are called "out placements". She noted out placements can go to Hartford, East Hartford, New Britain, Manchester and other towns.

Ms. Carroll stated when these decisions are made, these students' lives and schedules are greatly impacted because children often have to rise early in the morning, and sometimes they have a bus ride to school that can last an hour to an hour and a half each way, and sometimes they arrive home from school quite late in the afternoon, therefore, they often miss out on after school activities and sports within the Enfield community. She stated for children who struggle to regulate their emotions and behavior, these bus rides can be very challenging.

Ms. Carroll stated for all these reasons, they believe they need to bring their students home to Enfield to provide a small, separate, therapeutic school to meet their needs where these children can learn, grow, thrive and be a part of their home community.

She stated at the beginning of the school year, they formed an Administrative Goal Team. She noted this team includes representatives from special education and general education, and they represent and have experience across all grade levels. She introduced members of the Eagle Academy Goal Team – Bridgette Birchall, Laurie Seigel, Nancy Hayes, Sandra Ingalls, Erin Clark, Jim Graham, Laura Gagnon, Marilyn Cressotti, Lauren Andrews, Brian Olsen and Attorney Chris Chippy.

Ms. Carroll read their goal statement as follows: "To explore the development of a specialized learning center that will create opportunities for students to succeed through individualized instruction, intensive supports, and a network of care within the Enfield community."

She stated their main goal is to bring their students home to Enfield and provide quality educational programming to meet their needs and to insure they have those very rich childhood experiences that they want all students to have in the community, i.e., participation in extracurricular activities and the rich selection of sporting activities that Enfield has to offer its youth.

Ms. Carroll stated they toured many special education academic and therapeutic schools across the State of Connecticut. She noted in the Team's discussions they quickly recognized they have the resources and commitment to create an excellent special education academic and therapeutic school for their students in district. She noted that with everything that's happening across the state at this time, they recognize there may be an exciting opportunity for Enfield to become a leader in the regionalization of school services. She stated they could partner with their neighboring school districts to offer opportunities for their students to receive high quality educational programming closer to their own home communities as well. She emphasized their main goal is Enfield students first.

Mr. Graham stated everyone should be proud of the support they have in place right now, i.e., Positive Behavior Intervention and Support (PBIS), Transition Classrooms, Tiered Interventions, full-time counselors in all schools, and social work service at all levels.

Mr. Olsen stated within his classroom he provides specialized instruction for students with social and emotional needs in a smaller group setting. He noted even though they provide many resources within this program, they're still within a traditional school setting. He stated his school is very large and busy, and they're just not able to provide a lot of specialized support and services that some students need to access. He noted he sometimes must make the difficult choice of recommending an out placement for some of his students. He stated having the Eagle Academy here in Enfield will keep these students within their district and community, and he feels that's very important. He noted having a school of this nature is going to help these students tremendously and enable them to return to their home schools within the district.

Mr. Olsen stated the Eagle Academy will have a small school setting emphasizing relationships with all students and individualized instruction in line with the district's curriculum standards. He noted comprehensive services will be offered based on individual student needs. He stated they will also have Behavior Technicians with specialized training.

Ms. Andrews stated one of the most important pieces of the Eagle Academy is that it is a small school setting that is entirely focused on meeting the unique needs of students academically, socially and emotionally. She noted a smaller setting with a collaborative staff is most successful for the students both short and long term. She stated they will have both elementary and secondary classes with flexible grouping based on the student's needs. She noted their goal is that all the staff will know all the students so that everyone understands what the students need, and they can all work flexibly together.

She stated this building has been thoughtfully planned to include spaces for students of all ages both indoors and outdoors. She noted this is an opportunity for Enfield to be a leader in the regionalization of school services by partnering with local districts.

Ms. Andrews stated they know they have the resources and commitment to give the students what they need here in Enfield.

Councilor Unghire questioned whether there's a projected number of students that will be accommodated, and Ms. Carroll stated at this time, they're holding their planning and placement team meetings, therefore, it's premature to say for certain how many students they'll start the year with. She noted in terms of available space and capacity, they're anticipating four classes up to eight students in each class.

Councilor Kiner questioned if there are metrics that go into determining when they cannot educate a child in a school setting and they need to be out placed to another facility. Ms. Carroll responded yes, those decisions are made by members of the Planning & Placement Team, which is composed of the child's parents or guardian, the school administrator, special education teacher, general education teacher and any related service providers, as well as other attendees on a case by case basis. She noted when this team makes a recommendation for out placement, there are a variety of sources of information that they review and consider, i.e., speech and language evaluations, O.T. evaluations and they also look at a child's progress in terms of meeting their IEP goals and objectives, as well as any additional assessments that may have been completed, including neuropsychological evaluations or psychiatric consultation reports. She noted they're also willing to review and consider any information that the family members bring forward to the PPT.

Councilor Kiner questioned what happens if a parent rejects the recommendation of out placement. Ms. Carroll stated the key is having established a very positive and collaborative relationship with families and working with these families over a period of time and meeting with them before the actual PPT meeting and reviewing the data and talking about the reports and having the families understand that the child is the number one priority. She stated often, they can reach collaborative and positive outcomes for students.

Councilor Kiner questioned whether a parent ever stopped the school system from out placing a student, and Ms. Carroll stated she personally has not encountered that because they've always been able to work through differences to best meet the needs of the children.

Councilor Sferrazza questioned how many students are currently being sent out to other towns. Ms. Carroll stated the total out placements are approximately 45, and that number can fluctuate.

Councilor Sferrazza stated his understanding the town is responsible for paying these other communities to take Enfield students. He questioned the approximate cost for an out placement, and Ms. Carroll responded it's usually a private facility, and the tuition can range between \$60,000 and \$200,000 or more per student per year, depending upon the child's needs.

Councilor Sferrazza stated his understanding that when this program is up and running, the cost of running this program can be somewhat mitigated by the savings of not having to pay out of town tuition. Ms. Carroll responded that's feasible.

Councilor Sferrazza questioned whether at some point Enfield could open this program to other communities and charge those communities, and Ms. Carroll responded yes, that's a possibility. She noted initially they're envisioning this school to be small, and they want to be sure their recommendations for placement are thoughtful and appropriate and best meet the needs of the children. She added once it is up and running and they're experiencing the successes that they anticipate, if they have room to accept a child from a neighboring district, then they could certainly consider that.

Councilor Deni stated he supports this and believes it's a great idea. He questioned if they're using the Head Start facility, and Ms. Carroll responded yes. He noted the Head Start facility is not going to be able to handle 45 students or more if they're accepting students from other towns. He stated his belief in the future they will have to look for a facility to accommodate this program, and Ms. Carroll stated at this point in time, they're not anticipating bringing all 45 students back at once.

Councilor Cressotti congratulated the goal team for putting together this program. He feels this is a win-win situation for everyone, especially with the overall long-range plan of regionalization. He noted they must make sure this program has the right people involved for success.

Councilor Cekala stated she's very excited and happy that this is happening, and she's happy to see they are working in very small, diligent steps to be sure everything goes very well in the very beginning and having all the right people in all the right classrooms in all the right settings.

Chairman Ludwick congratulated the Board of Education for thinking differently and for thinking ahead regarding regionalization. He commended the Superintendent and staff for their work on this.

MOTION #4992 by Councilor Deni, seconded by Councilor Muller to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #4992** adopted 10-0-0, and the meeting stood recessed at 7:12 p.m.