



WEST HARTFORD

**West Hartford Town Council Meeting Minutes
50 South Main Street Legislative Chambers - Room 314
Tuesday, May 9, 2023 at 7:30 PM**

1. Call to Order

The meeting was called to order at 7:30 PM

Present: Councilors Blanks, Mayor Cantor, Cortes, Fay, McGinnis, Polun, Deputy Mayor Sweeney, Wenograd and Zydanowicz

2. Proclamations

Mayor Cantor issued a Proclamation in recognition of Asian American and Pacific Islanders Month

3. Public Forum

NONE

4. Consent Calendar

Without Objection, Motion to place Items 5A through 5D, 7E through 7G, 10A and 10B on the Consent Calendar (Sweeney)

MOTION CARRIES (9 YEA, 0 NAY)

Motion to Adopt the Consent Calendar (Sweeney)

MOTION CARRIES (9 YEA, 0 NAY)

5. Approval of Minutes

A. Town Council Meeting Minutes April 25, 2023

CONSENT

B. Town Council Public Hearing Minutes April 11, 2023 - Ordinance Amending the Special Flood Hazard Area Standards

CONSENT

C. Town Council Public Hearing Minutes April 11, 2023 - Ordinance Concerning Outdoor Dining

CONSENT

D. Town Council Public Hearing Minutes April 11, 2023 - Application filed on behalf of Steele Road, LLC, owner of 243 Steele Road, located within Special Development District (SDD) #139.

CONSENT

6. Unfinished Business

NONE

7. New Business

A. Ordinance Amending Multifamily Residential Parking Requirements

Without Objection, Motion to Refer to Town Plan and Zoning Commission (TPZ), Capitol Region Council for Governments (CRCOG) and Set for Public Hearing on June 13, 2023 at 7:00 PM (Sweeney)

MOTION CARRIES (9 YEA, 0 NAY)

B. Ordinance Amending Certain Requirements for Accessory Dwelling Units

Without Objection, Motion to Refer to Town Plan and Zoning Commission (TPZ), Capitol Region Council for Governments (CRCOG) and Set for Public Hearing on June 13, 2023 at 7:10 PM (Sweeney)

MOTION CARRIES (9 YEA, 0 NAY)

C. Ordinance Amending the Application Approval Procedures for Special Use Permits

Without Objection, Motion to Refer to Town Plan and Zoning Commission (TPZ), Capitol Region Council for Governments (CRCOG) and Set for Public Hearing on June 13, 2023 at 7:20 PM (Sweeney)

MOTION CARRIES (9 YEA, 0 NAY)

D. Resolution Appropriating American Rescue Plan Act Grant Funds

Motion to Adopt (Sweeney)

Second (Blanks)

MOTION CARRIES (9 YEA, 0 NAY)

E. Resolution Setting Town Council Meeting Dates for July and August 2023

CONSENT

F. Appointment of William Thompson III as an Alternate Member of the Civilian Police Review Board for a term to expire December 31, 2025

CONSENT

G. Appointment of Kathleen Costello Hindman as a Regular Member of the Civilian Police Review Board for a term to expire December 31, 2024

CONSENT

8. Reports of Town Manager

A. Town Manager's Report

Mr. Ledwith presented his report to the Council.

9. Reports of Corporation Counsel

A. Corporation Counsel's Report

Corporation Counsel Dallas Dodge stated to the Council that an Executive Session is necessary to discuss pending litigation.

10. Communications

A. SDD#152-R1-23 – 10 Berkshire Road - Notice of Town Planner's intention to approve, pursuant to section 177-44C (9)(b)(d)(e), a request filed on behalf of 47 Pratt Street, LLC, for revisions to the approved Special Development District plan (SDD #152) located at 10 Berkshire Road. The request is for minor architectural, landscape, and the location of accessory structures changes.

CONSENT

B. SDD#154-R1-23 – 920-924 Farmington Avenue - Notice of Town Planner's intention to approve, pursuant to section 177-44C (9)(b)(e), a request filed on behalf of Farmington Avenue Acquisitions, LLC, for revisions to the approved Special Development District plan (SDD #154) located at 920-924 Farmington Avenue. The request is for minor changes to the landscape and the location of accessory structures.

CONSENT

11. Announcements

Mayor Cantor announced upcoming events and information.

12. Executive Session

A. Pending litigation, to wit: *Gabriella Farrell, PPA Sheree Shields Farrell and Brian Farrell v. West Hartford Public Schools Board of Education and Town of West Hartford*, Docket No. HHD-CV-17-6083415-S.

Without Objection, Motion to Enter into Executive Session for the Purpose of Discussing Strategy and Negotiation with respect to pending litigation

MOTION CARRIES (9 YEA, 0 NAY)

The Council entered into Executive Session on 7:58 PM. The Council was joined by Town Manager Richard Ledwith, Corporation Counsel Dallas Dodge, Deputy Corporation Counsel Gina Varano and Attorney Tom Gerarde from Howd & Ludorf. The Council exited Executive Session at 8:14 PM.

Resolution Authorizing the Corporation Counsel to Settle Pending litigation: *Gabriella Farrell, PPA Sheree Shields Farrell and Brian Farrell v. West Hartford Public Schools Board of Education and Town of West Hartford.*

MOTION TO ADOPT (SWEENEY)

MOTION CARRIES (9 YEA, 0 NAY)

13. Adjournment

Without Objection, Motion to Adjourn (Cantor)

MOTION CARRIES (9 YEA, 0 NAY)

The meeting adjourned at 8:16 PM.

SUSPENSE

**RESOLUTION AUTHORIZING THE CORPORATION COUNSEL TO SETTLE PENDING LITIGATION:
GABRIELLA FARRELL, PPA SHEREE SHIELDS FARRELL AND BRIAN FARRELL V. WEST
HARTFORD PUBLIC SCHOOLS BOARD OF EDUCATION AND TOWN OF WEST HARTFORD**

WHEREAS, there is litigation pending against the Town captioned *Gabriella Farrell, PPA Sheree Shields Farrell and Brian Farrell v. West Hartford Public Schools Board of Education and Town of West Hartford*, Superior Court, Judicial District of Hartford, Docket No. HHD-CV-17-6083415-S; and

WHEREAS, Berkley Public Entity Insurance has assumed responsibility for payment of the settlement amount, since the Town has fully expended its self-insured retention in the amount of \$250,000 with the payment of attorney's fees and expert fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the Corporation Counsel is hereby authorized to settle the pending litigation captioned *Gabriella Farrell, PPA Sheree Shields Farrell and Brian Farrell v. West Hartford Public Schools Board of Education and Town of West Hartford*, Superior Court, Judicial District of Hartford, Docket No. HHD-CV-17-6083415-S, in the amount of \$3,425,000; and

BE IT FURTHER RESOLVED THAT the Corporation Counsel is hereby authorized to execute any and all documents necessary to effectuate such settlement.

(LEDWITH)
May 9, 2023