MINUTES
GENERAL COUNSEL COMMISSION
REGULAR MEETING OF NOVEMBER 10, 2016

Present: Councilwoman Kleckowski, Councilman Daley, Councilman Nocera, and Councilwoman Salafia. Staff: Deputy General Counsel Kori Wisneski

Members of the Public: Ben Martin, Jennifer Saines, Jim Fellows, Colleen Weiner, Kent Ritter, Velandy M., Anna Brock, Kate Miller, Carol Schultz, Jay Tulin, Bill Glickman, Krishna Winston, Michelle Ford, Jennifer Siskind, Evelyn Farbman, Carolyn Shaw, David Schultz, Sheila Stoane, Jane Brawerman, Michelle D., Jennifer Halfinger, John Halfinger, Mallory Buckingham, Andy Bauer, Karen Nichols, James Bendzinski, Sandra Kopell.

Call to Order:

Rec'd for Record 12/9/16 @ 9:45am at H m M
Recorded by Lyle Bostwick
Town Clerk

Meeting was called to order at 7:04 p.m.

Public Comment:

- Jennifer Siskind – She is part of the No Fracking Waste Middletown group. She presented a number of public health studies which shows the negative effects of fracking waste. She also provided ordinance language from other Connecticut towns that have passed fracking ordinances.
- Ben Martin – He is a volunteer for 360 Connecticut. He discussed that this is an important issue as any vehicle carrying fracking waste could affect the entire town if there were to be an accident on the bridge and spillage into the river, etc.
- Evelyn Farbman – She is a Middletown resident and she questioned what would make the committee not pass a fracking waste ordinance?
- Krishna Winston – He also supports the fracking ordinance.
- Anna Brock – She supports the ordinance for the protection of the residents in Middletown.
- Andy Bauer – He is a resident of Portland. In December, Portland passed a fracking ordinance and he would love for Middletown to do the same. He discussed how first responders jump knee deep into materials that they don't want to take home with them and this could protect our first responders as well.
- Mallory Buckingham – She discussed the correlation between fracking waste and cancer, which was presented by the Yale Public Health School study.
- Kent Ritter – He supports the fracking ordinance.
- Jim Fellows – New York City passed and 2 Connecticut towns fracking ordinances and he stated that it seems like there has been no progress in Middletown.
- Carolyn Shaw – Supports the ordinance for the protection of the children
- Kate Miller – Sits on the Conservation Commission. She supports the re-organization and formation of the Conservation Commission. She supports the revisions to the ordinance being approved at tonight's meeting.
- Michelle Ford – She is the Environmental Specialists for the Planning, Conservation and Development office. She thinks the Conservation ordinance is a good thing. It opens up

doors for funding for farmers to preserve agriculture properties but it doesn't lock the City in any agreements. She advocated the office's original position with reducing the amount of individuals on the commission.

- Sheila Stoane – All members participate they may not be at meetings but they all work hard. If you reduce and add agriculture it may swallow the commission.

Approval of Minutes:

Councilwoman Kleckowski made a MOTION to approve the Minutes from the October 25, 2016 Special Meeting. The Motion was seconded by Councilwoman Salafia. The Motion passed unanimously.

New Business:

A. Ordinance – Technology Advisory Committee (23-18)

Attorney Wisneski explained that she received this draft from Council Clerk, Marie Norwood. She understood that they have had some difficulties retaining members from the public and these proposed changes were intended to aid in the recruitment of new members.

Councilwoman Kleckowski asked questions regarding why certain language was being removed. Attorney Wisneski reiterated that she had received this proposed ordinance from Ms. Norwood and that she did not have any other information than what she had provided. Councilwoman Kleckowski stated that she would have wanted to talk to someone from the Commission to understand the reasoning behind the proposed changes.

Councilwoman Kleckowski made a MOTION to postpone to the next meeting. The Motion was seconded by Councilwoman Salafia. Councilwomen Salafia and Kleckowski voted in favor of the Motion while Councilmen Daley and Nocera voted against it. The vote failed.

Councilman Nocera made a MOTION to move the ordinance to council. The Motion was seconded by Councilwoman Kleckowski. The Motion passed unanimously.

B. Ordinance – Blight Ordinance (120-25 to 120-27; 228-1)

Attorney Wisneski informed the Commission that the OGC wanted to review this proposed ordinance one more time in light of a recent blight hearing before it went in front of them.

Councilwoman Kleckowski made a MOTION to postpone the ordinance to the next meeting. The Motion was seconded by Councilwoman Salafia. The Motion passed unanimously.

C. Job Description – Campus Safety Officer

There was some discussion about the new certification required of security officers. There was also some discussion about whether the job description should require a "Connecticut" driver's license as opposed to a valid driver's license.

Councilwoman Kleckowski made a MOTION to change the ordinance. The Motion was seconded by Councilman Nocera. The Motion passed unanimously. The changes are as followed:

Candidate must possess or obtain within sixty (60) days of hire a valid Connecticut Driver's License.

Councilman Nocera made a MOTION to change the ordinance so that the appropriate name of the relevant state department is noted in the job description. The Motion was seconded by Councilwoman Kleckowski. The Motion passed unanimously. The changes are as followed:

Position requires a valid Connecticut Security Officer Identification Card from the Department of Emergency Services and Public Protection, which must be maintained through the course of employment.

Councilman Nocera made a MOTION to approve the job description with the noted changes. The Motion was seconded by Councilwoman Salafia. The Motion passed unanimously.

Old Business:

A. Discussion re: Fracking Waste Ordinance

The "No Fracking Middletown" group made a presentation during the public comment section regarding why an ordinance is necessary in Middletown and advocating for its enactment. Attorney Wisneski reported her office's findings regarding whether the City has the authority to enact such an ordinance and whether this is the appropriate time to do so. The Commission discussed the importance of such an ordinance and made the following motion:

Councilwoman Salafia made a MOTION to ask the Office of the General Counsel to draft an ordinance. The Motion was seconded by Councilwoman Kleckowski. The Motion passed unanimously.

B. Ordinance – Commission of Conservation and Agriculture (14-27)

Councilwoman Kleckowski made a MOTION to approve the proposed ordinance. The Motion was seconded by Councilman Nocera. The Motion passed unanimously.

Other

A. Vacancy Report: Report dated 11/10/16 was reviewed – No action required.

B. Legal Bills: None

Adjournment:

MOTION to Adjourn by Councilman Nocera. The Motion was seconded by Councilman Daley. Motion was unanimous and meeting ended at 8:09 p.m.