



Council Agenda

Council Chambers
Windsor Town Hall
December 2, 2002



A Special Town Meeting will take place at 7 PM prior to the Regular Town Council meeting. The Town Council meeting will commence immediately following the Special Town meeting.

7:30 PM Regular Council Meeting

1. ROLL CALL
2. PRAYER – Councilor Albano
3. PLEDGE OF ALLEGIANCE – Councilor Albano
4. PROCLAMATIONS/AWARDS
5. PUBLIC COMMUNICATIONS AND PETITIONS
(Three minute limit per speaker)
6. REPORT OF APPOINTED BOARDS AND COMMISSIONS
 - a) Youth Commission
 - b) Board of Education
7. TOWN MANAGER'S REPORT
8. COMMUNICATIONS FROM COUNCIL MEMBERS
9. REPORTS OF STANDING COMMITTEES
10. ORDINANCES
11. UNFINISHED BUSINESS
 - a) *Approve the Tax Increment Finance Policy (Councilor Simon)
 - b) *Authorize Town Manager to execute a delegation agreement for the operation of the government access television channel (Mayor Trinks)
12. NEW BUSINESS



-
- a) *Approve a utility easement with CL&P at 750 Rainbow Road. (Deputy Mayor Curtis)

13. * RESIGNATIONS AND APPOINTMENTS

14. MINUTES OF PRECEDING MEETINGS

- a) *Minutes of the October 21, 2002 Special Town Council Meeting
- b) *Minutes of the November 4, 2002 Regular Town Council Meeting
- c) *Minutes of the November 18, 2002 Regular Town Council Meeting
- d) *Minutes of the November 18, 2002 Special Town Council Meeting

15. PUBLIC COMMUNICATIONS AND PETITIONS

(Three minute limit per speaker)

16. EXECUTIVE SESSION

- a) Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee.

17. ADJOURNMENT

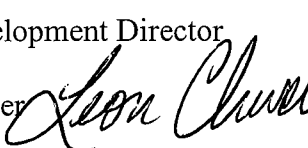
★Back-up included

Agenda Item Summary

Date: December 2, 2002

To: Honorable Mayor and Members of the Town Council

Prepared By: James Burke, Economic Development Director

Reviewed By: Leon Churchill, Town Manager 

Subject: Priority Redevelopment Property List

Background

This memorandum presents a recommendation from the Town Economic Development Commission for the adoption of a Priority Redevelopment Property List for the Town of Windsor. The Town Council requested that this list be prepared and presented as part of the Council's consideration of a proposed Tax Increment Financing Policy.

Discussion

In October, the Town Council was presented with a recommendation from the Economic Development Commission to adopt a Tax Increment Financing (TIF) Policy as one tool to encourage the redevelopment of key vacant and underutilized properties. The proposal was reviewed by the Town Finance Committee. The Committee voted to support the TIF policy subject to the adoption of an official list of priority properties as referred to in the Policy.

Attached to this memorandum is a proposed Priority Redevelopment Properties List for the Town of Windsor. This document presents the purpose of the list and provides for the official adoption of the list. It also sets out a procedure and criteria for annual review and specific requests to add or delete sites from the adopted list.

Other Board Action

The Town Economic Development Commission met on November 20th to review the redevelopment properties and to prepare a document for consideration by the Town Council. At that time, they voted to approve the attached document and to recommend Town Council approval.

Recommendation

It is recommended that if the Town Council is in agreement, that it approve the Priority Redevelopment Property List attached herein as Exhibit A.

Town of Windsor, Connecticut
Priority Redevelopment Properties List
December, 2002

I. INTRODUCTION

The Town of Windsor has determined that there are certain vacant or underutilized sites in Windsor that need focused-attention from the Town government. A number of these sites are in Windsor Center and the Wilson neighborhood and are therefore crucial to the future of our community. Many of these sites play into the public's perception about the community.

There is a window of opportunity to attract investment to these sites. In addition, when opportunities arise, it is important to have programs in place so the Town can act quickly.

It is in the public interest to encourage the timely and appropriate redevelopment of these properties.

II. LIST ADOPTED

The Priority Redevelopment Properties List attached hereto as Attachment A is hereby adopted.

Inclusion of a property on this list does not confer any right to any incentive program. It does establish which properties are eligible to apply for certain programs including the Tax Increment Financing Policy. After a property is listed, each development proposal must be reviewed and approved according to the particular program requirements.

III. PROCEDURE FOR ANNUAL REVIEW, ADDITIONS AND DELETIONS

The following procedure will be followed to add to or delete from the Priority Redevelopment Properties List.

1. Annual Review. The Economic Development Commission shall review the adopted list annually and report to the Town Council its recommendations for additions or deletions from the list.
2. Specific Requests. The Town Council, Economic Development Commission, Town Manager, any citizen or property owner may initiate a request to add or delete a property or properties at any time. Each such request shall be reviewed by the Economic Development Commission according to the criteria as set forth below. The Commission shall then forward its recommendation to the Town Council.
3. Town Council Final Determination. The Town Council shall make the final determination regarding all additions or deletions to the list.

IV. CRITERIA

The Town of Windsor will consider a property for inclusion on the Priority Redevelopment Properties List only if at least four (4) of the following criteria are met:

- 1) Visibility (location on a heavily traveled roadway and public's awareness of site)
- 2) Pending opportunities related to the site
- 3) Present blighting condition – nuisance, environmental issues, poor access, problems of ownership
- 4) Potential multiplier effects
- 5) Level of difficulty to redevelop without assistance
- 6) Potential costs to the Town of not acting
- 7) Length of time on the market (more than 24 months)

Attachment A

TOWN OF WINDSOR PRIORITY REDEVELOPMENT PROPERTIES

The following are the priority redevelopment properties in the Town of Windsor as determined by the Town Council:

<u>Rappaport Building</u>	33 Mechanic Street
<u>Plaza Building</u>	280-294 Broad Street
<u>Tobacco Valley Inn</u>	Dunfey Lane and Bloomfield Avenue
<u>Redevelopment Parcel</u>	418-446 Windsor Avenue
<u>Udlof Property</u>	156 Windsor Avenue
<u>Flamingo Inn</u>	19, 27, 29, and 35 Windsor Avenue
<u>Town of Windsor Parks Building</u>	69 Mechanic Street
<u>Parking Lot at Maple and Broad Street</u>	240 Broad Street
<u>Parcel north of 457 Windsor Ave</u>	459-465 Windsor Avenue
<u>Spillane property next to CITGO</u>	581 Windsor Avenue
<u>Hayden Station Schoolhouse</u>	853 Palisado Avenue

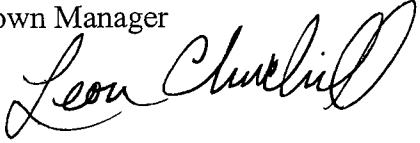
Initially adopted, December, 2002.

Agenda Item Summary

Date: November 14, 2002

To: Honorable Mayor and members of the Windsor Town Council

Prepared By: Enita Jubrey, Assistant to the Town Manager

Reviewed By: Leon Churchill, Town Manager 

Subject: Delegation Agreement Between Windsor Community Television, Inc. and the Town of Windsor

Background

As part of the Town of Windsor's branding efforts and the business plan of the Marketing and Communications Strategy Team, a proposal for the operation of the Government Channel 21 by town staff was presented to the Town Council during the FY03 budget deliberations. The purpose of the initiative is to better align the quality and quantity of television programming on the government channel to that of our print publications and website. At that time, \$20,000 was appropriated from the Capital Outlay portion of the budget to purchase the necessary equipment. Discussions with the Executive Director and the Windsor Community Television, Inc. Board of Directors have been ongoing and a delegation agreement for the operation of Channel 21 has been drafted, mutually agreed upon by both the Town Manager and the Executive Director of WIN-TV and reviewed by the Town Attorney. The chair of the WIN-TV board of directors has also been directly involved in discussions.

Discussion/Analysis

Copies of the delegation agreement have been forwarded to AT&T for review. Town staff has communicated with both AT&T as well as the Department of Public Utility Commission (DPUC) throughout the process. AT&T and the DPUC both concur with the structure and content of the delegation agreement per their comments. AT&T would like to add a clause to the agreement clearly stating their relationship with WIN-TV and its ultimate responsibility for Windsor's public access channels. This addition will likely be added to the General Provisions section of the delegation agreement. The updated version of the delegation agreement will be sent to the Town Council on Friday, November 15, 2002.

The delegation agreement designates December 16, 2002 as the first date broadcasting Windsor Government Channel 21 (WG-TV) by the Town of Windsor. Production equipment has been purchased and installed and staff is trained and prepared to begin operations. Programming goals and guidelines are attached to this agenda item summary as well as a sample of possible programming.

Financial Impact

None. Operations of WG-TV will be managed with current resources.

Other Board Action

None. The WIN-TV Board of Directors will consider this item at their November 19, 2002 meeting.

Recommendations

If the Town Council is in agreement, the following motion is recommended:

Move to accept the delegation agreement between Windsor Community Television, Inc. and the Town of Windsor and authorize the Town Manager to sign the agreement.

Attachments

- Copy of the proposed Delegation Agreement
- Programming goals and guidelines
- Windsor Government Television Potential schedule

DRAFT

Delegation Agreement Between Windsor Community Television, Inc. and the Town Of Windsor

This agreement between Windsor Community Television, Inc. (WIN-TV) and the Town of Windsor (Town) provides for the delegation by WIN-TV to the Town of Windsor of full and complete control of the operation of Local Access Government Television Channel 21, for the period of one year from the affective date of this agreement, in return for certain considerations, as follows.

Section One:

The Town of Windsor will:

1. Provide financial consideration to WIN-TV in the amount of ten-thousand dollars (\$10,000) for fiscal year 2002-2003, and, by July 30th of each year for which this agreement is renewed, an amount to be determined by the Town Council as part of the Town's annual budget process, and subsequently approved at the Town's adjourned town meeting.
2. Maintain complete statistics on all programming on Channel 21 in formats established by WIN-TV and will make such data available to WIN-TV in such formats and at such times as will permit WIN-TV to meet all of its obligations, including those to state and federal authorities, regarding WIN-TV's performance as a Public, Education and Government Local Access Television Operator.
3. Submit proposed broadcast schedules for Channel 21 to WIN-TV a minimum of one week in advance of airing.
4. Provide all videotapes of events or meetings to be rebroadcast on WIN-TV's Education Channel 22, most notably those Board of Education meetings held in Council Chambers.
5. Accept all liability associated with its independent actions with regard to this agreement and its operations of Local Government Access Channel 21. The Town expressly agrees to hold WIN-TV harmless from any liability that may arise from actions brought by others arising from the Town's operation of Channel 21. Notwithstanding questions of liability, the Town agrees to acknowledge WIN-TV's legal obligation as the legally designated operator of Local Government Access Television by including credits at the beginning and at the end of each program stating the Government Channel and the Town operate under a license of WIN-TV.

DRAFT

Section Two:

WIN-TV will:

1. Delegate to the Town full and complete authority for the operation of Local Access Government Channel 21, including scrolling of all government-related notices and announcements and all Board of Education functions and activities that take place in the Council Chambers.
2. Prepare and submit all required reports to all pertinent agencies of government.

Section Three:

General Provisions:

1. This Agreement shall become effective on December 16, 2002, and upon the affixing of the signatures of the persons authorized to execute this Agreement. This Agreement will self renew on an annual basis unless cancelled by either party upon provision of thirty (30) days written notice.
2. In the event that either party to this agreement should issue a written notice of cancellation, in accordance with Paragraph 1 above, and the matter in dispute can not be resolved by negotiation within the 30-day notice period, the parties agree to utilize mediation services from a qualified mediation service provider which is mutually acceptable to both parties.
3. This Agreement may be terminated immediately upon WIN-TV's concluding, by majority vote of the board, that the integrity of the government channel is in jeopardy, or that its obligations cannot continue to be met with the Agreement in place.
4. The parties agree they will not employ, directly or by contract, in the operation of Government Channel 21, any person(s) or business (es) that is (are) or was (were) in the past employed by WIN-TV and the Town of Windsor.

DRAFT

5. It is expressly understood by the parties that notwithstanding the level of the Town's payment set forth in this Delegation Agreement, the Town of Windsor is encouraged, to make annual grants to WIN-TV toward the cost of capital equipment and/or operations of local access Channel 5 and Education Channel 22.

The parties hereto agree to the provisions set forth above and hereby execute this Agreement on behalf of each:

For the Town of Windsor:

DATE

R. Leon Churchill, Jr.
Town Manager

For WIN-TV:

DATE

John C. Pickens
Executive Director



Channel 21 (WG-TV) Television Guidelines

General Guidelines: Channel 21 is a government access channel. Programming produced by the Town of Windsor shall be of the highest priority for Channel 21, and the town reserves the right to determine what programming shall be produced and aired on Channel 21. The programming will be viewpoint neutral and provide to the community information about local government, and the community being served.

Goals of Channel 21: The principal goals of Channel 21 is to inform and educate the viewing audience about local government, programs and services offered by the town and the community being served in a non-commercial manner. In tandem with the goals of the Town of Windsor's Marketing and Communications Strategy Team, the Channel 21 goals reflect the town's ongoing efforts to convert passive users of local government services into active and participative citizens.

Priorities:

- ξ programming initiated by the Town Council
- ξ programming of an emergency nature involving public health or safety matters
- ξ programming initiated by other Town of Windsor departments
- ξ programming produced by a source other than the town and which pertains directly to local government, and which is approved by the Town Manager for broadcast.

Political Programming Guidelines:

No political programming shall be shown on Channel 21. Candidate debates, open to all candidates to participate in, may be shown on WIN-TV Channel 5 in accordance to their guidelines.

Windsor Government Television Potential Schedule

	12AM - 1AM	1AM - 8AM	8AM - 1PM	1PM - 3PM	3PM - 5PM	5PM - 6PM	6PM - 7PM	7PM - 12AM
Monday	Slide Show	"Mayor's Desk"	Council Meeting Rebroadcast	Slide Show	Student Productions	"Mayor's Desk"	Meeting Warm-up	Council Meeting Live or Rebroadcast
Tuesday	Slide Show	"That's Entertainment!"	TP&Z Meeting Rebroadcast	Slide Show	State of CT Productions	"That's Entertainment!"	Meeting Warm-up	TP&Z Meeting Live or Rebroadcast
Wednesday	Slide Show	"The State of the Town"	BOE Meeting Rebroadcast	Slide Show	Student Productions	"The State of the Town"	Meeting Warm-up	BOE Meeting Live or Rebroadcast
Thursday	Slide Show	"Superintendent's Desk"	"From the Booth" / "Windsor Webcast"	Slide Show	State of CT Productions	"Superintendent's Desk"	Slide Show	"From the Booth" / "Windsor Webcast"
Friday	Slide Show	"To Your Health"	Council Meeting Rebroadcast	Slide Show	Student Productions	"To Your Health"	Meeting Warm-up	Council Meeting Rebroadcast
Saturday	Slide Show	"For Your Safety"	TP&Z Meeting Rebroadcast	Slide Show	State of CT Productions	"For Your Safety"	Meeting Warm-up	TP&Z Meeting Rebroadcast
Sunday	Slide Show	"Finer with Age"	BOE Meeting Rebroadcast	Slide Show	Student Productions	"Finer with Age"	Meeting Warm-up	BOE Meeting Rebroadcast

Program Descriptions

That's Entertainment

A program dedicated to the recreational and performance aspects of the town. Reviews and previews of concerts, theatrical performances

Mayor's Desk

The Mayor of Windsor discusses relevant town topics and invites a pertinent guest

Superintendent's Desk

The Superintendent of Schools discusses relevant school topics and invites a pertinent guest

Student Productions

Programs created by students in the Windsor Public Schools relating to town affairs

State Productions

Programs sent to the town from the State of Connecticut (i.e. Jodi Reil)

Windsor Webcast

An informative program discussing the services available on the Town of Windsor and Education websites

The State of the Town

The Town Manager gives an update on current events and major projects in the town

For Your Safety

Current and informative topics regarding Police, Fire Department and Ambulance Services, may also include tips for residents

Finer with Age

Topic of interest to the senior population in town (similar to news in the Senior Brochure)

From the Booth

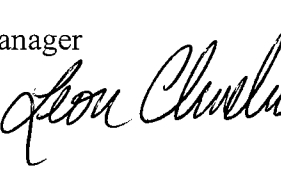
Entita and Gary make their monthly appearance and present news and views unlike any other television program

Agenda Item Summary

Date: December 2, 2002

To: Honorable Mayor and Members of the Town Council

Prepared by: Peter Souza, Assistant Town Manager

Reviewed by: Leon Churchill, Town Manager 

Subject: Utility Easement – 750 Rainbow Road

Background

Earlier this year the Town Council approved a land lease with AT&T which allows the construction of a communication tower, upon Town Planning and Zoning Commission approval, at the Rainbow Road Fire Station. As part of the project the Connecticut Power and Light Company requires a utility easement from Rainbow Road to the tower site, which is located along the west side of the site.

Discussion and Analysis

The easement grants CL&P the right to install and maintain electrical service along the west side of the site within a 20' wide easement. The power lines will be underground. Installation cost will be borne by AT&T.

The Town Attorney and Town Engineer have reviewed the proposed easement.

Financial Impact

There is no financial impact to the town related to the easement. In accordance with the approved land lease, upon commencing construction of the tower the town will receive a \$2,250 per month rent payment.

Recommendations

If the Town Council concurs the following motion is recommended:

RESOLVE to approve a 20 foot wide utility easement in favor the Connecticut Power and Light Company through land owned by the Town of Windsor at 750 Rainbow Road.

Attachments:

Proposed utility easement
Description and map of easement area

ELECTRIC DISTRIBUTION EASEMENT

AT&T Wireless

For a valuable consideration, receipt of which is hereby acknowledged, Town of Windsor and Services, Inc d/b/a AT&T Wireless having an address of _____ as Tenant under the Lease, as the term is hereinafter defined, hereinafter collectively called Grantors, hereby grant to The Connecticut Light and Power Company, a specially chartered Connecticut corporation with offices in Berlin, Connecticut, its successors and assigns, hereinafter called Grantee, until the occurrence of the events described in the condition hereinafter set forth, a non-exclusive right and easement to construct, maintain, replace, relocate, remove and rebuild on, across, over and under the land hereinafter described (Easement Area), an electric distribution system consisting of poles, guys, braces, wires, cables, conduits, transformers, transformer pads, pedestals, meters, structures for street lights and traffic signals, fixtures and other appurtenances useful for providing electric, communication, signal and streetlighting service (including wires, cables and conduits running from the poles, transformers and pedestals to any structures erected on the Grantors' lands); the right to provide electric, communication, signal and streetlighting service by means of the same; and the right to enter the Grantors' lands for the purpose of inspecting, maintaining or removing same and the right, after consultation with the Grantors when practicable, to trim and keep trim, cut and remove such trees or shrubbery as in the judgment of the Grantee are necessary to maintain its services.

Said Easement Area is located on the Grantors' lands on the northerly side of Rainbow Road in the Town of Windsor, Connecticut, as more particularly described on a map entitled "Compilation Plan Map Showing Easement Area to be Granted to The Connecticut Light and Power Company Across the Property of Town of Windsor Rainbow Road Windsor, Connecticut CL&P File # E2244 Scale: 1"=30' Date: October 2002 Rev. 1 11-04-02 Proposed Easement Revised" which map has been on or will be filed in the office of the town clerk of said Town of Windsor, Connecticut.

The Grantors agree, except with the written permission of the Grantee, that (i) no building, structure, or other improvement or obstruction shall be located upon, there shall be no excavation, filling, flooding or grading of, and there shall be no parking of vehicles or planting of trees or shrubbery upon the Easement Area or outside the Easement Area within five (5) feet from any facilities or appurtenance installed to provide services to any structures erected on the Grantors' premises, and (ii) nothing shall be attached, temporarily or permanently, to any property of the Grantee installed by virtue of this easement. The Grantee may, without liability to the Grantors and at the expense of the Grantors, remove and dispose of any of the aforesaid made or installed in violation of the above and restore said land to its prior condition. In the event of damage to or destruction of any of said facilities of the Grantee by the Grantors or agents or employees thereof, all costs of repair or replacement shall be borne by the Grantors.

The Grantee further agree, by the acceptance of this deed, that as long as and to the extent that the electric distribution system together with all appurtenances, located on said land pursuant to this easement are used to provide electric, communication, signal or streetlighting service, the Grantee will repair, replace and maintain such facilities at its own expense (except as otherwise provided herein) and in connection with any repair, replacement or maintenance of said system the Grantee shall promptly restore the premises to substantially the same condition as existed prior to such repair, replacement or maintenance, provided, however, that such restoration shall not include any structures, other improvements or plantings made by the Grantors contrary to the provisions of this easement.

The Grantee, by acceptance of this instrument, agrees that, upon request of the Grantors and upon execution and delivery to the Grantee of rights and easements acceptable to the Grantee, it will relocate at the expense of the Grantors any part of said electric distribution system which the Grantors may reasonably request to be relocated, provided that such relocation is practicable and consistent with sound engineering principles, including any removal and relocation of such system improperly located due to incorrect street and property line locations furnished by the Grantors, the Grantors' agents or employees.

The Grantee further agrees, by acceptance of this instrument, that as long as and to the extent that the electric distribution system, together with all appurtenances, located on said land pursuant to this easement are used to provide electric service, the Grantee will repair, replace and maintain such facilities at its own expense (except as otherwise provided herein) and in connection with any repair, replacement or maintenance of said system the Grantee shall promptly restore the premises to substantially the same condition as existed prior to such repair, replacement or maintenance, provided, however, that such restoration shall not include any structures, other improvements or plantings made by the Grantors contrary to the provisions of the third paragraph hereof.

The Grantors agree that in the event of the rights granted to the Grantee in this instrument terminate by virtue of condition hereinafter set forth, or for any other reason:

- (i) the Grantee may, at its option, discontinue the supply of electric service to the Grantors;
- (ii) the Grantee may, at its option, remove all or portions of the Grantee's underground facilities or may leave in place all or portions of such underground facilities;
- (iii) the Grantee shall remove all of its above ground facilities; and
- (iv) if termination of the rights granted in the instrument occurs within five (5) years of the date of the instrument, AT&T shall promptly reimburse Grantee for its costs of removal of its facilities pursuant to the preceding subparagraph(s) (ii) and/or (iii).

If any portion of the above described land upon or under which said facilities or appurtenances thereto shall be located, is now or hereafter becomes a public street or highway or a part thereof, permission, as set forth in Section 16-234 of the General Statutes of Connecticut relating to adjoining landowners, is hereby given to the Grantee and to its successors and assigns, to use that portion of the land for the purposes and in the manner above described.

Any right herein described or granted, or any interest therein or part thereof, may be assigned to any communication or signal company by the Grantee, and the Grantors hereby agrees to and ratifies any such assignment and agrees that the interest so assigned may be used for the purposes described therein for communication or signal purposes.

The Grantor reserves unto itself, its successors and assigns, the right to grant further utility easements in common with the Easement granted herein to Grantee to construct, maintain, replace, relocate, remove and rebuild, on across, over and under, the Easement Area such utilities and rights as may be required by Grantee. Such rights shall include but not be limited to the right of ingress and egress and such other rights as are granted herein. Grantors' granting of further utility easements in common with Grantee shall not interfere with Grantee's rights herein.

The words "Grantors" and "Grantee" shall include lessees, heirs, executors, administrators, successors and assigns where the context so requires or permits.

TO HAVE AND TO HOLD the premises unto it, the said Grantee, its successors and assigns, upon the express condition that six (6) months after the receipt by the Grantee by written notice from one or more of the Grantors of the expiration or valid termination of the Lease (herein called the "Lease") from Town of Windsor to AT&T, a notice of which is to be recorded in Volume _____ Page _____ of the Windsor Land Records, including all modifications, amendments, extensions, renewals or substitutions therefore, then the rights granted to the Grantee automatically cease and terminate six (6) months after receipt by the Grantee or such notice of the expiration or valid termination of the Lease as so modified, amended, extended, renewed or substituted.

For the purposes of this instrument a "substitution" for the Lease shall be deemed to include, without limit, all leases by the then owner of all or any part of the land described in the Lease to _____.

Any notices given pursuant to this instrument shall be in writing and shall be deemed to have been properly given when served personally, or three (3) business days after sending by United States registered or certified mail, postage pre-paid, addressed as hereinafter provided. All such notices to the Grantee shall be addressed as follows:

Manager, Real Estate Department
The Connecticut Light and Power Company
P.O. Box 270
Hartford, CT 06141-0270

or at such other address and addresses to the attention of such officer or other person as Grantee may from time to time designate by written notice to Grantors. All such notices to Grantors shall be addressed as follows:

Town of Windsor
Town Hall
Windsor, Connecticut 06095

AT&T Wireless Services, Inc.
2729 Prospect Park Drive
Rancho Cordova, California 95670

or at such other address and addresses to the attention of such officer or other person as Grantors may from time to time designate by written notice to Grantee.

IN WITNESS WHEREOF, the Grantors has hereunto caused (set) _____ hand(s) and seal(s) to be affixed this _____ day of _____, 2002.

Signed, sealed and delivered in the presence of:

TOWN OF WINDSOR

Witness

By: _____ (L.S.)

Witness

AT&T WIRELESS SERVICES, INC. d/b/a AT7T WIRELESS

Witness

By: _____ (L.S.)

Witness

Witness

_____ (L.S.)

Witness

Witness

_____ (L.S.)

Witness

ACKNOWLEDGMENT

STATE OF _____

S.S. _____

COUNTY OF _____

On this ____ day of _____, 2002 before me, the undersigned officer, personally appeared _____ who acknowledged him/herself to be the person whose name is subscribed to the within instrument and acknowledged that they, being duly authorized to do so, executed the same for the purposes therein contained as their and said Grantors' free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and the official seal.

Notary Public - Seal Required
My Commission Expires _____

STATE OF _____

S.S. _____

COUNTY OF _____

On this ____ day of _____, 2002 before me, the undersigned officer, personally appeared _____ who acknowledged him/herself to be the person whose name is subscribed to the within instrument and acknowledged that they, being duly authorized to do so, executed the same for the purposes therein contained as their and said Grantors' free act and deed.

In witness whereof, I hereunto set my hand and the official seal.

Notary Public - Seal Required
My Commission Expires _____

STATE OF _____

S.S. _____

COUNTY OF _____

On this ____ day of _____, 2002 before me, the undersigned officer, personally appeared _____ who acknowledged him/herself to be the person whose name is subscribed to the within instrument and acknowledged that they, being duly authorized to do so, executed the same for the purposes therein contained as their and said Grantors' free act and deed.

In witness whereof, I hereunto set my hand and the official seal.

Notary Public - Seal Required
My Commission Expires _____

EASEMENT TO
CONNECTICUT LIGHT AND POWER COMPANY
750 RAINBOW ROAD

Commencing at a point in the northerly streetline of Rainbow Road said point being the southeasterly property corner of the Grantor,

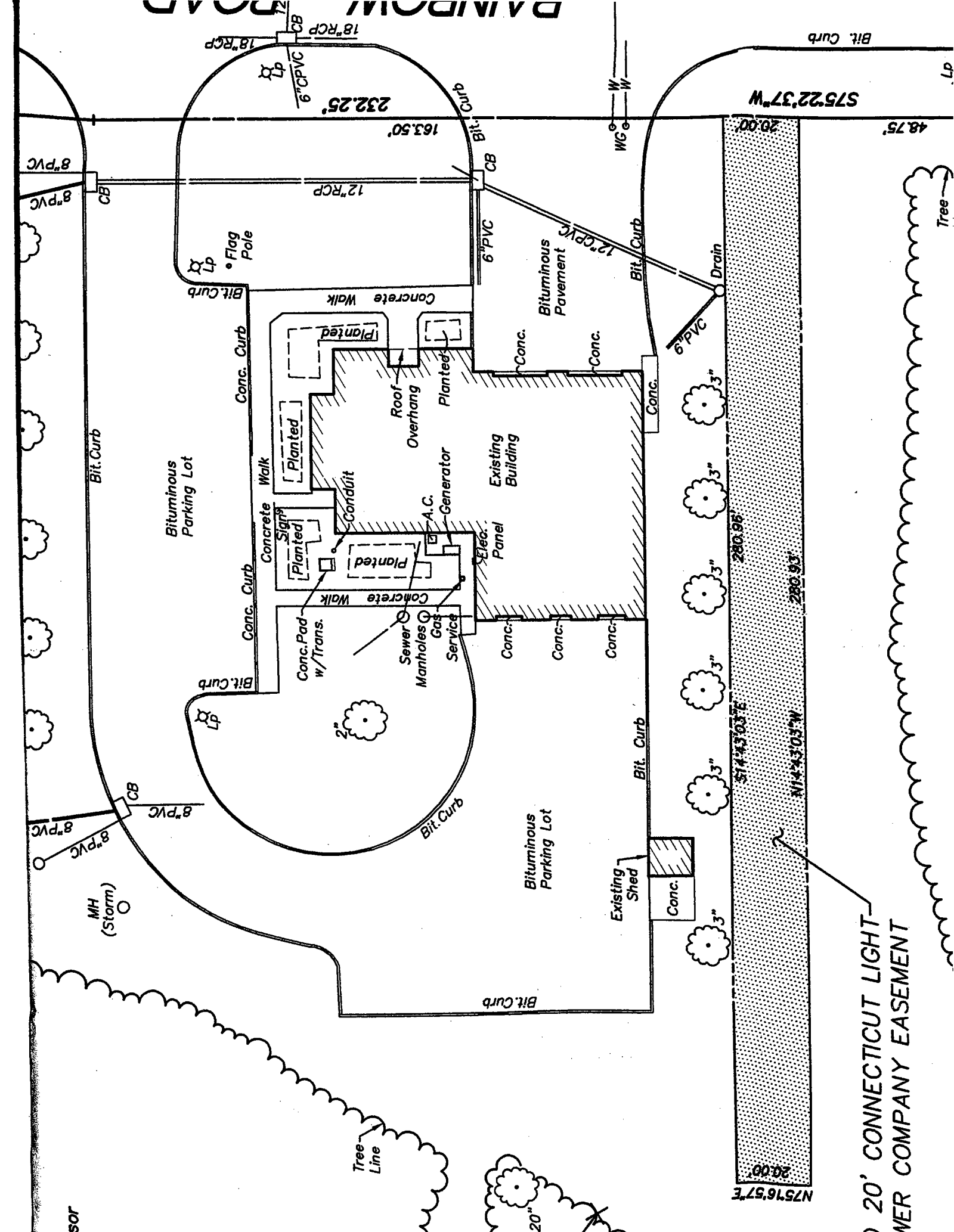
Thence running N 75°-22'-37" E along said northerly streetline of Rainbow Road a distance of 48.75' to a point being the point and place of beginning,

Thence: running N 14°-43'-03" W across the Grantors a distance of 280.93' to a point,

Thence running N 75°-16'-57" E across the Grantors a distance of 20.00' to a point,

Thence running S 14°-43'-03" E across the Grantors a distance of 280.96' to a point on the northerly streetline of said Rainbow Road,

Thence running S 75°-22'-37" W along said northerly streetline of said Rainbow Road a distance of 20.00' to the point and place of beginning.



20' CONNECTICUT LIGHT
 WATER COMPANY EASEMENT

DAVIDSON ROAD

XII. Resignations and Appointments

December 2, 2002

- A. Accept the resignation of Jack Waters from Municipal District Commission**
- B. One Republican Alternate Member**
Board of Assessment Appeals
Four Year Unexpired Term to expire November 30, 2005 or until a successor is appointed
(Michael McDonald – resigned - VACANCY)
- C. One Republican Alternate Member**
Commission on Aging & Handicapped
Two Year Term to expire November 8, 2004 or until a successor is appointed
(John Purcell – change of status from an alternate to a regular member - VACANCY)
- D. One Democratic Alternate Member**
Commission on Aging & Handicapped
Two Year Unexpired Term to expire November 10, 2003 or until a successor is appointed
(Linda Rickard – change of status from an alternate to a regular member - VACANCY)
- E. One Republican Alternate Member**
Conservation Commission
Five Year Unexpired Term to expire November 30, 2004 or until a successor is appointed
(Syed Ashraf – change of status from alternate member to a regular member – VACANCY for a Republican member)
- F. One Democratic Alternate Member**
Conservation Commission
Five Year Unexpired Term to expire November 30, 2003 or until a successor is appointed
(Valerie Allgrove – change of status from an alternate to a regular member - VACANCY)
- G. One Republican Member**
Economic Development Commission
Five Year Unexpired Term to expire January 31, 2005 or until a successor is appointed
(Kerry Ruiz – resigned - VACANCY)
- H. One Republican Member**
Hartford Area Cable Television Advisory Council
Two Year Term to expire December 31, 2003 or until a successor is appointed
(Katie Chiodo – resigned - VACANCY)
- I. One Democratic Resident Member**
Historic District Commission
Five Year Term to expire October 14, 2007 or until a successor is appointed
(Anelia Machernis – reappointment)
- J. One Democratic Member**
Historic District Study Committee
One Year Term to expire September 17, 2003 or until a successor is appointed
(David Bierut - reappointment)
- K. One Democratic Member**
Historic District Study Committee
One Year Term to expire September 17, 2003 or until a successor is appointed
(Mary Ann Pleva - reappointment)

XII. Resignations and Appointments

December 2, 2002

- L.** One *Republican* Member
Historic District Study Committee
One Year Term to expire September 17, 2003 or until a successor is appointed
(Colette Yeich - reappointment)
- M.** One *Republican* Member
Historic District Study Committee
One Year Term to expire September 17, 2003 or until a successor is appointed
(Anthony Zeolla - reappointment)
- N.** One *Democratic Alternate* Member
Historic District Study Committee
One Year Term to expire September 17, 2003 or until a successor is appointed
(Agnes Pier – resigned - VACANCY)
- O.** One *Republican* Member
Housing Code Board of Appeals
Five Year Unexpired Term to expire October 31, 2004 or until a successor is appointed
(Michael McDonald – resigned – VACANCY)
- P.** One *Republican* Member
Inland Wetlands & Watercourses Commission
Four Year Term to expire March 31, 2006 or until a successor is appointed
(Nancy Rudek - reappointment)
- Q.** One *Republican* Member
Insurance Commission
Four Year Term to expire October 31, 2006 or until a successor is appointed
(David Curley - reappointment)
- R.** One *Republican* Member
Insurance Commission
Four Year Term to expire October 31, 2006 or until a successor is appointed
(Charles Erickson - reappointment)
- S.** One *Republican* Member
Wilson/Deerfield Advisory Committee
Three Year Term to expire April 30, 2004 or until a successor is appointed
(vacant since 11/01 - VACANCY)
- T.** One *Republican* Member
Wilson/Deerfield Advisory Committee
Three Year Term to expire April 30, 2005 or until a successor is appointed
(R. Gus Hallgren - reappointment)
- U.** One *Democratic* Member
Wilson/Deerfield Advisory Committee
Three Year Term to expire April 30, 2005 or until a successor is appointed
(Kenneth R. Herman - reappointment)

XII. Resignations and Appointments

December 2, 2002

- V.** One *Democratic* Member
Wilson/Deerfield Advisory Committee
Three Year Term to expire April 30, 2005 or until a successor is appointed
(Mary Turley - reappointment)

- W.** One *Democratic* Member
Windsor Housing Authority
Five Year Term to expire July 31, 2007 or until a successor is appointed
(Harold DePianta - reappointment)

- X.** One *Democratic* Member
Youth Commission
Three Year Term to expire September 30, 2005 or until a successor is appointed
(Jeanette Cave - reappointment)

- Y.** One *Democratic* Member
Youth Commission
Three Year Term to expire September 30, 2005 or until a successor is appointed
(Scott Suty - reappointment)

**TOWN COUNCIL REFUSE WORKSHOP
SPECIAL MEETING
LUDLOW ROOM – TOWN HALL
OCTOBER 21, 2002**

Unapproved Minutes

PRESENT: Mayor Trinks, Deputy Mayor Curtis, Councilor Broxterman, Councilor Jepsen, Councilor Mulligan, Councilor Pacino, Councilor Simon, Councilor Walker

STAFF PRESENT: Town Manager Leon Churchill, Assistant Town Manager Peter Souza, Solid Waste Manager Mark Goosens, Health & Social Services Director Charles Petrillo, Finance Director Gregg Pavitt, Director of Public Works Brian Funk

1. Call to Order

Mayor Trinks called the meeting to order at 5:45 p.m.

2. Discussion of Refuse Disposal Issues

Town Manager Churchill introduced the topic of solid waste collection and disposal. The landfill is projected to reach municipal solid waste capacity in 2006. Closing of the landfill requires the town to make a number of decisions including designating a disposal site for municipal solid waste. Such a decision presents the need to evaluate alternative disposal options and associated issues related to collection methods, recycling, and the degree of town involvement.

Assistant Town Manager Souza and Solid Waste Manager Mark Goosens provided background information on the following topics:

- a) current collection and disposal system
- b) disposal alternatives
- c) solid waste practices across Connecticut
- d) recycling efforts
- e) regulatory rules for towns and cities

A series of policy questions which need to be examined were outlined:

1. Which is more important to the consumer in Windsor?
 - a) The ability to set out at the curb the same type of refuse that occurs now, or
 - b) The lowest cost disposal alternative which may exclude or provide for separate collection or acceptance of large or unusual items.
2. What is the desired level of local government involvement or regulation in refuse collection?
 - a) minimal involvement (current system)
 - b) increased regulation through franchising or contracting for town wide collection and disposal services.
3. What type of system encourages increased recycling source reduction?
 - a) Unit based pricing (Pay-As-You-Throw)

The Councilors would like staff to provide them with the following information:

1. Provide a list of towns currently using the Pay-As-You-Throw program
2. Research Tolland and Ellington recycling programs
3. Look at white paper as part of commercial recycling efforts
4. Review the fire districts' authorities/charter
5. Obtain recent fire district financial reports and lists of district board members
6. Research the cost associated with providing collection services using town forces

The Town Council decided to hold another workshop on November 18, 2002 at 5:30 p.m. to continue discussing these topics.

3. Adjournment

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Peter Souza
Recording Secretary

**Windsor Town Council
Council Chambers – Town Hall
November 4, 2002
Unapproved Minutes**

Mayor Trinks called the regular meeting to order at 7:34 p.m.

1. Roll Call – Present: Mayor Trinks, Deputy Mayor Curtis, Councilor Albano, Councilor Broxterman, Councilor Jepsen, Councilor Mulligan, Councilor Pacino, Councilor Simon and Councilor Walker
2. Prayer – Councilor Simon
3. Pledge of Allegiance – Councilor Simon
4. Proclamations/Awards
- A. Caring Connection Adult Day Health Center 15th Anniversary

Councilor Walker read the proclamation honoring the Caring Connection Adult Day Health Center's 15th Anniversary.

5. Public Communications and Petitions

None.

6. Report of Appointed Boards and Commissions

- A. Wilson/Deerfield Advisory Committee

Ken Means, Chairperson of the Wilson/Deerfield Advisory Committee, submitted a report in writing. It read as follows:

I apologize for not being able to meet with the Council this evening but I currently have a standing Monday evening job-related responsibility so I hope this report will serve to update the Council on the activities of the Wilson/Deerfield Advisory Committee.

The Wilson/Deerfield Advisory Committee meets on the fourth Wednesday of each month at 7:30 p.m. in the Wilson Branch Library. All meetings are open to the public and there is currently an effort to reach out to the neighborhood and encourage attendance. This is being done by targeting mailings. It is the intent of the group to post notices and more fully utilize the public access television station in the future.

- 1) WDAC serves as the citizen participation body for the Town's Community Development Block Grant programs. The Town is required to hold two (2)

public hearings during the life of any CDBG grant. The intent is to apprise the public of funding opportunities and access the needs of the community. WDAC held two public hearings during the year ending June of 2002.

- 2) WDAC has had a number of guests who have been invited to the group to share information and receive input. They include the following individuals:

Tom Lenehan, the Town Engineer, met with the group to present the proposed plans for the adult day care facility at 330 Windsor Avenue and receive input;

Jim Burke, the Economic Development Director, met with the group to present a preliminary concept for the reuse of the redevelopment parcel (Windsor Ave. immediately south of I-291) and seek input on the same;

The Windsor Police Department and the Town's Recreation Department met with WDAC to explain what activities are taking place at the PAL Center.

WDAC plans to have a representative from Hopewell Baptist Church at their next meeting.

- 3) The Committee has provided staff with information involving quality of life issues, which was subsequently passed on to the appropriate parties (Public Works, the State Department of Transportation). This has served as an effective conduit and resulted in the removal of some junk vehicles, identified problems with private and public properties that may have otherwise gone unnoticed. On at least one occasion the comments from WDAC were used to establish conditions on a special use permit approved by the Planning & Zoning Commission.
- 4) Several recognition awards were presented to businesses, which have contributed to the vitality of the neighborhood.

There are currently several vacancies on the Wilson/Deerfield Advisory Committee and the committee requests that the Council consider filling the vacancies so as to help maintain the strength of the Committee.

B. Windsor Housing Authority

Ms. Rita Melley-Coyne, Vice Chair of Windsor Housing Authority gave an update to the Council. She reviewed the duties of the WHA. They currently have two programs, the Elderly and Disabled Housing Program and Section 8 Rental Assistance Program, both

operated under state guidelines. There are 40 individuals on the waiting list for the Elderly and Disabled Housing Program and 78 on the Section 8 waiting list. The renters rebate program is operated through the State of Connecticut. The WHA provides safe, decent, affordable housing to Windsor residents who qualify.

C. Board of Education

Ms. Jane Garibay, President of the BOE, reported to the Town Council. Tomorrow is a Professional Day for teachers and Dr. Henry Lee will be speaking to a group of teachers. The CAPT results are in and results were that most students either maintained or improved in all areas. Students who have been in the Windsor school system for a longer length of time have scored higher on the tests. Mr. Rick Broderick is one the nominees for Teacher of the Year statewide program. The BOE budget forums start next week and all are welcome to attend. Next week there will be a recognition event at Huntington House for teachers in the school system. The WHS media center is now occupied and the science rooms will be occupied by November 14th.

Councilor Pacino asked if the CAPT results were sent home to parents. Ms. Garibay responded that the parents have received the results. The State of Connecticut has required that all schools have graduation requirements in place by 2006. In Windsor, one of the graduation requirements will be CAPT scores, but it will not be the only criteria.

Deputy Mayor Curtis commented that it's important for the public to know that children who have been in the school system longer are doing very well on the CAPT tests.

Councilor Jepsen asked if the BOE is reviewing the budget. Ms. Garibay said they review reports on a regular basis and the Finance Committee is working toward making it easier to read and understand the Board of Education budget document.

7. Town Manager's Report

Veteran's Day Observance

The Town of Windsor Holiday Observance Committee extends an invitation to all residents to attend the annual Windsor Veteran's Day Observance, which will be held on Monday, November 11, 2002 at 7:00pm at the VFW located on Broad Street.

This year's speaker is Windsor resident John Carmon who will speak on the significance of memorials.

In addition to the address by Carmon, the traditional "Salute to the Dead" and patriotic musical selections by the Windsor High School Band will be featured as well as a proclamation from Windsor Mayor Donald Trinks. For further information, call 285-1835.

Flood Management on Tamarack Drive

Following conversations with both the Town Attorney and the State of Connecticut Department of Environmental Protection, the town has contracted with a professional trapper who will begin knocking down the beaver dams in the vicinity of Tamarack Drive. Trapping beavers is a State regulated activity that requires the acquisition of a DEP permit. We are presently working with the trapper and the state to obtain a permit for this purpose. This work will be completed in November.

Letters are being sent to residents in the affected area for additional permission to work upstream. Eight Tamarack Drive residents have already given their consent. It is likely that this work will have to be done on an annual basis at the town's expense.

Flood Plain Management Ordinance

I would like to clarify a statement I made at the last council meeting when responding to an inquiry from Councilor Jepsen regarding flood plain management. The TP&Z recently passed a zoning amendment recalculating the areas available for development. I believe Council Jepsen was asking about recent correspondence requesting the Town Council consider changes in the flood plain ordinance that allows an accessory structure in the flood fringe area as a special exception when authorized by the Inland Wetlands and Watercourses Commission. More flexibility is sought in situations where the primary use has small square footage, but it lies on a large tract of land. I have asked for an evaluation by the Town Planner and the Town Engineer and will be seeking similar advice from the Inland Wetland and Watercourses Commission. The flood plain ordinance is a general ordinance governed by the Town Council and I hope to bring this issue to you in one of the next two council meetings.

Windsor Leaf Collection Program Begins

Windsor Sanitation will pick up resident's leaves between October 21 and December 13 on the same day as their normal trash pick-up. If you are not a Windsor Sanitation customer, Windsor Sanitation will still pick up their leaves! Residents should place them at their curb on the same day trash is picked up for the rest of the street.

Please remember the following leaf collection program guidelines: use 30 to 40 gallon paper leaf bags, no plastic bags, and place the bags at the curb.

If residents choose to self-haul their leaves to the landfill, there is no charge during this period for dropping off clean loads of leaves, (no containers or plastic bags). The landfill is open Monday through Saturday 8:00 AM to 4:00 PM. For more information call 285-1833.

Alarm Ordinance

Staff has been working to gather additional input from local businesses and the alarm industry regarding the proposed amendments to alarm ordinance. The proposed amendments have been sent to the CT Burglar and Fire Alarm Association. They will review and comment on the proposed ordinance. Also, the Chamber of Commerce will publish a report in the upcoming Business United Newsletter outlining the changes to

the existing ordinance. The Chamber of Commerce will also place the topic on the agenda of their November 19, 2002 *Business After Hours* Meeting.

Wilson Pizza Parking Lot

At the last Town Council meeting Councilor Pacino inquired about any agreements the town had with Wilson Pizza relative to reconfiguration of the entrance to the restaurant and 330 Windsor Avenue. Prior to finalizing design plans and during construction engineering staff had discussions with both the owners of gas station to south and Wilson Pizza Palace.

A written easement and map has been prepared and recorded allowing the town to use a small portion of the gas station property (approximately 240 sq. ft) as part of the town's parking lot.

There was an easement drafted between the town and Wilson Pizza to allow the town to enter their property to make alterations as needed in order to close their southerly entrance. In return, the town will allow them to use the Community Center driveway as the entrance to their restaurant. Also, the town agreed to provide a sign for the entrance to the Community Center parking lot so patrons of the restaurant would know that the Community Center entrance was also the entrance to Wilson Pizza.

Engineering staff was on site this past weekend during the restaurant's peak times to monitor and evaluate the situation to determine if additional physical modifications or signage is needed to help facilitate access to Wilson Pizza. I will continue to keep you posted on those developments.

Skate Park Update

Bids were re-opened on October 22nd for the Skate Park project. The scope of the project is to reset the "events" which were previously located on the tennis courts into their own separate fenced area. The scope of the project does not include a "bowl" apparatus.

Four bids were received and the job was awarded to Mountain View Landscapes of Chicopee, MA for \$64,950. Notice of the bid award was issued on Oct 30th. We expect to award the contract in next ten days and have the contractor begin work immediately to complete as much work as possible before winter and finish next spring. For more information call 285-1804.

Historic District Committee Terms

At the October 21st Town Council meeting, some questions were raised regarding the length of term for members of the Historic District Committee. When the Historic District Committee was created, a permanent date for the dissolution of the committee was not set. Therefore, on the anniversary of the creation of the committee, members have been re-appointed for one-year terms.

Proposed Traffic Light at Route 218 and Columbia Road

Town staffs, the DPW in particular, continue to work towards relocating a traffic signal at Rte. 218 and W. Wolcott to Rte. 218 and Columbia Road. Wayne Radke and Brian Funk had a meeting with the State Traffic Commission last Wednesday, October 30, 2002. The meeting was a follow-up to discussions that began in September. The STC was apparently prepared to implement a left-hand turn lane from Rte. 218 onto Columbia Road until we intervened asking for a traffic light. The STC's initial reaction was positive; however, the town has to analyze whether a warrant (justification) will call for a traffic light. This process should take two weeks. The STC will then assess our report, which should take another two weeks. Approval is nice, but it ordinarily takes two or three years before the idea is implemented. Additional community resources may have to be marshaled to implement the changes on a timely basis.

Mr. Gregg Pavitt, Finance Director, gave an update on the WHS Renovation. A review has been made on the O&G estimates regarding costs incurred and future costs. Mr. Pavitt reviewed the audit results. \$35,463,000 has been allocated to date. Subtracted from that amount will be a CL&P Energy Efficiency Work reimbursement for \$200,000 and \$110,000 insurance reimbursement, which will bring the allocation to \$35,153,120. In addition, the PBC is hoping for \$145,000 for furniture, which was originally budgeted. If that is purchased, the budget will be over by \$298,701.

Councilor Broxterman asked if the \$298,701 reflects reimbursement? Mr. Pavitt said that it is not net reimbursement from the State.

Councilor Pacino was under the impression, that as the project went along, the State would reimburse expenses. Mr. Pavitt responded that we have been receiving money from the State and will continue to receive up to a total of \$16.22 million from the State. The State is paying their portion directly and we are issuing bonds for the remaining.

Councilor Jepsen asked if the \$298,701 would be subject to reimbursement. Mr. Pavitt said that the State would be reimbursing about 40% of that amount.

Mulligan asked about the \$310,000 reimbursement and if it will be against the State's portion. Mr. Pavitt said he would research when the reimbursement will be paid.

Councilor Simon asked about the State's approval and if it was a fixed dollar amount or if they approved the activities associated with the project. Also, it sounds like we have plenty of money to cover the town's portion of the \$300,000 over budget. Mr. Pavitt said that the State approved activities associated with the project up to \$40 million. He also confirmed that we do have the funds if the budget doesn't change.

Councilor Broxterman said that this is a snapshot of the budget today, and it is subject to change. The joint committee talked about a security camera project that could add to the expenditure amount.

Councilor Mulligan asked Mr. Pavitt to look into the State's reimbursement percentage. He feels it should be based on the figure without the CL&P and insurance reimbursements. Mr. Pavitt agreed with Councilor Mulligan and will look into it further.

Councilor Walker asked for an update on the request for a traffic light on Rt. 218 and Columbia Road. Town Manager Churchill responded that the staff is working with the State Traffic Commission. The STC's initial reaction has been positive, but it has to be investigated if a traffic light is warranted. It takes two or three years before these projects are implemented, so additional community resources may have to be investigated to move this project along.

Councilor Mulligan asked about an update on the permit sign fee for the First School Society. Town Manager Churchill responded that he will send a response to the Town Council very soon.

Councilor Mulligan asked about the status of the research regarding the amendments to the Code of Ethics ordinance. Town Manager Churchill responded that he is hopeful for a response by the next Town Council meeting.

Deputy Mayor Curtis asked about signage for PAL at 330 Windsor Avenue. Mr. Peter Souza responded that the Public Building Commission and Planning staff are reviewing the zoning regulations for placement of the sign. That report should be complete by the end of the month.

8. Communication from Council Members

Councilor Albano – encouraged all constituents to vote tomorrow.

Councilor Broxterman –received a phone call from a resident who expressed concern about the purchase of lights at O'Brien Stadium and the impact it has on the completion of WHS renovations. He clarified that the two projects are separate and that WHS renovations would be paid for. Councilor Broxterman invited residents to cast their vote tomorrow. Once the traffic study has been conducted and it does warrant an additional light, as a body he recommends that we send letters to State Representatives rallying for the traffic light at Rt. 218 and Columbia.

Councilor Jepsen – also encouraged all Windsor residents to vote. He recommended that residents learn about the candidates.

Councilor Mulligan – encouraged all residents to vote tomorrow and quoted "Democracy is not a spectator sport".

Councilor Pacino – congratulated the Caring Connection on their anniversary. He commented that executive sessions on legal issues are costly and recommended that executive sessions be held prior to the Council meeting to reduce legal costs. He is

dismayed to learn a commission met last week and none of the commissioners attended the meeting. He would like to see an in-depth look at commission attendance or if commissions can be consolidated.

Councilor Simon – None.

Councilor Walker – noted the traffic problems at Rt. 218 and Columbia. He believes that a left-hand turn would not be a solution to the problem and he thanked the town staff for placing a halt to that remedy. It is in his opinion that the solution is a traffic light. He reminded all residents that tomorrow is Election Day and that it is a right and a privilege to vote.

Deputy Mayor Curtis – None.

Mayor Trinks – thanked the Jaycees for the Candidates Night that was hosted. He noted that a mailer was sent out to registered voters indicating new polling place locations. He thanked the Chamber of Commerce for sponsoring the Halloween event on the green. It was a successful event and it was nice to see the Green alive with businesses participating. Mayor Trinks discussed committee consolidation and mentioned that the last time it was performed they consolidated two commissions. He requested a report on the commissions from town staff be presented to the town Improvements Committee.

9. Reports of Standing Committees

- A. Finance Committee – met on October 29th to discuss three items, two of which are on the agenda. The final item was an update on the financial status of the current town budget. There was a projected deficit and town staff has been working to reduce the deficit to under \$18,000. The Governor has the ability to reduce the assistance to the town's budget by 5%. That could increase the town deficit by up to \$150,000. Additional steps may have to be taken later in the fiscal year to address that situation.
- B. Town Improvements Committee – None.
- C. Health and Safety – met on October 28th to discuss many items. A Demolition Delay Ordinance has been tabled until final legal review. The News Rack Ordinance was also tabled until town staff collects additional information (i.e., relative cost, legal issues regarding uniformity, safety and aesthetics, etc.). The Shopping Cart Ordinance was discussed and they are waiting to hear about discussions held with retailers. The Alarm Ordinance has been sent out to the Alarm Ordinance Association of America and local businesses for comment.
- D. Special Projects – None.

E. Joint Board of Education and Town Council Committee – met tonight to discuss Councilor Walker’s suggestion of security policies/procedures in the school system. They also began discussion of policies/procedures for naming public property/space. Town Manager Churchill presented various sample policies for both bodies to review.

10. Ordinances

None.

11. Unfinished Business

A. Adopt resolution establishing tax increment finance (TIF) policy

Moved by Councilor Simon, seconded by Councilor Jepsen that it be resolved that the Town Council approve the Town of Windsor Tax Increment Financing Policy as presented in “Attachment A”.

Mr. James Burke, Director of Economic Development, discussed the resolution. He reviewed the proposed TIF policy. In September 2000, the Economic Development Commission established a list of twenty properties that should be priority redevelopment sites. These properties include, along with others, the Plaza Theater, Rappaport Building, former Tobacco Valley Inn property, and the Wilson Redevelopment Parcel.

The Commission has studied tax increment financing as a development tool. TIF is a financing mechanism that is used to “capture” the increased property taxes that will be generated from new development in a particular area. These new tax revenues are temporarily allocated to fund infrastructure improvements or other incentives that are needed to induce a particular private development or that will be needed to facilitate additional development in an area being developed or redeveloped. After the costs of the project are paid, the increase in taxes become part of the town’s general revenues.

Councilor Albano stated that he is in favor of the ordinance, but he thought that we should get a policy stating how the Town Council would place and remove individual properties from the priority list. He can’t vote for it tonight because there is not a policy in place regarding the removal of sites from the list. He was under the impression that the Town Council would control the list. Mr. Burke stated that the Economic Development Commission would make recommendations to the Town Council for final approval. Councilor Albano would like to see the resolution tabled until a policy is developed to come up with the redevelopment priority list.

Councilor Simon said that it was his understanding that the Town Council would approve the list that the Economic Development Commission recommends. Every instance of this policy being implemented has to come before the Town Council, and he doesn’t see the harm in recommending this policy. He is satisfied that we are able to accomplish everything that we need to do in a timely manner. It is important for the

public to understand the requirements for using public money for private property. However, this is an exceptional tool that will work when nothing else is working for redeveloping these properties.

Mayor Trinks said that the vote is for "Attachment A," which is the TIF policy, and the list will be voted on at a separate occasion.

Councilor Pacino said that some of the properties on the list are outdated and they shouldn't be on the list. He would like to see the list updated. He would also like to see the criteria for who can be on the list.

Mr. Burke said that the list will be updated and have provisions for modification. The intent is to create a process to determine the properties that will be a priority and to outline the criteria. The Town Council would have the final say, with the EDC included in on the process.

Councilor Mulligan asked if there is any reason why this couldn't wait a couple of weeks to revise the list. He is in favor of the policy, but believes that the list should be correct. Mr. Burke said there are no projects pending.

Councilor Broxterman requested that this item be reviewed further and he does not support voting on the resolution at this time.

Moved by Councilor Simon, seconded by Councilor Jepsen to withdraw the item.

12. New Business

A. Approval of Social Services Block Grant

Dr. Charles Petrillo, Director of Health and Social Services, discussed the grant. The State of Connecticut Department of Social Services has informed the Town of Windsor of its eligibility to apply for a grant in the amount of \$23,000. This reflects a reduction in the amount of \$12,677 compared to last year's grant.

Councilor Pacino asked for clarification on the Information and Referral Program. Dr. Petrillo reviewed the items that the grant will no longer support. Councilor Pacino asked if the insert, which was previously published in the Windsor brochure outlining Health and Social Services programs, could be included in some format in the Windsor brochure. Dr. Petrillo said that is the plan, to include some of the information formerly on the insert in the brochure.

Moved by Councilor Pacino, seconded by Councilor Walker that Town Manager, R. Leon Churchill, Jr., be empowered to enter into and amend contractual instruments in the name of the Town of Windsor and on behalf of this Contractor with the Department of Social Services of the State of Connecticut for a Case Management and Health Related Program and to affix the corporate seal onto the said document.

Motion Passed 9-0-0

B. Approval of Outstanding Purchase Orders

The Finance Committee reviewed the open purchase order list and has recommended that certain purchase orders be closed. The Committee has recommended that the remaining purchase orders be re-approved.

Councilor Pacino asked if 12 months have to go by before an application can be made by an organization for Volunteer Support. Town Manager Churchill confirmed this.

Councilor Pacino asked how we let organizations know about this grant. Town Manager Churchill stated that it is published in a brochure and also in the media.

Councilor Broxterman said it was his understanding that once the 12-month window was up and the organization had another project, they could re-apply for a grant, however priority would be given to an organization that had not previously applied.

Moved by Councilor Simon, seconded by Councilor Albano to re-approve the purchase orders listed to be left open on the report Prior Year Purchase Orders – Status as of October 28, 2002 until March 2003.

Motion Passed 9-0-0

C. Authorize the submittal of a small cities community development block grant application for 330 Windsor Avenue Community Center

Mr. Peter Souza, Assistant Town Manager and Jim Burke, Economic Development Director, discussed the application. The town is renovating the building at 330 Windsor Avenue and will be using it as an adult day care facility. The town previously received a \$300,000 Small Cities Community Development Block Grant for this project. Bids for the retrofit of the building came in higher than anticipated by approximately \$130,000. The PBC has approved a contract, which includes language for a bid alternate to be constructed if additional funding is made available. The Wilson/Deerfield Advisory Committee endorsed the project at such time as the original application was submitted.

Councilor Pacino asked if the grant monies would be used for the recreational amenities. Mr. Souza said that the grant would cover the entry to the adult day care center, which is also the entrance to the community center.

Councilor Simon asked if the schematic is the original plan. Mr. Souza said that it is the original plan, with minor modifications. Councilor Simon asked what would remain uncompleted if the funds were not received. Mr. Souza said that if the funds are not received, the new floor and wall finishes will be to a lesser degree, the recreation room and small conference room would not be constructed, along with improvements to the heating and air conditioning in that portion of the building.

Town Manager Churchill added that the State is at risk of losing Federal CDBG funds because they have not used funds in a timely manner.

Councilor Pacino asked how this would affect other CDBG projects. Town Manager Churchill stated that this grant would not affect other projects.

Moved by Councilor Walker, seconded by Councilor Jepsen that it be resolved that the attached resolution entitled "330 Windsor Avenue – CDBG Small Cities Application" be approved.

Motion Passed 9-0-0

D. Approve tax appeal settlement

Moved by Councilor Jepsen, seconded by Councilor Broxterman to move this item following Item 16. A. Executive Session.

Motion Passed 9-0-0

13. Resignations and Appointments

Motioned by Councilor Mulligan, seconded by Councilor Broxterman to re-appoint Nellie Holmes Mason to the Human Relations Commission for a three-year term to expire on May 31, 2005 or until a successor is appointed.

Motion Passed 9-0-0

Motioned by Councilor Mulligan, seconded by Councilor Broxterman to table items A-U, and W-II.

Motion Passed 9-0-0

14. Minutes of Preceding Meetings

A. Minutes of the October 21, 2002 Regular Town Council Meeting

Moved by Councilor Broxterman, seconded by Councilor Jepsen to accept the minutes of the October 21, 2002 Regular Town Council Meeting. Corrections: None.

Motion Passed 9-0-0

15. Public Communications and Petitions

None.

16. Executive Session

Moved by Deputy Mayor Curtis, seconded by Councilor Broxterman to enter into Executive Session for the purpose of strategy and negotiations with respect to pending claims and litigation of K-Mart vs. Town of Windsor.

Motion Passed 9-0-0

Entered Executive Session at 9:28 p.m.

Present: Mayor Trinks, Deputy Mayor Curtis, Councilor Albano, Councilor Broxterman, Councilor Jepsen, Councilor Mulligan, Councilor Pacino, Councilor Simon and Councilor Walker

Staff and Guest: Town Manager Churchill, Assistant Town Manager Peter Souza, Tax Assessor Steve Kosofsky, and Town Attorney Vincent Oswecki.

Motion made by Councilor Simon, seconded by Councilor Albano to leave executive session.

Motion Passed 9-0-0

Re-entered Regular Town Council session at 9:38 p.m. All present with the exception of Mayor Trinks.

Motion made by Councilor Albano, seconded by Councilor Pacino that it be resolved that the terms of the settlement reached in the matter of K-Mart Corporation vs. Town of Windsor be accepted.

Motion Passed 8-0-0

Motion made by Councilor Albano, seconded by Councilor Pacino that it be resolved that \$6,000 be appropriated from the General Fund Unreserved, Undesignated Fund Balance to the General Fund Account – Administrative Services/Property Valuation.

Motion Passed 8-0-0

17. Adjournment

Moved by Councilor Albano, seconded by Councilor Jepsen to adjourn the Regular Town Council Meeting at 9:39 p.m.

Motion Passed 8-0-0

Respectfully submitted,

Kristin Countryman
Clerk of the Windsor Town Council

Cc: Town Clerk
Main Library
Wilson Branch

**Windsor Town Council
Council Chambers – Town Hall
November 18, 2002
Unapproved Minutes**

Mayor Trinks called the regular meeting to order at 7:35 p.m.

1. Roll Call – Present: Mayor Trinks, Deputy Mayor Curtis, Councilor Albano, Councilor Broxterman, Councilor Jepsen, Councilor Mulligan, Councilor Pacino, Councilor Simon and Councilor Walker
2. Prayer – Councilor Walker
3. Pledge of Allegiance – Councilor Walker
4. Proclamations/Awards

None.

5. Public Communications and Petitions

Dr. David Howlett, 154 East View Drive, addressed the Council. He spoke on behalf of the Grid Iron Booster Club regarding the donation of lights for O'Brien Field to the town. Mr. Tom Donahue and his friend, Mr. Joe Misky came up with the idea of donating lights for the field in memory of Mr. Misky's son, Joe. The lights are estimated to cost \$150,000 to \$210,000 and Mr. Misky is donating \$75,000 towards that amount. The lights will benefit the football field, the middle school and high school. Attendance increases for Friday evening games, including parents that work and teens looking for something to do on a Friday night. In Norwalk, it did not cost more for police protection when the lights were installed. The funds the booster club raises will help to pay for camps, equipment, training tapes, etc. This generous donation from Mr. Misky covers one-half or one-third of the cost of the lights. He urged the Council to fund the remaining cost of the lights. Mr. Misky stipulated that he wanted the lights to be voted on this year and installed for the next school year.

Mr. Tom Donahue, 59 Niles Road, spoke on behalf of the lights project. He can't remember anyone donating this amount of money for any project in Windsor in all his years of being a resident. He strongly encourages the Council to fund the project. The lighted fields would benefit football, hockey, lacrosse, and other sports in town.

Mr. Michael O'Brien, 1275 Windsor Avenue, is in favor of lighting O'Brien Field. He also spoke about an accident that happened recently on Windsor Avenue. The barriers were damaged and the State removed them without replacing them. He feels it is an extremely dangerous situation and the barriers should be replaced. He feels that some of the responsibility of lighting the field belongs to the booster club. Mr. Misky's

donation is very generous. He feels that residents would approve the funds if the booster club came up with funds along with Mr. Misky's donation. The band and cheerleading booster clubs could be involved in the fundraising as well. He asked if the parking lot would be properly lit and would the cost of the parking lot lighting be included. He questioned the no additional cost of security. He also asked if all the teams are willing to play evening games. He questioned if it causes additional expenses for officials and/or for other teams renting busses for transportation, etc. If we light the stadium and have larger crowds, will we have adequate concession stands and restrooms? He is 100% in favor of lighting the field and he hopes the booster club helps to defray the costs.

Ms. Kay Nowiszewski, 64 Alden Road, spoke about the lights at the stadium. She is the mom of three athletes who are also honor students and artists. Sports are a very important aspect of her childrens' lives. It teaches them many skills they can take into adulthood. Football games bring athletes, musicians, parents, extended families and friends together promoting diversity. She feels it is a great investment to have a lighted field. She works many hours in the concession stand and feels that the stand is clean and adequate for larger crowds. She thanked Mr. Misky for his generous donation. The booster club is supposed to be doing the extras for the kids, including scholarships, camps and shirts. She doesn't feel it's right for the booster club to raise a portion of the lighting expense. The lights are not a short term, but rather a long-term benefit.

Mr. Luis Miguel-Romero, 109 Clubhouse Road, a WHS student, supports the lights. When he plays a night football game he sees people having fun and kids having fun without getting into trouble. He said that the football team enjoys having the support of people who attend the games. It is in his opinion that the town should fund the remaining cost of the lights.

Ms. Rosemarie Miskavitch, 20 Coach Circle, addressed the Council and acknowledged the students in the audience. She has been a volunteer in Windsor for years. The town may have its differences, but it comes together for the children. She is in support of the lights. She requested that Mayor Trinks give her answers to the following questions during Communications from Council Members. The status of the donated check and if it has been accepted; the status in regard to Councilor Simon's committee, which she believed it would be referred to; the town staff's involvement in this project; a timeline as to when it could be taken up for vote; if voted, when it would be implemented; and will there be involvement from the BOE?

Mr. Matthew Hawkinson, 40 Marshall Street, senior at WHS and spoke in favor of the lights for future students of Windsor. He would like this project to be passed swiftly. It would be a boost to the town.

Ms. Glenda Reed, 320 Mercer Lane, urged the passing of the lighting of the field. She noted a display in the Council chambers, which stated "Creating an environment where dreams can come true for individuals, families and businesses". She believes that the

lighted field would be a dream come true. The field would be a gathering place and a safe haven with many activities going on at the field because of the lights.

Mr. Mark Welch, 114 Lincoln Way, supports the lighted field. Lighting the field would be beneficial to other sports and events beside football. Scheduling is never a problem for playing at a lighted field. The town of Simsbury is getting ready to light their field and others are following. New Britain has come together at Friday night games.

Mr. Simon Romero, 109 Clubhouse Road, spoke in support of the lights. He stated that volunteers run the concession stands. They do the work of several people and it gets busy during halftime. Fans go to a professional game and wait 30 minutes in line for a hotdog without complaining. He feels that the lighted field will help keep kids out of trouble. He doesn't feel that security would be an issue.

Mr. Joseph Todd, 12 Alton Road addressed the Council. He moved to Windsor over 12 years ago and started coaching football nine years ago. He spoke in favor of the lights. He feels that the community would come together and that Friday night games could become a tradition in Windsor. The lights would benefit the town greatly. The lights would instill tradition in Windsor youth and community.

Mr. Joe Frederick, 220 Deerfield Road, spoke to the Council about lights. He hopes the town takes Mr. Misky up on his offer of his generous donation. He invited all to the upcoming Friday night game. He spoke of the energy of the crowds and players. It is his hope that the Council passes the project.

Mr. Rick McNamara, 382 Rainbow Road, talked about the lights. He mentioned the leadership skills the players learn. He also spoke in favor of the town taking over the government channel. He feels that the station has not progressed very far in the last three years since he left. He had been looking into getting more professional broadcasting for WIN-TV. The educational channel was going to mirror the school curriculum. The access channel could have been used to raise money for lights. There used to be call-in shows, but it doesn't happen anymore. He hopes that the Council will raise this issue at a public debate. He also noted that the WIN-TV board is self-appointed.

Mr. Paul Cipriano, 18 Scarborough Road, spoke about preserving open space in Windsor. He noted the State statute and distributed copies to the Councilors along with a copy of an article from the Hartford Courant. He said that this is something that Windsor can do without using town funds. The law has to be ratified by the Town. The town of Avon recently passed it and they have already collected \$25,000.

Mr. Doug Kerr, 141 Fieldstone Drive, a member of the soccer community, spoke to the Council. He thinks that the lights would be beneficial for the town. He encouraged the town to start the process.

6. Report of Appointed Boards and Commissions

A. Public Building Commission

Mr. Joseph Novak, Chairman, PBC reported to the Council. The WHS renovations will be completed by the end of next month. This month they turned over most of the educational rooms. They are behind schedule in the technical education area. There is a problem with paper material used as a backing behind the cement and they are checking on the fire status of the paper. A meeting has been scheduled with the fire marshal and building inspectors on Thursday to see if the paper can be passed. Sprinklers have also been added to that area. The teacher's cafeteria has been opened up after being closed for three years. The WHS project is now more than 95% complete. The rubber gym should be ready by the end of the month.

The PBC has discussed the Capen Street side parking lights and how far to go with repairing the lights. The Council may want to consider adding this to the project because it is reimbursable, however, the PBC is not recommending it.

The site work at 330 Windsor Avenue is complete.

The stone repair and cleaning was included in the town Hall roof project. It has gone out to bid and will be complete within four months.

The windows for Poquonock School have been manufactured and will be installed in the next few months.

The design for the L.P. Wilson roof will be complete in the spring, with construction next summer.

Clover Street School design funds have been approved and the roof will be replaced in 2003. The architect has been hired to design the project by the end of the year.

Councilor Pacino asked if the main gym floor was re-done. Mr. Novak said that the floors were not re-done. Councilor Pacino stated that the west parking lot at the high school is an accident waiting to happen and he asked if it could be made a one way. Mr. Novak said that the question can be raised to the PBC, but normally traffic patterns are not determined by the PBC.

Councilor Albano asked for clarification on the site lights. Mr. Novak said that the expense budgeted was for grounding the lights.

Councilor Broxterman asked how old the fixtures are. Mr. Novak said that some are as old as 50 years old. It was thought that if we were grounding the lights, perhaps we should replace them.

Councilor Jepsen asked about reimbursement for replacement of lights since it was not in the original plan. Mr. Novak responded that he would have to check on that.

Councilor Jepsen noted that the replacement of the lights could be done in a few years and they would likely still be eligible for an energy rebate.

7. Town Manager's Report

Caravan of Carriages

Oldies 102.9 DRC-FM will be hosting the annual Caravan of Carriages to benefit Foodshare this Sunday, November 24th beginning at Stop & Shop on Kennedy Road at 1:00 PM. Donations of frozen turkeys, canned goods, turkey trimmings, cash and check donations are welcome. Individuals who bring food are invited to join in the fun four mile trek to Foodshare while pushing a shopping cart, or follow in a car. Those walking will receive a ride back to Stop and Shop.

Prizes for the "best dressed carriage" and "most food collected" will be awarded. To learn more on how you can make a difference for someone this holiday season, call 243-1115 or visit www.drcfm.com

Senior Center Receives Donation

The Windsor Senior Center recently received a donation in the amount of \$218.50 from the proceeds of a tag sale sponsored by the Windsor Rehabilitation Center on Poquonock Avenue. The check was presented at the Senior Center last Thursday, and we thank the Rehabilitation Center for their efforts and generous donation.

Potential Modification to Flood Plain Management Ordinance

On Tuesday, November 12th, the Inland Wetlands & Watercourses Commission discussed a change in the ordinance recently requested by a resident to better address unique situations. Those unique situations were mostly described as those with main uses on large tracts of land. The Commissioners recommend eliminating section 3-42(A) which would allow variances to be considered by the Floodplain Ordinance Manager and then the Inlands Wetlands & Watercourses Commission. They recommend that Section 3-42(E) should also be eliminated from the ordinance, which eliminates extensions to the variances given prior to September 25, 1978. The Commissioners also recommend that Section 3-41 should remain intact, which governs performance requirements for special exceptions.

These items will be sent to the Town Attorney for legal review to insure the regulation conforms to other laws, regulations, and precedence. In addition we need to insure that any change to the regulation would not impact or jeopardize the town's federal flood insurance program.

Councilor Pacino asked about the barriers on Windsor Avenue. Mr. Brian Funk, Director of Public Works, responded that the DOT said the guardrails no longer met DOT standards. They were concerned about the safety of the guardrails. The town wrote a detailed letter about the removal of the guardrail and asked the State to come up with another solution. The State's response was to take down the guardrails and put up a three-wire system. When they started excavating the site they discovered a

conduit line right beneath the guardrails. There was no physical space for them to place the three-wire system or any other safety solution. Councilor Pacino asked if the side with the cement wall would have any guardrails. Mr. Funk said that the State had not planned on installing anything at that location. Councilor Pacino asked if the town could address the issue with the State, perhaps a small wall to protect pedestrians. Mr. Funk responded that the DOT said there are a lot of sidewalks that are fairly close to the street and they do not have safety rails. Councilor Pacino stated that this certain area does not allow for a pedestrian to get out of the way of an oncoming car like other sidewalks.

Deputy Mayor Curtis asked if the town could legally put up something since it is a hazard. Town Manager Churchill stated that it is a State roadway.

Councilor Albano asked how the AT&T conduit wires got under the guardrail. Mr. Funk was not sure of the specific construction details.

Councilor Jepsen requested that Town Manager Churchill continue to work to have the State re-install a barrier.

8. Communication from Council Members

Councilor Albano – received a complaint from the Garden Club regarding the L.P. Wilson Center being closed on Veteran's Day when meeting rooms were scheduled. The Garden Club did not receive notification that the building would be closed.

Councilor Broxterman – invited all to the WHS football game this Friday night. Also, a nice tradition will begin Thanksgiving morning when WHS football plays Glastonbury. He is in favor of the open space fund. He believes that we should accept Mr. Misky's generous donation and will work to ensure his stipulations are met.

Councilor Jepsen – believes the Zoning Commission has the authority they need to begin the open space fund. He thanked all that voted in the election. He asked that the political signs be removed in a timely manner. He feels that the town should take advantage of Mr. Misky's donation of \$75,000. He thought that perhaps we could get reimbursement of 23% from the State for the lights.

Councilor Mulligan – mentioned the Caravan of Carriages Food Drive and noted for more information you can go to the www.wdrc.com web site. He would support the open space fund. He is in favor of the lights. He asked the town staff to put together a proposal to present to the TP&Z for the light towers. He elicited the support of Councilor Walker, Councilor Broxterman, Deputy Mayor Curtis and Mayor Trink, since the requested work of town staff would be more than an hour in length.

Councilor Pacino – thanked everyone who came out to vote. He asked Town Manager Churchill to research if the open space issue is a decision that the Council makes. Regarding the lights, he finds it disturbing that flyers supporting the lights are coming

