



# Council Agenda

Council Chambers  
Windsor Town Hall  
April 7, 2003



## 7:15 PM Public Hearing

Public Hearing on proposed Fiscal Year 2004 Financial Plan.

## 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) Conservation Commission
  - b) Board of Education
  - c) Public Building Commission
7. TOWN MANAGER'S REPORT
8. COMMUNICATIONS FROM COUNCIL MEMBERS
9. REPORTS OF STANDING COMMITTEES
10. ORDINANCES
  - a) \*Introduce amendments to the Code of Ethics ordinance (Councilor Walker)
  - b) \*Set Public Hearing regarding amendments to the Code of Ethics ordinance for May 5, 2003 at 7:00 p.m. (Councilor Walker)
  - c) \*Introduce amendments to the Alarm System ordinance (Councilor Broxterman)
  - d) \*Set Public Hearing regarding amendments to the Alarm System ordinance for May 5, 2003 at 7:15 p.m. (Councilor Broxterman)



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11. UNFINISHED BUSINESS
  12. NEW BUSINESS
    - a) Presentation of Proposed FY 2004 Financial Plan (Town Manager)
    - b) \*Adoption of revised Budget Calendar (Councilor Simon)
    - c) \*Presentation on Refuse Disposal Options (Town Manager)
    - d) \*Authorize Town Manager to submit grant application to the Real Choice Systems Change Project (Town Manager)
    - e) \*Re-approval of Open Purchase Orders (Councilor Simon)
  13. \* RESIGNATIONS AND APPOINTMENTS
  14. MINUTES OF PRECEDING MEETINGS
    - a) \*Minutes of the March 17, 2003 Regular Town Council Meeting
  15. PUBLIC COMMUNICATIONS AND PETITIONS  
(Three minute limit per speaker)
  16. EXECUTIVE SESSION
    - a) Strategy and negotiations with respect to pending claims and litigation regarding the Windsor-Bloomfield Landfill
  17. ADJOURNMENT


★Back-up included

## **Agenda Item Summary**

Date: April 7, 2003

To: Honorable Mayor and Members of the Town Council

Prepared by: Peter Souza, Assistant Town Manager

Reviewed by: Leon Churchill, Town Manager 

Subject: Amendments to Code of Ethics Ordinance

### Background

A part of the duties and powers of the Board of Ethics provides for the board to make recommendations for amendments to the Code of Ethics. The Board of Ethics has reviewed the current code of ethics ordinance for potential amendments utilizing the model Municipal Ethics Code prepared by Connecticut Common Cause and other municipal ethics codes as reference documents. In addition, there is proposed Bill No. 6594 before the State of CT Senate and House of Representatives requiring numerous reforms at the local level in light the handful of scandals throughout the state.

### Discussion and Analysis

Questions were asked at the March 17, 2003 Town Council meeting relative to the authority to subpoena witnesses as well as if Board of Education employees and Town Constables were subject to this ordinance. Per section 7-148h of the Connecticut's General Statutes the local ethics commissions have the authority to issue subpoenas. The existing ordinance applies to Board of Education employees and Town Constables as outlined in Section 2-25. Section 2-25 states that all town officials and employees, whether elected or appointed, paid or unpaid are subject to the provision of the ordinance. Section 2-25 also defines the term "town employees" to include all employees of the town and the Board of Education.

The Board of Ethics has voted to recommend to the Town Council proposed amendments to the Code of Ethics in the areas outlined below. These amendments are proposed as new sections to the ordinance. There are no amendments proposed which would strike or delete current language.

### **Notification Requirements**

Requires that a copy of the code of ethics be distributed to each appointed member of a town board or commission as well as each elected member of the Town Council and Board of Education prior to the member entering office. A copy of the code of ethics shall be distributed to each town and board of education employee before starting employment. There is also a requirement that elected officials, board and commission members and executive level staff sign an acknowledgement each year stating they have received and read the ethics ordinance.

### **Investigations**

The Board of Ethics shall have the power to hold hearings, examine witnesses, receive oral and documentary evidence, subpoena witnesses, and require the production of any books, records and papers which the board deems relevant to an investigation.

### **Political Contributions**

No town official or employee, or member of such individual's immediate family or business with which he is associated, shall solicit or accept anything of value, including but not limited to a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgement of the town official or employee would be or had been influenced thereby.

### **Former Town Employees**

Places restrictions on former town employees in executive level positions as to appearing before boards and commissions for compensation or being employed with a private firm having a contract with the town within six months after terminating service with the town.

### Financial Impact

None anticipated.

### Other Board Action

The Special Projects Committee has met twice since October 2002 to review the proposed amendments and recommend presenting the proposed changes to the Town Council.

### Recommendations

If the Town Council is in agreement, that the following actions would be in order:

- 1) Waiving of the full reading

**RESOLVED, that the reading into the minutes of the text of the ordinance amending Chapter 2, Article IV, of the Windsor Town Code, is hereby waived, the full text of the ordinance having been distributed to each member of the Council and copies being made available to those persons attending this meeting and that the full text of the ordinance be recorded with the minutes of this meeting.**

- 2) Introduction of Ordinance

**MOVE to introduce an ordinance amending Chapter 2, Article IV, Code of Ethics.**

- 3) Set Public Hearing Date

**RESOLVED, that a public hearing will take place on May 5, 2003 at 7:00 PM (prevailing time) at the Windsor Town Hall for the purpose of receiving public comment on a proposed ordinance amending Chapter 2, Article IV, Code of Ethics, of the Windsor Town Code.**

And

**FURTHER RESOLVED, that the Town Clerk is authorized and directed to post and publish notice of said public hearing.**

Attachments: Proposed ordinance amendments

**CHAPTER 2  
ARTICLE IV**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF WINDSOR:

**Chapter 2, Article IV, CODE OF ETHICS of the *Windsor Code* is amended as follows:**

Section 1. Sec. 2-23. Duties and powers, Subsection 3. is amended to read as follows:

- (3) In the conduct of its investigation of alleged violations of the code, the board shall have the power to hold hearings, under oath, examine witnesses, receive oral and documentary evidence, subpoena witnesses, and require the production for examination by the board any books, records and papers which the board deems relevant in any matter under investigation or in question. In the exercise of such power, the board may use the services of the municipal police, who shall provide the same upon the board's request.

Section 2. Sec. 2-25. Applicability. Subsection (b) is amended to read as follows:

- b) The Town Clerk shall cause a copy of the code of ethics to be distributed to each appointed member of a town board or commission as well as each elected member of the Town Council and Board of Education prior to the member entering office. The town manager and school superintendent or their designees shall distribute a copy of the code of ethics to each town employee before entering upon the duties of his/her employment. A signed receipt for all copies shall be returned to the town clerk and retained on file. On an annual basis the Town Clerk shall request that a receipt be signed by each elected official, appointed board and commission member, town manager, school superintendent, employees in the town pay grade 3 or above and Board of Education employees in a Cabinet Level position or above, acknowledging they have received and read the ethics ordinance. The signed receipt shall be returned to the town clerk and retained on file.

Section 3. Sec. 2-29. Gifts and favors. Subsection (c) is amended to read as follows:

- (c) No town official or employee, or member of such individual's immediate family or business with which he is associated, shall solicit or accept anything of value, including but not limited to a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgement of the town official or employee would be or had been influenced thereby.

Section 4. Sec. 2-30. Representing private or public interests before town agencies. subsection (c) & (d) is amended to read as follows:

- (c) No former town employee in Administrative Pay Grade 3 or above and no former Board of Education employee in a Cabinet Level position or above shall appear for compensation before any town board, commission or agency any time within six months after terminating service with the town.
- (d) No former town employee in Administrative Pay Grade 3 or above and no former Board of Education employee in a Cabinet Level position or above shall work for a private firm who has a contract with the town any time within six months after terminating service with the town. If this occurs, the vendor could be subject to penalties up to and

including contract termination.

Section 5. Savings Clause is to read as follows:

The enactment of this Ordinance shall not operate as an abatement of any action or proceeding now pending under or by the authority of any existing law or ordinance. All of said actions and proceedings are hereby ratified to be continued.

Section 6. Severability is to read as follows:

All provisions of the Windsor Town Code in conflict herewith are hereby repealed. If for any reason any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated and the remainder of the Ordinance shall continue in effect. Any provision herein that is in conflict with the *Connecticut General Statutes* is hereby repealed, it being understood that said *Statutes* shall take precedence over this Ordinance.

Section 7. Effective Date is to read as follows:

This Ordinance shall become effective ten (10) days after publication in a newspaper having a circulation in Windsor.

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

ATTEST:

\_\_\_\_\_

Distributed to Town Council

\_\_\_\_\_

Public Hearing Advertised

\_\_\_\_\_

Public Hearing

\_\_\_\_\_

Adopted

\_\_\_\_\_

Advertised

\_\_\_\_\_

Effective Date

\_\_\_\_\_

**Section 1. Sec. 2-20. Board of ethics--Created; purpose.**

There is hereby created a board of ethics for the purpose of rendering advisory opinions and making recommendations with respect to the drafting and adoption of amendments to this article.

(Code 1961, §1.09.09; Ord. No. 70-5, 5-15-70)

**Section 2. Sec. 2-21. Appointments.**

The board of ethics shall consist of five (5) regular members, electors of the town, who are known for their personal integrity. The members shall be appointed by the council for a term of five (5) years, except that of the initially appointed members one (1) shall serve for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years, and one (1) for five (5) years. No member of the board of ethics shall knowingly render or agree to render for compensation or otherwise any service to any person or party other than the town in connection with any cause, proceeding, application or other matter which is before any town agency, nor shall such member serve as a member of any other town agency.

(Code 1961, §.09.010; Ord. No. 70-5, 5-15-70)

**Section 3. Sec. 2-22. Organization and procedure.**

The board shall elect a chairperson and secretary and shall establish its own rules of procedure. It shall keep records of its meetings and shall hold meetings at the call of the chairperson and at such other times as the board may determine.

(Code 1961, §.09.011; Ord. No. 70-5, 5-15-70)

**Section 4. Sec. 2-23. Duties and powers.**

The board may make recommendations for amendments to this code of ethics and rules and regulations for adoption by town agencies. The board shall render advisory opinions:

- (1) Concerning town officials and employees, excluding members and employees of the board of education, with respect to the code of ethics upon written request of the town manager or upon written request of any member of the town council submitted at a regular meeting of the town council. Such advisory opinions shall be submitted to the agency or person requesting them.
- (2) Concerning board of education members and employees with respect to the code of ethics upon written request of the superintendent of schools or upon written request of any member of the board of education

submitted at a regular meeting of the board of education. Such advisory opinions shall be submitted to the board of education.

- (3) In the conduct of its investigation of alleged violations of the code, the board shall have the power to hold hearings, under oath, examine witnesses, receive oral and documentary evidence, subpoena witnesses, and require the production for examination by the board any books, records and papers which the board deems relevant in any matter under investigation or in question. In the exercise of such power, the board may use the services of the municipal police, who shall provide the same upon the board's request.

(Code 1961, §.09.012; Ord. No. 70-5, 5-15-70; Ord. No. 81-6, §,6-1-81)

**Section 5. Sec. 2-24. Same--Expenses and compensation.**

The members of the board shall serve without compensation for their services. In the performance of its duties and in the exercise of its powers the board shall not incur any expense in excess of the funds appropriated by the council for such purpose.

(Code 1961, §.09.013; Ord. No. 70-5, 5-15-70)

**Section 6. Sec. 2-25. Applicability.**

- a) The provisions of this article shall apply to all town officials and employees, whether elected or appointed, paid or unpaid. The term "town officials," as used in this Code, shall include members of the town council, members of the board of education, and all officials appointed by the town council, board of education or the town manager. The term "town employees," as used in this Code, shall include all employees of the town and the board of education.
- b) The Town Clerk shall cause a copy of the code of ethics to be distributed to each appointed member of a town board or commission as well as each elected member of the Town Council and Board of Education prior to the member entering office. The town manager and school superintendent or their designees shall distribute a copy of the code of ethics to each town employee before entering upon the duties of his/her employment. A signed receipt for all copies shall be returned to the town clerk and retained on file. On an annual basis the Town Clerk shall request that a receipt be signed by each elected official, appointed board and commission members, town manager, school superintendent, employees in the town pay grad 3 or above and Board of Education employees in a Cabinet Level position or above, acknowledging they have received and read the ethics ordinance. The signed receipt shall be returned to the town clerk and retained on file.

...

(Code 1961, §.09.02; Ord. No. 70-5, 5-15-70; Ord. No. 81-6, §,6-1-81; Ord. No. 82-2, §, 1-18-83)

**Section 7. Sec. 2-26. Conflict of interest.**

No town official or employee shall accept any employment or have any interest, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of such official's or employee's duties in the public interest or which will impair such official's or employee's independence of judgment or action in the performance of official duties.

(Code 1961, §.09.03; Ord. No. 70-5, 5-15-70)

**State law reference(s)--Conflict of interest, G.S. §-479.**

**Section 8. Sec. 2-27. Disclosure of interest.**

Any town official or employee who has a financial interest, direct or indirect, in any property or matter which is the subject of any pending or proposed proceeding before any town agency, shall disclose such official's or employee's interest to such agency upon hearing of such proceeding and if such official or employee is a voting member of such agency, such official or employee shall not participate in the discussion or vote upon such matter. The disclosure shall become a permanent part of the record before the agency.

(Code 1961, §.09.05; Ord. No. 70-5, 5-15-70)

**Section 9. Sec. 2-28. Use of town property; equal treatment.**

No town official or employee shall use or permit the use of town-owned vehicles, equipment, materials or property for personal convenience or profit where prohibited by state statute, town ordinance, or administrative regulation. No town official or employee shall grant any consideration or advantage to any person beyond that which is available to every other person.

(Code 1961, §.09.04; Ord. No. 70-5, 5-15-70)

**Section 10. Sec. 2-29. Gifts and favors.**

- (a) No town official or employee in his capacity as an official or employee of the town shall solicit or accept any valuable gift, favor, service, loan at less than prevailing interest rates, thing or promise from any person, firm or corporation which would tend to weaken public confidence in the recipient or present a temptation which might undermine the official's or employee's unselfish devotion to the public interest.
- (b) Endorsements. No town official or employee in his capacity as an official or employee of the town shall publicly endorse products or services. Notwithstanding the foregoing, nothing herein shall prohibit any town official or

employee from answering any inquiry by another governmental official or consumer organization or product information service regarding any produce or service.

- (c) No town official or employee, or member of such individual's immediate family or business with which he is associated, shall solicit or accept anything of value, including but not limited to a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgement of the town official or employee would be or had been influenced thereby.

(Code 1961, §.09.06; Ord. No. 70-5, 5-15-70; Ord. No. 71-1,1-18-71; Ord. No. 84-3, §, 9-4-84 )

**Section 11. Sec. 2-30. Representing private or public interests before town agencies.**

- (a) No town official or employee shall render or agree to render for compensation any service to any person or party other than the town, in connection with any cause, proceeding, application or other matter which is before any town agency. This does not prohibit any town official or employee from appearing before any board or commission on such person's own behalf or as official spokesman for an organization of which he/she is a member, provided such appearance does not violate Connecticut General Statutes sections 8-11 and 8-21 or any other provision of the Code. Connecticut General Statutes sections 8-11 and 8-21 prohibit any town planning and zoning commission or zoning board of appeals member from appearing before either the town planning and zoning commission or the zoning board of appeals on his/her own behalf.
- (b) No member of the town council may participate in a meeting of any board, agency, or commission appointed by the council other than on his or her own behalf as specified herein or other than at the express direction of the councilor other than at the invitation of the board, agency, or commission.
- (c) No former town employee in Administrative Pay Grade 3 or above and no former Board of Education employee in a Cabinet Level position or above shall appear for compensation before any town board, commission or agency any time within six months after terminating service with the town.
- (d) No former town employee in Administrative Pay Grade 3 or above and no former Board of Education employee in a Cabinet Level position or above shall work for a private firm who has a contract with the town any time within six months after terminating service with the town. If this occurs, the vendor could be subject to penalties up to and including contract termination.

(Code 1961, §.09.07; Ord. No. 70-5, 5-15-70; Ord. No. 82-2, §,1-18-83; Ord. No. 94-4, §, 8-1-94 )

**Section 12. Sec. 2-31. Confidential information.**

No town official or employee, without proper authorization, shall disclose confidential information concerning the property, affairs or government of the town, nor shall such official or employee use such information to advance the financial or other private interest of such person or others.

(Code 1961, §.09.08; Ord. No. 70-5, 5-15-70)

**Section 13. Sec. 2-32. Penalties.**

A violation of this article by any town official or employee shall constitute grounds for disciplinary action, including removal.

(Code 1961, §.09.014; Ord. No. 70-5, 5-15-70)

**Savings Clause**

The enactment of this Ordinance shall not operate as an abatement of any action or proceeding now pending under or by the authority of any existing law or ordinance. All of said actions and proceeding are hereby ratified to be continued.

**Severability**

All provisions of the Windsor Town Code in conflict herewith are hereby repealed. If for any reason any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated and the remainder of the Ordinance shall continue in effect. Any provision herein that is in conflict with the *Connecticut General Statutes* is hereby repealed, it being understood that said *Statutes* shall take precedence over this Ordinance.

**Effective Date**

This Ordinance shall become effective ten (10) days after publication in a newspaper having a circulation in Windsor.


Secs. 2-33--2-40. Reserved.

## Agenda Item Summary

Date: April 7, 2003

To: Honorable Mayor and Members of the Town Council

Prepared by: Peter Souza, Assistant Town Manager

Reviewed by: Leon Churchill, Town Manager 

Subject: Amendments to the Alarm System Ordinance

### Background

Both the Police Department and the Volunteer Fire Department respond to a significant number of calls for service related to security and fire alarm systems. The Police Department responded to over 2,300 alarm calls in 2001, which is 4.75% of the total calls. In 2001 approximately 30% of the Fire Department's 1,000 calls were classified as false alarms. In addition to committing valuable and limited resources, false alarms also increase the risk of accidents and injuries involving emergency personnel and the public. The National Fire Protection Association reports that more than 33% of all firefighter casualties are from responding to and returning from fire calls.

### Discussion and Analysis

In addition to efforts of the Police Department to increase compliance with the existing ordinance, the Fire Marshal's Office has been seeking to reduce the number of false alarms with particular emphasis on residential structures with repeat false alarms. The Fire Marshal's Office increased efforts in the areas of educating consumers, licensing of installers, and inspections. As a result, in 2001 false residential alarms decreased with virtually no repeat sites.

The problem of repeat false fire alarms still exists primarily in non-residential structures. In 2001 35% of the false fire alarms originated from fourteen sites. It is recommended that the efforts used to address the problem with repeat alarms at residential sites be augmented with updating and strengthening the current Alarm System ordinance to reflect current technology as well as best practices.

It is proposed that the Town Council consider amending the existing ordinance in the following areas:

- Reduce the number of allowed false fire alarms from 6 to 2 per calendar year
- Allow the police and fire departments to modify or reduce response to properties which have more than ten false security and fire alarms per any one calendar year
- Existing alarm systems are to be registered with the town
- New alarm systems are to be registered with the town
- Establishes installation criteria

- Alarm system vendors would provide each year a list of all sites in the town they service
- Adjusts the fee schedule for false fire alarms
- Deletes language relative to outdated technology

The town's price guide will need to be amended to reflect the following fee schedule for false fire alarms:

3 <sup>rd</sup> False Fire Alarm	\$100
4 <sup>th</sup> False Fire Alarm	\$200
5 <sup>th</sup> False Fire Alarm	\$400
Each additional False Fire Alarm	\$500

Financial Impact

There will not be a need for additional staffing. Increased clerical and administrative responsibilities will be met with existing staff and through the use of the internet and software applications.

Other Board Action

The Health and Safety Committee met several times to review the amendments. On March 17, 2003 the committee met to review concerns from the alarm industry. After discussing the amendments the committee voted to recommend favorable action on the proposed ordinance amendments.

Recommendations

If the Town Council is in agreement, that the following actions would be in order:

- 1) Waiving of the full reading.

**RESOLVED, that the reading into the minutes of the text of the ordinance amending Chapter 12, Article II of the Windsor Town Code, is hereby waived, the full text of the ordinance having been distributed to each member of the Council and copies being made available to those persons attending this meeting; and that the full text of the ordinance be recorded with the minutes of this meeting.**

- 2) Introduction of Ordinance

**MOVE to introduce an ordinance amending Chapter 12, Article II, Alarm System.**

- 3) Set Public Hearing Date

**“RESOLVED, that a public hearing be held at the Windsor Town Hall, Monday, May 5, 2003 at 7:15pm (prevailing time) for the purpose of receiving public comment on a proposed ordinance amending Chapter 12, Article II, Alarm System, of the Windsor Town Code**

And

**“FURTHER RESOLVED, that the Town Clerk is authorized and directed to post and publish notice of said Public Hearing.”**

Attachments

Proposed ordinance amendments

**CHAPTER 12**  
**ARTICLE II**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF WINDSOR:

**Chapter 12, Article II, ALARM SYSTEMS of the *Windsor Code* is amended as follows:**

Section 1. 12-20. Definitions is amended to read as follows: *Alarm System*: An assembly of equipment and devices or a single device, arranged to signal the presence of a hazard requiring urgent attention and to which police or fire personnel are expected to respond. In this article, the term "alarm system" shall include the terms "automatic holdup alarm systems", "burglar alarm systems", "holdup alarm systems", "manual holdup alarm systems", "personal and premises security systems" and "fire alarm systems" as those terms are herein defined. Alarm systems which monitor any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery or a fire or smoke condition at a premises are specifically excluded from the provision of this article.

Section 2. 12-20. Definitions is amended to read as follows: *Alarm Verification Cancellation Protocol*: A protocol, acceptable to the Police Chief, that establishes a procedure for alarm monitoring companies to verify alarms prior to dispatch to the town.

Section 3. 12-20. Definitions is amended to read as follows: *Commissioning*: The owner of any protected premises served by a fire alarm system may declare a commissioning period not to exceed 30 days for the purpose of testing a fire alarm system as part of new construction or major renovation that impacted the fire alarm system. Such period shall be approved by the Fire Marshal and shall. If declared and approved by the Fire Marshal. be part of a temporary Certificate of Occupancy issued by the Building Official for that project.

Section 4. 12-20. Definitions is amended to read as follows: *False Alarm*: The activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or of the owner's or lessee's employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes, or other violent conditions. False alarms as defined in this article also do not include those alarms that are transmitted with a criminal, malicious, or mischievous intent.

Section 5. 12-20. Definitions is amended to read as follows: *Fire Department*: The Town of Windsor Volunteer Fire Department.

Section 6. 12-20. Definitions is amended to read as follows: *Personal and Premises Security Alarms*: An alarm system protecting people and/or property from unlawful entry, attack, theft, or similar dangers to which police are expected to respond.

Section 7. 12-22. Enforcement and Administration, subsection (b)(1) is amended to read as follows: A protected property is allowed three (3) false personal or premises security alarms to which Police are expected to respond in any one calendar year. After each false alarm, the protected property must investigate the cause, provide a remedy and report the action taken to the Police Chief as appropriate. Upon receipt of the fourth (4<sup>th</sup>) false personal or premises security alarm the town shall charge a fee for said fourth (4<sup>th</sup>) false alarm and for each false alarm thereafter in any one (1) calendar year; such fee to be established by the Town Council and published in the official price guide.

Section 8. 12-22. Enforcement and Administration, subsection (b)(2) is amended to read as follows: A protected property is allowed two (2) false fire alarms to which the Fire Department is expected to respond in any one calendar year. After each false alarm, the protected property must investigate the cause, provide a remedy and report the action taken to the Fire Marshal. Upon the receipt of the third (3<sup>rd</sup>) false fire alarm the town shall charge a fee for said third (3<sup>rd</sup>) false alarm and for each false alarm thereafter in any one (1) calendar year; such fee to be established by the Town Council and published in the official price guide.

Section 9. 12-22. Enforcement and Administration, subsection (e) is amended to read as follows: The failure of a protected property to comply 1) with the reporting requirements of Sec. 12-22 (b)(1) or (b)(2) or failure to pay the penalties levied under Sec. 12-22 (b)(1) or (b)(2); or 2) to have more than 10 false personal or premises security or false fire alarms in any one calendar year shall cause the Police Chief or Fire Chief, as appropriate, to issue a written notice to the protected property that a reduced response assignment will be dispatched until all systems are serviced by a licensed contractor and restored to proper (false alarm free) operating condition.

Section 10. 12-23. Alarm Registration, subsection (a) is amended to read as follows: Existing alarm systems must, within 90 days of adoption of this ordinance, be registered with the Town of Windsor. Alarm registration forms will be provided by the Town.

Section 11. 12-23. Alarm Registration, subsection (b) is amended to read as follows: After the 90 day registration period, any non-registered, protected properties shall be subject to the penalties of Sec. 1-8 of this Code.

Section 12. 12-23. Alarm Registration, subsection (c) is amended to read as follows: For new alarms installed after adoption of this Ordinance, the protected property must obtain an electrical permit for the installation and register with the Town of Windsor on registration forms provided by the town. For new alarm systems, they shall not be considered in service until after inspection and acceptance by the Police Chief or Fire Marshal, as appropriate. Failure to comply with these requirements shall subject the protected property to the penalties of Sec. 1-8 of this Code.

Section 13. 12-25. Installation Criteria is amended to read as follows: Any alarm system installed in the Town of Windsor after the adoption of this amendment shall comply with the following:

- (a) Be installed as per the manufacturer's specifications.

- (b) Be installed utilizing only equipment listed for alarm signaling purposes.
- (c) Be installed and maintained in compliance with NFPA Standard 72 as adopted by the State of CT for fire alarm purposes.
- (d) Be installed and maintained in compliance with such nationally recognized standards as adopted by the State of CT for police alarm purposes.
- (e) No alarm systems shall be installed that utilize or rely on any features that may require the use of primary emergency and business phone numbers or lines utilized at the Public Safety Complex.

Section 14. 12-26. List of Installations, subsection (a) is amended to read as follows: Every alarm business that provides alarm services in the Town of Windsor, shall maintain a current list of such installations for inspection by the Police Chief or Fire Marshal as appropriate during the course of their official duties.

Section 15. 12-26. List of installations, subsection (b) is amended to read as follows: Every alarm business shall provide a list to the Town of Windsor by January 15th of each calendar year of all sites it serves within the town and such list(s) shall be updated by the alarm businesses whenever there is a change.

Section 16. 12-27. Operating instruction services subsection (a) is amended to read as follows: Every alarm business that provides alarm services to the Town of Windsor shall furnish to the owner instructions that provide adequate information to enable persons using such an alarm to operate it properly and, if the alarm is to be serviced or maintained by another alarm business, shall furnish such other alarm business with a manual or other information necessary to enable it to service or properly maintain such alarm.

Section 17. 12-27. Operating instruction services, subsection (b) is amended to read as follows: If the police chief or fire marshal reasonably finds such information to be incomplete or unclear, or inadequate to explain how the alarm operates and is constructed, such officer may require the alarm business to revise the information to meet such officer's approval, and then to distribute the revised information to persons who have had such alarms installed as well as to persons subsequently having such alarms installed.

Section 18. 12-27. Operating instruction services, subsection (c) is amended to read as follows: Every alarm business that provides alarm services to any person which is installed on such person's premises in the town shall provide or make available at all times service to repair such alarm should it malfunction, and shall furnish to the person buying or leasing such alarm written information concerning how service may be obtained at any time, including telephone number to call for service.

Section 19. 12-28. Direct connections to the town public safety complex, subsection (c) is amended to read as follows: Upon the favorable recommendation of the police chief or fire marshal and the approval of the town manager, alarms may be terminated in the

town public safety complex.

Section 20. Savings Clause is amended to read as follows: The enactment of this Ordinance shall not operate as an abatement of any action or proceeding now pending under or by the authority of any existing law or ordinance. All of said actions and proceedings are hereby ratified to be continued.

Section 21. Severability is amended to read as follows: All provisions of the *Windsor Town Code* in conflict herewith are hereby repealed. If for any reason any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated and the remainder of the Ordinance shall continue in effect. Any provision herein that is in conflict with the *Connecticut General Statutes* is hereby repealed, it being understood that said *Statutes* shall take precedence over this Ordinance.

Section 22. Effective Date is amended to read as follows: This Ordinance shall become effective ten (10) days after publication in a newspaper having a circulation in Windsor.

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

ATTEST:

\_\_\_\_\_

Distributed to Town Council \_\_\_\_\_

Public Hearing Advertised \_\_\_\_\_

Public Hearing \_\_\_\_\_

Adopted \_\_\_\_\_

Advertised \_\_\_\_\_

Effective Date \_\_\_\_\_

## Agenda Item Summary

Date: April 7, 2003  
To: Honorable Mayor and Members of the Town Council  
Prepared By: Leon Churchill, Town Manager  
Subject: Budget Calendar



### Background

It is appropriate for the Town Council to consider a different budget calendar to observe Passover.

### Discussion/Analysis

I recommend changes in the upcoming budget calendar that will require deferral of the adjourned town meeting based on past practices. Monday, April 17 is Pesach (Passover), a Jewish holiday that some have suggested we honor. All Jewish holidays begin at sundown on the date before the date specified. Attached you will find two possible schedules. Both cancel the April 16 work session. Option A extends each work session until 9:30 p.m. with final council action set for April 23<sup>rd</sup>. Option B adds an additional review session on April 30<sup>th</sup> and would require setting the adjourned town meeting for Tuesday, May 13<sup>th</sup> versus May 6<sup>th</sup>. This allows ample time for legal notification and public awareness of Windsor's favorable tax impact in relation to other towns. The suggestion for a May 13<sup>th</sup> adjourned town meeting is necessary to comply with State statutes and the Town Charter regarding notification.

I also recommend the Library and Family & Leisure Services Departments work sessions be moved up to April 9<sup>th</sup>.

### Financial Impact

None

### Other Board Action

None

### Recommendations

It is recommended the Town Council adopt one of the suggested calendars.

### Attachments

Option A Schedule  
Option B Schedule

**OPTION A**  
**TOWN OF WINDSOR, CONNECTICUT**  
**FY 2003-2004**  
**BUDGET CALENDAR BY DEPARTMENT**

<b>Date</b>	<b>Day</b>	<b>Step</b>
Feb. 3, 2003 7:15 PM	Monday	Public Hearing by Town Council to hear budget requests from citizens.
March 21, 2003	Friday	Estimated receipts and expenditures submitted to Town Council by Town Manager (proposed budget).
April 7, 2003 7:15 PM	Monday	Regular Town Council meeting; Public Hearing re: public opinion regarding budget as proposed by Town Mgr.
April 9, 2003 6:30-9:30 PM	Wednesday	Board of Education, Health and Social Services, Library Services, Family Services, Adult Day Care
April 14, 2003 6:30-9:30 PM	Monday	Safety Services, Public Works, Landfill, Development Services, Community Development, Administrative Services
April 21, 2003 6:30-9:30 PM	Monday	Board of Education, Information Services, General Government, Town Support for Education, General Services, Insurance Internal Service Fund, Revenues, Child Day Care
April 23, 2003 6:30-9:30 PM	Wednesday	Town Council final deliberations
May 6, 2003	Tuesday	Adjourned Town Meeting held (referendum); budget adopted; tax rate determined by Town Council; official copy filed with Town Clerk.
Jun 27, 2003	Friday	Tax bill mailing completed.
Jun 30, 2003	Monday	End of current fiscal year.
July 1, 2003	Tuesday	FY 2004 budget becomes effective; taxes for FY 2004 fiscal year due and payable.

**OPTION B**  
**TOWN OF WINDSOR, CONNECTICUT**  
**FY 2003-2004**  
**BUDGET CALENDAR BY DEPARTMENT**


<b>Date</b>	<b>Day</b>	<b>Step</b>
Feb. 3, 2003 7:15 PM	Monday	Public Hearing by Town Council to hear budget requests from citizens.
March 21, 2003	Friday	Estimated receipts and expenditures submitted to Town Council by Town Manager (proposed budget).
April 7, 2003 7:15 PM	Monday	Regular Town Council meeting; Public Hearing re: public opinion regarding budget as proposed by Town Mgr.
April 9, 2003 6:30-9 PM	Wednesday	Board of Education, Library Services, Family Services, Adult Day Care
April 14, 2003 6:30-9 PM	Monday	Health & Social Services, Public Works, Landfill Development Services, Community Development
April 21, 2003 6:30-9 PM	Monday	Board of Education, Safety Services, Information Services, General Government, Child Day Care
April 23, 2003 6:30-9 PM	Wednesday	Administrative Services, Town Support for Education, General Services, Insurance Internal Service Fund, Revenues
April 30, 2003 6:30-9 PM	Wednesday	Town Council final deliberations
May 13, 2003	Tuesday	Adjourned Town Meeting held (referendum); budget adopted; tax rate determined by Town Council; official copy filed with Town Clerk.
Jun 27, 2003	Friday	Tax bill mailing completed.
Jun 30, 2003	Monday	End of current fiscal year.
July 1, 2003	Tuesday	FY 2004 budget becomes effective; taxes for FY 2004 fiscal year due and payable.

## Agenda Item Summary

Date: April 7, 2003

To: Honorable Mayor and Members of the Town Council

Prepared By: Tom Lenehan, Town Engineer

Reviewed By: Leon Churchill, Town Manager 

Subject: Refuse Disposal Options

### Background

The Town will need a place to dispose its 25,000 tons per year of residential and commercial solid waste in late 2006 based on estimated capacity. The Town Council gave direction to close the landfill when it reaches its permitted capacity. The Town identified nine private companies through a competitive process in 2002, all of which can provide a disposal site and/or transportation of solid waste. Eight of the nine indicated that a Transfer Station is needed to consolidate the local delivery of waste for transportation to a distant disposal site. Some disposal sites have restrictions on acceptance of certain components of the waste stream. These restrictions will either cause an inconvenience to the resident/business and/or an increase in cost. Multiple contracts for the transportation, disposal and perhaps collection may be necessary to manage the waste stream in a manner that Windsor expects.

In the meantime, the Town has closed approximately 2 acres of the 55-acre disposal area. The closure involves placement of clay materials, which are compacted and graded so that rainwater will shed away from the buried refuse. The final use of the land will dictate the shape of the land (topographic contours). The shape of the land will determine the amount and placement of refuse by the Town until it reaches its permitted capacity.

### Discussion/Analysis

The recommended post-closure land use plan shows a transfer station on the ABB property just south of the landfill. A compost and brush area is proposed on the landfill proper near the transfer station. A dog park, mountain bike area, and grassland bird habitat are also shown on the disposal area. Off the landfill, to the west, scenic overlooks are depicted near the Farmington River. East of Huckleberry Road, a picnic pavilion and grove, open lawn, gravel parking areas, and an active recreation area for team sports and hard recreation are proposed. An extensive trail system of various types would cover much of the landfill property and link the various proposed land uses with existing trail systems in Northwest Park. A Park Drive and Multi-Use Trail could also link the landfill and Northwest Park properties.

The alternate land use plan calls for the same land uses west of Huckleberry Road as the recommended plan. However, under the alternate plan the transfer station would be located on site in the southeast corner of the property, east of Huckleberry Road, and the active recreational area here would be smaller. The Park Drive, if constructed, would be longer and intersect Huckleberry Road south of the landfill to separate residential and recreational use vehicular traffic from the commercial truck traffic that uses the transfer station.

Discussion and analyses now have to turn to the feasibility and desirability of a transfer station at the Windsor-Bloomfield Landfill versus an alternative requiring the direct haul to a nearby facility. In general, a transfer station has the following features: maintains flexibility for future choices, allows for the current refuse collection to be maintained, and provides convenience for local commercial haulers. The disadvantages include continued community nuisances including traffic, likely higher costs compared to direct haul, and likely need for subsidy. Discussions have taken place with the Connecticut Resources Recovery Authority regarding the direct haul of refuse to their Mid Connecticut Project. These discussions also included the CRRA disposing of municipal solid waste and residue at the Windsor/Bloomfield Landfill until the permitted capacity is reached.

#### Financial Impact

The attachments provide detail on each option. The costs for a transfer station are estimated at \$3.4 million, which correlates into annual debt service of \$375,000. The annual operating costs of a transfer station are estimated at \$437,000. The annual costs to Windsor residents range from \$204 to \$231 in current dollars for the three scenarios presented.

#### Other Board Action

None, but the Town Council has reviewed these and similar issues during a three-part worksession series last winter.

#### Recommendations

It is a bit premature to have complete costs associated with direct haul to a Connecticut Resources Recovery Authority facility. This option does not preclude the Town Council's ability to decide refuse collection methods at a later date. The direct haul option also allows for maximum flexibility for determining the future land use for the landfill site. The costs for a transfer station, even one without land costs (\$2.7 million) is cost prohibitive at this time. It is recommended the town continue to pursue a direct haul option with the CRRA.

#### Attachments

Refuse Workshop Outline

Financial Pro Forma of Transfer Station with no debt service

Financial Pro Forma of Transfer Station with total costs

Financial Pro Forma of Transfer Station with Direct Haul and Drop-off Station

## REFUSE WORKSHOP

### I DEFINE TRANSFER STATION

FUNCTIONS / OPERATIONS (clarify drop-off vs transfer station)  
SITE REQUIREMENTS  
BUILDING DESIGN  
PERMITTING PROCESS

### II ECONOMICS

Cost to construct transfer station - \$3.4 million (includes land cost)  
Annual Debt Service - \$375,000  
Annual Operating and Maintenance Cost - \$437,000

A) MSW Direct Haul to CRRA and Citizen Drop-off Center at Landfill  
\$204 per household for curbside collection  
\$177 Resident Permit for Drop-off Center  
\$ 69/ton fee at CRRA

B) MSW Transfer Station (fully loaded w/ Debt & OM shared by res & comm)  
\$231 per household for curbside collection  
\$122 Resident Permit for Drop-off Center  
\$102/ton for commercial haulers which is 70% above market  
places town in a non-competitive market position

C) MSW Transfer Station (Debt in Gen Fund/ O&M shared by res & comm)  
\$210 per household for curbside collection  
\$102 Resident Permit for Drop-off Center  
\$85/ton for commercial haulers which is 42% above market  
places town in a non-competitive market position  
increases General Fund debt service by \$375,000/ yr  
displaces \$3.4m in General Fund bonding capacity

### III PLUSES AND MINUSES OF TRANSFER STATION

- + allows town future options for MSW disposal
- + allows current curbside collection service/method to be maintained
- + provides convenient site local commercial haulers
  
- continued solid waste operations with associated community impacts
  - Noise Commercial traffic Litter Odor
- continued traffic impact on Prospect Hill and Day Hill Road
- increased cost to residential customers over direct haul option
- increased cost to commercial customers (% of O&M / Debt Service costs)
- disadvantage in commercial market place (tipping fee too high)

# Windsor Solid Waste Options

## Transfer Station- Zero Debt Service

**Description**

The Debt service costs are included in the Town's general fund.

O&M costs are distributed proportionally between residential and commercial wastes.

	ANNUAL TOTALS	ANNUAL Cost per Unit
<b>COLLECTION COSTS</b>	\$ 800,777	\$ 93.66
Units (Households)            10,900		
Adjusted Units                    8,550		
 <b>TRANSFER STATION COSTS</b>	 \$ 205,371	 \$ 24.02
Debt Services                    \$ -		
O&M Costs                        \$ 436,960		
 <b>TRANSPORTATION COSTS</b>	 \$ 341,044	 \$ 39.89
 <b>DISPOSAL COSTS</b>	 \$ 330,710	 \$ 38.68
 <b>ESTIMATED PROFIT</b>	 \$ 120,117	 \$ 14.05
<b>TOTALS</b>	 \$ 1,798,019	 \$ 210.29

ESTIMATED TRAFFIC COUNT  vehicles per day.

COMMERCIAL FEE  per ton.

ANNUAL PERMIT FEE

# Windsor Solid Waste Options

## Transfer Station - Fully Loaded

**Description**

Debt service and O&M costs are shared proportionally between residential and commercial waste streams.

	ANNUAL TOTALS	ANNUAL Cost per Unit
<b>COLLECTION COSTS</b>	\$ 800,777	\$ 93.66
Units (Households)                      10,900		
Adjusted Units                                8,550		
 <b>TRANSFER STATION COSTS</b>	 \$ 381,311	 \$ 44.60
Debt Services                                \$ 374,339		
O&M Costs                                     \$ 436,960		
 <b>TRANSPORTATION COSTS</b>	 \$ 341,044	 \$ 39.89
 <b>DISPOSAL COSTS</b>	 \$ 330,710	 \$ 38.68
 <b>ESTIMATED PROFIT</b>	 \$ 120,117	 \$ 14.05
<b>TOTALS</b>	<b>\$ 1,973,958</b>	<b>\$ 230.87</b>

**ESTIMATED TRAFFIC COUNT**                       vehicles per day.

**COMMERCIAL FEE**                                       per ton.

**ANNUAL PERMIT FEE**

## Windsor Solid Waste Options

### Direct Haul & Citizen Dropoff

**DESCRIPTION:**

Curbside collection provided with direct haul to disposal site.  
 Drop-off building provided for estimated 650 permit holders.  
 Cost of Drop-off Station O&M and capital included in annual fee.

		ANNUAL TOTALS	ANNUAL Cost per Unit
<b>COLLECTION COSTS</b>		\$ 940,058	\$ 109.95
Units (Households)	10,900		
Adjusted Units	8,550		
<b>TRANSFER STATION COSTS</b>		\$ -	\$ -
Debt Services	\$ -		
O&M Costs	\$ -		
<b>TRANSPORTATION COSTS</b>		\$ -	\$ -
<b>DISPOSAL COSTS</b>		\$ 658,914	\$ 77.07
<b>ESTIMATED PROFIT</b>		\$ 141,009	\$ 16.49
<b>TOTALS</b>		<b>\$ 1,739,981</b>	<b>\$ 203.51</b>

**ESTIMATED TRAFFIC COUNT** 88 vehicles per day.

**COMMERCIAL FEE** Not Applicable per ton.

**ANNUAL PERMIT FEE** \$177

## Agenda Item Summary

Date: April 7, 2003

To: Honorable Mayor, Members of the Town Council, Town Manager

Prepared by: Bernadette Connors, Social Services

Reviewed by: R. Leon Churchill, Town Manager



Subject: Real Choice Systems Change Project

### Background

The Town of Windsor has the opportunity to apply for funding under the Real Choice Systems Change Project administered by the University of Connecticut.

There are two primary goals for the Real Choice Systems Change Project:

1. To build the capacity within the State of Connecticut to support informed decision-making, independent living, and meaningful quality of life for persons with disabilities across the lifespan.
2. To assist three communities in Connecticut to become models of support for opportunities and choices for persons with disabilities across the lifespan.

Funding of up to \$25,000 per year is available for the three years from July 1, 2003 through September 30, 2005.

### Discussion

Funds will be utilized to provide transportation services beyond the normal business hours for persons with disabilities. Specifically, the goal is to increase access to the many recreational and cultural activities Windsor offers during the evening and on weekends. (i.e. SummerWind; Northwest Park Coffee House Concerts, Huntington House, Concerts on the Green)

### Financial Impact

The town is not required to provide matching funds.

### Other Board Action

None

### Recommendations

It is recommended that the following motion be considered:

**Be It Resolved that the Town Manager, R. Leon Churchill, Jr. is authorized to enter into and amend contractual instruments with the University of Connecticut for the Real Choice Systems Change Project and to affix the corporate seal.**

### Attachments

Overview of Real Choice System Change Project

# Real Choice Systems Change Project

*“Promoting community inclusion for all people with disabilities throughout the lifespan”*

## APPLICATION FOR FUNDING

**Background:** In October 2002 a federal Real Choice Systems Change grant was awarded to the Connecticut Department of Social Services, and the A.J. Pappanikou Center was selected to administer the grant. There are two primary goals for this project:

1. To build the capacity within the State of Connecticut to support informed decision-making, independent living, and a meaningful quality of life for persons with disabilities across the lifespan.
2. To assist three communities in Connecticut to become models of support for opportunities and choices for persons with disabilities across the lifespan.

This project will collaborate with two other Systems Change grants: the Nursing Facilities Transition grant and the Connect-to-Work Project.

The Real Choice project will be working on two areas concurrently:

- ❖ Conducting a statewide assessment to determine the level and quality of inclusion in Connecticut communities. (Please see p. 2 for a definition of inclusion.)
- ❖ Selecting and further building capacity through technical and financial assistance in three specific communities (one rural/regional, one urban and one suburban community) which are already demonstrating good progress in this area.

**Call for applicants:** The Real Choice Systems Change project is seeking municipalities interested in being selected as a model community for the inclusion of persons with disabilities through the lifespan. Three communities will be selected as models for this project. Successful applicants will receive funding, staff support in implementing their community inclusion plan, and collaborative support from state agencies serving persons with disabilities in their communities.

**Funding availability:** \$25,000 per year for three years (a total of \$75,000) will be awarded to each of three Connecticut municipalities. The funding period will be from **July 1, 2003** through **September 30, 2005**.

**Eligible applicants:** Applications will be accepted from a representative of any municipality in Connecticut or from a consortium of towns that have a history of collaborative regional effort. When a regional application is submitted, a primary contact must be identified from one of the participating municipalities, and documentation of other collaborative efforts should be included with the application. Within large cities (e.g. Hartford, Bridgeport, New Haven) applicants may wish to submit an application that targets the inclusion of people with disabilities in a particular defined residential community or neighborhood.

## Real Choice Systems Change Project

*"Promoting community inclusion for all people with disabilities throughout the lifespan"*

### APPLICATION FOR FUNDING

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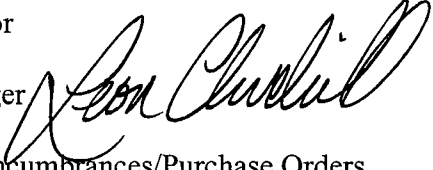
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## Agenda Item Summary

Date: April 7, 2003

To: Honorable Mayor and Members of the Town Council

Prepared By: Gregg Pavitt, Finance Director

Reviewed By: Leon Churchill, Town Manager 

Subject: Re-Approval of Prior Year Encumbrances/Purchase Orders

### Background

Attached for the Council's review are the open, prior year encumbrances/purchase orders as of March 21, 2002. On March 24, 2003, the Finance Committee reviewed the list. The Committee recommends that the purchase orders be re-approved.

### Discussion/Analysis

	<i>Number of Purchase Orders</i>	<i>Original Encumbrance Amount</i>	<i>Dollar Amount Outstanding</i>
FY00, FY01	2	\$23,000	\$3,287
FY02	4	\$60,220	\$43,220
Total	6	\$83,220	\$46,507

### Other Board Action

This item was on the Finance Committee agenda for March 24, 2003. The Committee voted 3-0 to re-approve the encumbrances.

### Recommendations

If the Council agrees to re-approve the listed purchase orders, the following motion is in order.

**“Move to re-approve the purchase orders listed on the report *Prior Year Purchase Orders-Status as of March 21*”.**

### Attachments

Prior Year Purchase Orders-Status as of March 21, 2003

Prior Year Purchase Orders-Status as of March 21, 2003

PO	Vendor	Description	Fiscal Year	Month/YR	Original Encumbrance Amount	Amount Open
34	APPLIED THERMODYNAMICS	Town Hall HVAC-Condensor Replacement	FY00	Jun-00	10,000	1,250
			<b>FY00 Total</b>			<b>1,250</b>
59	FRIAR ASSOCIATES	Poquonock windows	FY01	Jun-01	13,000	2,037
			<b>FY01 Total</b>			<b>2,037</b>
109	VANASSE HANGEN BRUST	Dayhill Road pavement survey work	FY02	Apr-02	27,220	27,220
56	BLACK & VEATCH	Best practices study	FY02	Jun-02	23,000	6,000
89	POLICE ATHLETIC LEAG	Matching Grant	FY02	Jun-02	5,000	5,000
130	THE VINTAGE RADIO MUSEUM	Volunteer support	FY02	Jun-02	5,000	5,000
			<b>FY02 Total</b>			<b>43,220</b>
			<b>Grand Total</b>		<b>83,220</b>	<b>46,507</b>

### **XIII. Resignations and Appointments**

April 7, 2003

- A. 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 - VACANT)
  
- B. One **Public Building Commission** Member  
Capital Improvements Committee  
Term to be determined
  
- C. One **At Large** Member  
Capital Improvements Committee  
Term to be determined
  
- D. One **At Large** Member  
Capital Improvements Committee  
Term to be determined
  
- E. One **Democratic** Member  
Commission on Aging & Handicapped  
Three Year Term to expire January 31, 2006 or until a successor is appointed  
(Joan McVey - reappointment)
  
- F. One **Democratic** Member  
Economic Development Commission  
Five Year Term to expire January 31, 2008 or until a successor is appointed  
(David Earley - reappointment)
  
- G. One **Democratic Alternate Landlord** Member  
Fair Rent Commission  
Three Year Term to expire March 31, 2006 or until a successor is appointed  
(Timothy Fitzgerald - reappointment)
  
- H. One **Democratic Alternate Homeowner** Member  
Fair Rent Commission  
Three Year Term to expire March 31, 2006 or until a successor is appointed  
(Thomas Donahue - reappointment)
  
- I. One **Republican Alternate Tenant** Member  
Fair Rent Commission  
Three Year Term to expire March 31, 2006 or until a successor is appointed  
(Dorothy Wise - reappointment)
  
- J. One **Democratic Homeowner** Member  
Fair Rent Commission  
Three Year Term to expire March 31, 2006 or until a successor is appointed  
(William Donegan - reappointment)
  
- K. One **Democratic Landlord** Member  
Fair Rent Commission  
Three Year Term to expire March 31, 2006 or until a successor is appointed  
(James McQueeney - reappointment)

### **XIII. Resignations and Appointments**

April 7, 2003

- L.**     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 - VACANT)
- M.**     One *Democratic Residential* Member  
Historic District Commission  
Five Year Term to expire October 14, 2007 or until a successor is appointed  
(Anelia Machernis – reappointment)
- N.**     One *Democratic Alternate Nonresident* Member  
Historic District Commission  
Two Year Unexpired Term to expire October 13, 2003 or until a successor is appointed  
(Agnes Pier – resigned – VACANT)
- O.**     One *Democratic* Member  
Historic District Study Committee  
One Year Term to expire September 17, 2003 or until a successor is appointed  
(Agnes Pier – resigned - VACANT)
- P.**     One *Republican* Member  
Historic District Study Committee  
One Year Term to expire September 17, 2003 or until a successor is appointed  
(Colette Yeich - reappointment)
- Q.**     One *Republican* Member  
Historic District Study Committee  
One Year Term to expire September 17, 2003 or until a successor is appointed  
(Anthony Zeolla - reappointment)
- R.**     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 – VACANT)
- S.**     One *Democratic* Member  
Inland Wetlands & Watercourses Commission  
Four Year Term to expire October 31, 2007 or until a successor is appointed  
(Gary Crosson - reappointment)
- T.**     One *Republican Alternate* Member  
Inland Wetlands & Watercourses Commission  
Four Year Unexpired Term to expire March 31, 2005 or until a successor is appointed  
(Robert Rispoli – change of status from an alternate to a regular member – VACANT)
- U.**     One *Republican* Member  
Insurance Commission  
Four Year Term to expire October 31, 2006 or until a successor is appointed  
(David Curley - reappointment)

### **XIII. Resignations and Appointments**

April 7, 2003

- V. One *Democratic* Member  
Human Relations Commission  
Three Year Term to expire May 31, 2006 or until a successor is appointed  
(Max Kuziak – reappointment)
  
- W. One *Democratic Altrenate* Member  
Human Relations Commission  
Three Year Term to expire May 31, 2006 or until a successor is appointed  
(Collin Edwards – reappointment)
  
- X. One *Republican* Member  
Human Relations Commission  
Three Year Term to expire May 31, 2006 or until a successor is appointed  
(Paul Giampolo – reappointment)
  
- Y. One *Democratic* Member  
Human Relations Commission  
Three Year Term to expire May 31, 2006 or until a successor is appointed  
(William Warner-Prouty – reappointment)
  
- Z. One *Republican* Member  
Library Advisory Board  
Three Year Term to expire April 30, 2006 or until a successor is appointed  
(Lisa Hernick – reappointment)
  
- AA. One *Republican* Member  
Library Advisory Board  
Three Year Term to expire April 30, 2006 or until a successor is appointed  
(David Raney – reappointment)
  
- BB. One *Democratic* Member  
Library Advisory Board  
Three Year Term to expire April 30, 2006 or until a successor is appointed  
(Olivia Harvey – reappointment)
  
- CC. 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 - VACANT)
  
- DD. 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)
  
- EE. One *Democratic* Member  
Windsor Housing Authority  
Five Year Term to expire July 31, 2007 or until a successor is appointed  
(Harold DePianta - reappointment)

**Windsor Town Council  
Council Chambers – Town Hall  
March 17, 2003  
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

Mr. George Yeramian, 739 Prospect Hill Road, addressed the Council regarding the private development of a sports complex at the landfill. He would like some assurance that further negotiations between the town and the developer are not taking place until residents near the landfill have the opportunity of being informed.

6. Report of Appointed Boards and Commissions

- A. Commission on Aging & Handicapped

Mr. Lee Hoffman, Commission on Aging & Handicapped Vice Chair, gave a report to the Council. He discussed their activities in the past year. The handicapped signage plan has been put into effect and volunteers will be used for the signage. The Commission is surveying other towns for handicap parking violation fees.

Mayor Trinks commended the Commission on the Restaurant Accessibility Guide.

- B. Public Building Commission

Mr. Joseph Novak, Chairman, PBC reported to the Council.

WHS Renovations – the project has reached the point of substantial completion and the punch list items and final inspections are being done. A ribbon cutting ceremony is being planned. The PBC will tour WHS prior to the ribbon cutting. The total change

order issues are 798, with 69 still open. They are negotiating two large issues with O&G and the architect.

Goslee Pool – the low bid was \$259,800 and work should be completed by Memorial Day.

Public Works Renovation – the wash rack portion was bid for \$117,000 and work will begin as of April 1, 2003.

330 Windsor Avenue – many walls have been sheetrocked. A change order may be done in the near future for a sprinkler system.

L.P. Wilson roof – they are looking at hot and cold applications and coordinating with the school schedule.

Mr. Novak reviewed closed projects that have approximately \$144,000 to be returned.

Councilor Broxterman asked if the \$144,000 is unencumbered. Town Manager Churchill replied that if there were no action, the funds would return to the capital outlay fund.

Mayor Trinks asked about the rooftop HVAC screening at Windsor High School. Mr. Novak said that is still an open issue and it would be worked on in the spring.

## 7. Town Manager's Report

### **Bond and Note Sale Results**

As reported at the March 3<sup>rd</sup> Council meeting, Moody's Investors Service has assigned an Aa2 rating to the Town of Windsor's \$2.36 million General Obligation Bonds, Issue of 2003. As a follow-up, I would like to report that the town recently sold \$2,360,000 of bonds at an average interest rate of just under 3.75% and sold \$1,690,000 of one year notes at just under 1.02%.

### **Game Show to Raise Funds for Revolutionary Windsor**

This Friday, March 21, 2003 *Windsor Fun Facts*, sponsored by the Revolutionary Windsor Planning Committee will be televised LIVE on WG-TV, (the Windsor Government Channel – 21) at 7:00 PM from the Town Hall Council Chambers. A fundraiser for Windsor's upcoming Revolutionary Windsor event, Windsor Fun Facts will pit four person teams against each other in a battle of wits as they vie for pledges from the television viewing audience.

The 14 teams participating will be quizzed with a variety of trivia; mystery tunes and have the opportunity to earn bonus points by dressing in costume. Teams are allowed to collect pledges prior to the event and phone lines will be open during the event for viewers to phone in pledges.

For more information, call the Revolutionary Windsor Planning Committee at 688-5165.

**Windsor Retailers and Restaurants to Raise Funds for Windsor High School's "Project Graduation"**

On March 27, April 3 and April 10 - all day long, 10 shop owners will donate 10 percent of any purchase to the Windsor High School project if the customer mentions "Windsor High School's Project Graduation".

They are:

Bayberry Designs

Country Cottage

Making Faces

The Water Closet

Patti's Treasures & Antiques

Selig Jewelers

Floral Fascinations

Ashley's Jewelers

Ray's Frame Shop & Gallery

The Painted Rose

In addition, on Sunday, March 30, 2003 from 3:00 PM to 7:00 PM, the Italian Corner on 3 Tunxis Street will donate a percent of all customer sales (dine-in or take-out) to Project Graduation if the customer mentions "Project Graduation."

Windsor High School's first-ever bumper stickers and rear window decals will be available for a \$2 or more donation during the restaurant's fundraiser.  
(Last week, Jim's Pizza did the same.)

The purpose of the Project Graduation event is to keep the Graduating Class of 2003 together in town and provide a night and early morning filled with dancing and entertainment without the presence of alcoholic beverages or drugs.

Councilor Albano inquired about the federal disaster funds for the February winter snowstorm. Town Manager Churchill stated that we have two upcoming sessions that the State will be debriefing towns regarding the application process. Once the application and receipts have been submitted, it is likely that the town will be reimbursed.

8. Communication from Council Members

Councilor Albano – None.

Councilor Broxterman – None.

Councilor Jepsen – announced that ordinances would now be added to the town website. He thanked Frank Angelillo, Director of Information Technology, for his work on the project.

Councilor Mulligan – mentioned a letter received by a resident from the town's insurance policy that said a certain pothole was not previously reported to the town, therefore the town is not responsible. The resident who lives in the vicinity of the pothole said that he reported a hydrant leakage problem over a year ago and perhaps that is what is causing the pothole.

Councilor Pacino – It's championship week in Windsor. He encouraged all to attend the games on Tuesday, Wednesday, Friday and Saturday afternoons. These kids will most likely play for WHS in the next year. He noted the game show Friday night to benefit Revolutionary Windsor.

Councilor Simon – Two weeks ago, Councilor Pacino reported that a member of the Council had leaked executive session information. Councilor Simon found out from a reporter that Councilor Pacino was referring to him. Councilor Simon was taken aback and requested the Town Attorney to form an opinion, which has been distributed to the Council.

Councilor Walker – reminded everyone about rules on abstentions.

Deputy Mayor Curtis – None.

Mayor Trinks – congratulated the Centre Coffee Bar that opened on Union Street. On March 29, 2003 an Auto Detailing Shop will be opening on Capen Street. He noted that on March 27th, April 3rd, and April 10<sup>th</sup>, ten shop owners would donate 10% of their profits to Project Graduation if the shopper mentions Project Graduation. He commended Councilor Simon on taking the initiative to seek the legal opinion on the discussion pursued at the last council meeting. He is satisfied with the legal opinion results.

9. Reports of Standing Committees

A. Finance Committee – None.

B. Town Improvements Committee – reviewed the CIP and the potential Board and Commission consolidations. They are recommending combining the Fair Rent Commission with the Human Relations Commission and possibly dissolving the Wilson Deerfield Advisory Committee, since they have had difficulty meeting. Councilor Pacino added that there is a six-month time frame for the Wilson Deerfield Advisory Committee to allow the Committee time to reorganize.

- C. Health and Safety – met this evening to discuss the false alarm ordinance. The alarm industry has attended and voiced their concerns. Amendments will be recommended in April. The Newsrack placement and décor will be discussed further at a future meeting.
- D. Special Projects – met on March 10, 2003 to review Ethics Ordinances or Rules, which will be discussed later in the agenda.
- E. Joint Board and Council Committee – None.

10. Ordinances

- A. Introduce amendments to the Code of Ethics ordinance

Resolved by Councilor Walker, seconded by Councilor Mulligan, that the reading into the minutes of the text of the ordinance amending Chapter 2, Article IV, of the Windsor Town Code, is hereby waived, the full text of the ordinance having been distributed to each member of the Council and copies being made available to those persons attending this meeting and that the full text of the ordinance be recorded with the minutes of this meeting.

Moved by Councilor Walker, seconded by Councilor Mulligan to introduce an ordinance amending Chapter 2, Article IV, Code of Ethics as amended.

Mr. Peter Souza gave an overview of the proposed amended sections. The Board of Ethics reviewed the ordinance a year ago and recommends that the amendments be proposed as new sections to the ordinance. There are no amendments proposed which would strike or delete current language. The Special Projects Committee has met twice since October 2002 to review the proposed amendments and recommend presenting the proposed changes to the Town Council.

Councilor Jepsen asked who backs up the subpoena power and asked if the ordinance covered the Board of Education. Mr. Souza will look into the subpoena question of powers and it is his understanding that the ordinance would cover the Board of Education.

Councilor Walker inquired if the Town Attorney reviewed the proposed amendments. Mr. Souza confirmed this.

Town Manager Churchill said that the State Statutes do offer some authority and power to Ethic Commissions of municipalities.

Councilor Pacino questioned how the six-month time period would be determined. Mr. Souza said that it would be defined by the date of termination. Councilor Pacino also asked about the monetary value. He would like to see a monetary value of the gift for more clarification. He asked if an invite to a conference is a gift or if a Councilor

receives a complimentary invite to a party that which has an admission fee be considered a gift.

Councilor Broxterman inquired about endorsing products and services. Town Manager Churchill clarified that it involves commercial products and services.

Mayor Trinks asked if there is a definition for Town Officials and legally, how far does it go. Mr. Souza believes that it applies to both elected officials and employees.

Councilor Pacino noted that Constables do get paid based on a percentage of what taxes they collect.

Motion Passed 9-0-0

Motioned by Councilor Walker, seconded by Councilor Mulligan to withdraw the motion and the amendment.

Motion Passed 9-0-0

B. Set Public Hearing regarding amendments to the Code of Ethics ordinance for April 7, 2003 at 7:00 p.m.

This item was withdrawn from the agenda.

#### 11. Unfinished Business

None.

Motioned by Councilor Jepsen, seconded by Councilor Simon to add items 16.A. Massey vs. Town of Windsor; 16. B. Wyman vs. Town of Windsor; and 16. C. Landfill to the Executive Session.

Motion Passed 9-0-0

#### 12. New Business

A. Presentation on Plaza Theater

Motioned by Councilor Albano, seconded by Councilor Broxterman to strongly recommend to the Town Improvements Committee to recommend to the Council to remove the Plaza Theater Project from the CIP.

Mr. James Burke, Economic Development Director, presented the project to the Council. The Plaza Theater closed about six years ago. There were a number of efforts to try to save the theater and keep it operating. Over the last two years, town staff had discussions with a party interested in the Theater as a venue for independent

films. This party has been developing a business plan and has met with the State Film Office for feedback. The financial abilities of the interested party have not been determined. Also, during this last year, the town staff has had discussions with the Hartford Symphony Orchestra (HSO) about the use of the Theater as a rehearsal space approximately 75-80 nights per year.

Estimated renovation costs for this project are \$1,550,000 based on the architect's estimate of \$1.2 million for Option 2 plus an allowance for additional work and contingencies of \$355,000. We propose the following sources of funds: \$100,000 from the Small Town Economic Assistance Program (the state has already approved this amount); \$85,000 from the Small Cities Block Grant Program (to be used for accessibility improvements); \$525,000 in town funds; and \$845,000 from private sources including fundraising, tenant improvements, and borrowing.

The Economic Development Commission and Town Council have listed the Theater Plaza (Plaza) Building as one of eleven priority redevelopment properties in Windsor.

Town Manager Churchill firmly believes that something positive will happen to the Plaza Building. There has been a reasonable amount of success in the Town Center with rehabilitation and projects. He is often asked what the town is going to do with the Plaza Theater. The last memory for the Plaza Theater is that it was for youth. The Plaza Theater may evolve into something that is not youth oriented. He recommends a market study.

Councilor Albano is not in favor of this and feels it should be left up to private developers, it has been vacant too long. He said that perhaps it could be torn down to allow parking for the storefronts that currently use Geissler's Parking Lot. He questioned bringing in 70 musicians with no parking available.

Councilor Simon is worried that the costs will be more than estimated and we will be in a situation where we have invested too much to pull out. He said he would like to see commitment from the private sector.

Deputy Mayor Curtis said that community suggestions for the Plaza Theater were more youth oriented. He thanked Mr. James Burke, Economic Development Director, for his work, but he has a concern with the bonding amount. He is hesitant about putting town money into projects while we are in a budget crisis. It would be a nice thing to have, but it's not the right time.

Councilor Mulligan agrees with Councilor Simon's concerns.

Councilor Albano asked if the building is currently being rented and if we have a list of the rent rolls. Town Manager Churchill stated that a majority of the building is rented, but we do not have the lease information.

Councilor Jepsen said that we have never really bonded money for a private enterprise. This would be breaking new ground, and he has a concern with doing that and the precedent it would set.

Councilor Broxterman said that many potential developers see the theater as a liability. He doesn't see the theater as being economically viable.

Deputy Mayor Curtis asked if the potential developers would still be interested if the town did not renovate the theater. Mr. Burke said that at least one of the developers would not be interested. Some would buy the building and the theater would be put to some use or it would be torn down.

Councilor Mulligan asked if the environmental study has been completed. Mr. Burke responded that the realtor has told him that it has been started.

Mayor Trinks sees many similarities between this project and the Windsor House. The question is what do we want with the Plaza Theater. Independent studies and surveys have reported that it will never again be the same Plaza Theater. As citizens, we have to come to grips with that. No one public or private entity is going to come forward and recreate the Theater. Mayor Trinks is concerned about committing to this project during this budget crisis. He would like to keep the possibility of this project alive, but maybe not to the financial recommendation of tonight. He shares all of the concerns mentioned tonight; they are viable and sincere.

Town Manager Churchill apologized to the Council because when he started in his position four years ago, he was forced to commit to not parachuting projects into the CIP. His purpose was to introduce the project for the Council to debate for the public so everyone can be aware of the communications he has had with developers.

Councilor Simon asked when the Council could expect the CIP packet. Town Manager Churchill said that final approval of the CIP and Financial Plan would be on April 28<sup>th</sup> or 30<sup>th</sup>.

Mayor Trinks referred the project to the Town Improvements Committee.

Motion Passed 8-1-0 Mayor Trinks opposing.

**B. Authorize the Town Manager to initiate sale of town properties**

The Town of Windsor owns 19 properties ranging from road project remnants to multifamily homes. Four properties are proposed for eventual sale. They include 122 East Street; 124-126 Palisado Avenue; 118 Palisado Avenue, and 235 Palisado Avenue.

The financial impact is compelling for the sale of some town-owned real estate. The potential of \$855,000 for these four properties could prove especially valuable as a

source to address capital, other one-time expenditures, or the General Fund Balance in the FY 2004 Budget and beyond.

Councilor Pacino asked who did the market value on table B. Town Manager Churchill said that the Town Assessor did the market value. Councilor Pacino asked if the renters have been told about this potential sale. Town Manager Churchill said that informal communication has taken place. Councilor Pacino asked if the renters would be given the first opportunity to purchase. Town Manager Churchill said that they are looking into that along with a renter protection clause. Councilor Pacino asked if we own any other buildings besides these four that are being rented or leased. Town Manager Churchill replied that the Chamber of Commerce is renting a building the town owns.

Councilor Simon recommends referral to a Committee. Mayor Trinks agreed. He has a concern over the Sill House and its use. He would like to do some due diligence before we take any actions and see if we could offer renter protection. He also added that we have to determine if the purpose of this sale is to eliminate liabilities or if we want to raise money.

Councilor Pacino requested that when meetings are held to discuss these properties, the renters could receive notification so they have the opportunity to attend the meetings. Town Manager Churchill agreed.

Town Manager Churchill is requesting two actions to create as market driven a process as possible. He is advocating that the town obtains real estate services to market and prepare a fully negotiated contract for the properties. He is also requesting the item be referred to committee for review.

Councilor Simon says that it is premature to obtain real estate services for properties that we are not sure we are going to sell. Councilor Albano agreed.

Town Manager Churchill responded that he is requesting proposals for real estate services. His hope is to get these properties actively marketed in May 2003. Councilor Jepsen said that obtaining proposals would not cost money and he is recommending that we auction the properties.

Mayor Trinks referred the proposed sale of 118 Palisado Avenue (Sill House), 124-126 Palisado Avenue (Daniel's House), 122 East Street, and 235 Palisado Avenue (Bell School) to the Finance Committee.

### 13. Resignations and Appointments

Motioned by Councilor Mulligan, seconded by Councilor Broxterman to appoint Thomas Ferranti to the Zoning Board of Appeals for a two-year term to expire November 10, 2005 or until a successor is appointed.

Motion Passed 9-0-0

14. Minutes of Preceding Meetings

A. Minutes of the March 3, 2003 Regular Town Council Meeting

Moved by Councilor Broxterman, seconded by Councilor Jepsen to accept the minutes of March 3, 2003 Regular Town Council Meeting. Corrections: Item 8. Communication from Council Members - Councilor Pacino noted the students' names - Shadion Buckley and Khalil Marks.

Motion Passed 9-0-0

15. Public Communications and Petitions

Ms. Yvonne Jones, 110 Matianuck Avenue, addressed the Council regarding the town owned properties for potential sale. These are historic properties on historic greens and we need to be conscious of that.

16. Executive Session

Moved by Councilor Jepsen, seconded by Councilor Pacino to enter into Executive Session at 9:30 p.m. for the purpose of discussing strategy and negotiations with respect to pending claims and litigation – Massey vs. Town of Windsor, Wyman vs. Town of Windsor and Windsor-Bloomfield landfill issues.

Motion Passed 9-0-0

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

Staff: Town Manager Leon Churchill, Assistant Town Manager Peter Souza

Guest: Ernest Mattei, Outside Counsel with Dayberry & Howard (arrived at 9:50 p.m.)

Moved by Councilor Pacino, seconded by Councilor Simon to re-enter into regular Town Council session at 10:35 p.m.

Motion Passed 9-0-0

17. Adjournment

Moved by Councilor Broxterman, seconded by Councilor Pacino to adjourn the Regular Town Council Meeting at 10:36 p.m.

Motion Passed 5-0-0

Respectfully submitted,

Kristin Countryman  
Clerk of the Windsor Town Council

Cc: Town Clerk  
Main Library  
Wilson Branch