



Council Agenda

Council Chambers
Windsor Town Hall
November 15, 2004



7:15 PM Public Hearing

To hear an ordinance entitled, "AN ORDINANCE ADOPTING THE AQUIFER PROTECTION AREA PROGRAM AND DESIGNATING THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS THE AQUIFER PROTECTION AGENCY."

7:30 PM Regular Council Meeting

1. ROLL CALL
2. PRAYER – Deputy Mayor Curtis
3. PLEDGE OF ALLEGIANCE – Deputy Mayor Curtis
4. PROCLAMATIONS/AWARDS
 - a) Honoring Comalita Elliott, RN, CDE for her dedication to improving public health
5. PUBLIC COMMUNICATIONS AND PETITIONS
(Three minute limit per speaker)
6. REPORT OF APPOINTED BOARDS AND COMMISSIONS
 - a) Public Building Commission
 - b) Youth Commission
7. TOWN MANAGER'S REPORT
8. COMMUNICATIONS FROM COUNCIL MEMBERS
9. REPORTS OF STANDING COMMITTEES
10. ORDINANCES
 - a) *Approve an ordinance entitled, "AN ORDINANCE ADOPTING THE AQUIFER PROTECTION AREA PROGRAM AND DESIGNATING THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS THE AQUIFER PROTECTION AGENCY."
11. UNFINISHED BUSINESS



12. NEW BUSINESS

- a) *Presentation on mental health education and awareness (Town Manager)
- b) *Introduce an ordinance entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AGENCY FOR THE TOWN OF WINDSOR."
- c) *Set a Public Hearing for December 6, 2004 at 7:15 p.m. (prevailing time) for an ordinance entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AGENCY FOR THE TOWN OF WINDSOR."
- d) *Reconsider action suspending acceptance of gypsum material at Windsor – Bloomfield Landfill (Mayor Trinks)
- e) *Presentation on elderly tax relief options (Town Manager)

13. * RESIGNATIONS AND APPOINTMENTS

14. MINUTES OF PRECEDING MEETINGS

- a) *Minutes of the November 1, 2004 Regular Town Council Meeting

15. PUBLIC COMMUNICATIONS AND PETITIONS

(Three minute limit per speaker)

16. EXECUTIVE SESSION

17. ADJOURNMENT

★Back-up included

PROCLAMATION

*Honoring Comalita Elliott, RN, CDE
for her dedication to improving public health*

WHEREAS, COMALITA ELLIOTT, RN, CDE, is a Diabetes Educator at Hartford Hospital where her role involves teaching newly diagnosed patients, following them over time, acting as a resource to inpatient staff on the latest in diabetes care and participating in DiabetesLifeCare (DLC) sponsored community events; and

WHEREAS, Comalita resides in Windsor with her husband Lorenzo, and sons Gabriel, age six and Daniel, age three; and

WHEREAS, Comalita serves on the "Call to Action Committee Task Force for Diabetes Control and Prevention," she created Mount Calvary Baptist Church's first health ministry and coordinated its health fair during Diabetes Awareness Month, and she has participated in the State Department of Public Works Annual Health and Wellness Celebration during "Black History Month"; and

WHEREAS, recognizing that teenagers are the fastest growing age group for new onset diabetes, Comalita worked closely with students at Windsor High School – an effort that resulted in an increase in the number of students accessing Diabetes education programs; and

WHEREAS, in a recent Hartford Hospital publication, Comalita was described by co-workers as an employee who brings a passion to her work and a commitment to improving community health that truly make her a "hero" in their eyes; and

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE TOWN OF WINDSOR THAT:

COMALITA ELLIOTT is honored for the positive impact she has on citizens, and recognized as a stellar example to the public of the nursing profession's contributions to a healthy community.




Donald S. Trinks
Mayor of Windsor
November 15, 2004

Agenda Item Summary

Date: November 15, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Cyd Groff, Environmental Planner

Reviewed By: Peter Souza, Town Manager 

Subject: Aquifer Protection Area Program Ordinance

Background

In February, the state adopted Aquifer Protection Area Program Regulations mandating municipalities to create and or designate a Municipal Aquifer Protection Agency and to put into place an aquifer protection program to include regulations, permitting and best management practices to help ensure protection of our ground water. The basic premise of the aquifer protection program is to find the best way to prevent contamination of large public drinking water supplies and to limit high-risk land uses in critical areas that feed water to the water supply wells. In many cases, the land in the so-called "critical areas" is already developed with existing businesses. Even if they are high-risk activities, they must be able to remain in business and grow. Existing high-risk activities are therefore "grand-fathered" into the program, but will have to register and meet the basic best management practices.

Discussion/Analysis

Important points:

- The Aquifer Protection areas encompass a limited land area that was scientifically mapped as the area that feeds ground water to the public supply wells. The size of the mapped area can vary.
- The program does not preclude all businesses from locating in the area--only high-risk activities that use significant quantities of hazardous materials or wastes.
- Existing high-risk activities will have to register their facility and certify their adherence to basic best management practices for hazardous materials. However, once registered, the business can expand, be transferred to a new owner, or obtain a permit to change to a different type of regulated activity.

The protection area in Windsor is contained to a relatively small area in Hayden Station. It is an area bounded by Kennedy Road on the west, High Path Road to the south, Center Street to the east. The aquifer extends across the town line into Windsor Locks to the north. The regulations relate to commercial and industrial facilities.

Financial Impact

The financial impact to the town will be minimal. We will be using existing staff and Commission members to create a database of current high-risk activities and review applications for changes or new activities. An application fee may be established to cover administrative costs.

Property owners are being notified of the public hearing and the state mandated requirement to adopt and implement an Aquifer Protection Program.

Other Board Action

None.

Recommendations

If the Council is in agreement, the following motions are in order:

1. Waiving of the reading of the ordinance

“RESOLVED that the reading into the text of the ordinance entitled, “AN ORDINANCE ADOPTING THE AQUIFER PROTECTION AREA PROGRAM AND DESIGNATING THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS THE AQUIFER PROTECTION AGENCY.” 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. Approval of ordinance

“MOVE to approve an ordinance entitled, “AN ORDINANCE ADOPTING THE AQUIFER PROTECTION AREA PROGRAM AND DESIGNATING THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS THE AQUIFER PROTECTION AGENCY.”

Attachments

Aquifer Protection Area Program Ordinance
Information Brochure and Map of Aquifer Area

CHAPTER 14
ARTICLE XI

AN ORDINANCE ADOPTING THE AQUIFER PROTECTION AREA PROGRAM AND DESIGNATING THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS THE AQUIFER PROTECTION AGENCY.

WHEREAS, Section 22a-354o of the Connecticut General Statutes (“Conn. Gen. Stat.”) provides that each municipality in which an aquifer protection area is located shall authorize by ordinance an existing board or commission to act as an aquifer protection agency; and

WHEREAS, it has been determined that it is in the best interest of the Town of Windsor to designate the Inland Wetlands and Watercourses Commission as the town’s aquifer protection agency.

NOW THEREFORE, be it ordained by the Council of the Town of Windsor that Chapter 14 Article XI of the Windsor Code is adopted to read as follows:

Section 1. Designation and Membership

- a. In accordance with the provisions of Conn. Gen. Stat. §22a-354a, *et seq.*, the Inland Wetlands and Watercourses Commission is hereby designated as the Aquifer Protection Agency (hereinafter the “Agency”) of the Town of Windsor.
- b. Members of the Inland Wetlands and Watercourses Commission shall serve coexisting terms on the Agency. The membership requirements of the Agency shall be the same as those of the Inland Wetlands and Watercourses Commission including, but not limited to the number of members, terms, method of selection and removal of members, and filling of vacancies.
- c. At least one member of the Agency or staff of the Agency shall complete the course in technical training formulated by the Commissioner of Environmental Protection of the State of Connecticut, pursuant to Conn. Gen. Stat. § 22a-354v.

Section 2. Regulations to be Adopted

- a. The Agency shall adopt regulations in accordance with Conn. Gen. Stat. § 22a-354p and R.C.S.A. §22a-354i-3. Said regulations shall provide for:
 - (i) The manner in which boundaries of aquifer protection areas shall be established and amended or changed.
 - (ii) Procedures for the regulation of activity within the area.

- (iii) The form for an application to conduct regulated activities within the area.
- (iv) Notice and publication requirements.
- (v) Criteria and procedures for the review of applications.
- (vi) Administration and enforcement.

Section 3. Inventory of Land Use

- a. In order to carry out the purposes of the Aquifer Protection Program, the Agency will conduct an inventory of land use within the area to assess potential contamination sources.
- b. Not later than three months after approval by the Commissioner of the Connecticut Department of Environmental Protection of Level B Mapping of aquifers, the Agency will inventory land uses overlying the mapped zone of contribution and recharge areas of such aquifers in accordance with guidelines established by the Commissioner pursuant to Conn. Gen. Stat. § 22a-354f. Such inventory shall be completed not more than one year after authorization of the Agency.
- c. Nothing herein shall prohibit the Agency to adopt such inventories and maps as may be completed by the Inland Wetlands and Watercourses Commission.

Section 4. Savings Clause

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

Section 5. Severability

All provisions of the Town Code in conflict herewith are hereby repealed and that 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 which is in conflict with the Connecticut General Statutes is hereby repealed, it being understood that said statutes shall take precedence over this ordinance.

Section 6. Effective Date

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

APPROVED AS TO FORM:

Town Attorney

ATTEST:

Town Clerk

Distributed to Town Council:	_____ 11/1/04 _____
Public Hearing Advertised:	_____ 11/5/04 _____
Public Hearing	_____ 11/15/04 _____
Adopted	_____ 11/15/04 _____
Advertised	_____
Effective Date	_____



Aquifer Protection Area Program

Fact Sheet

Connecticut Department of Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127

Arthur J. Rocque, Jr., Commissioner

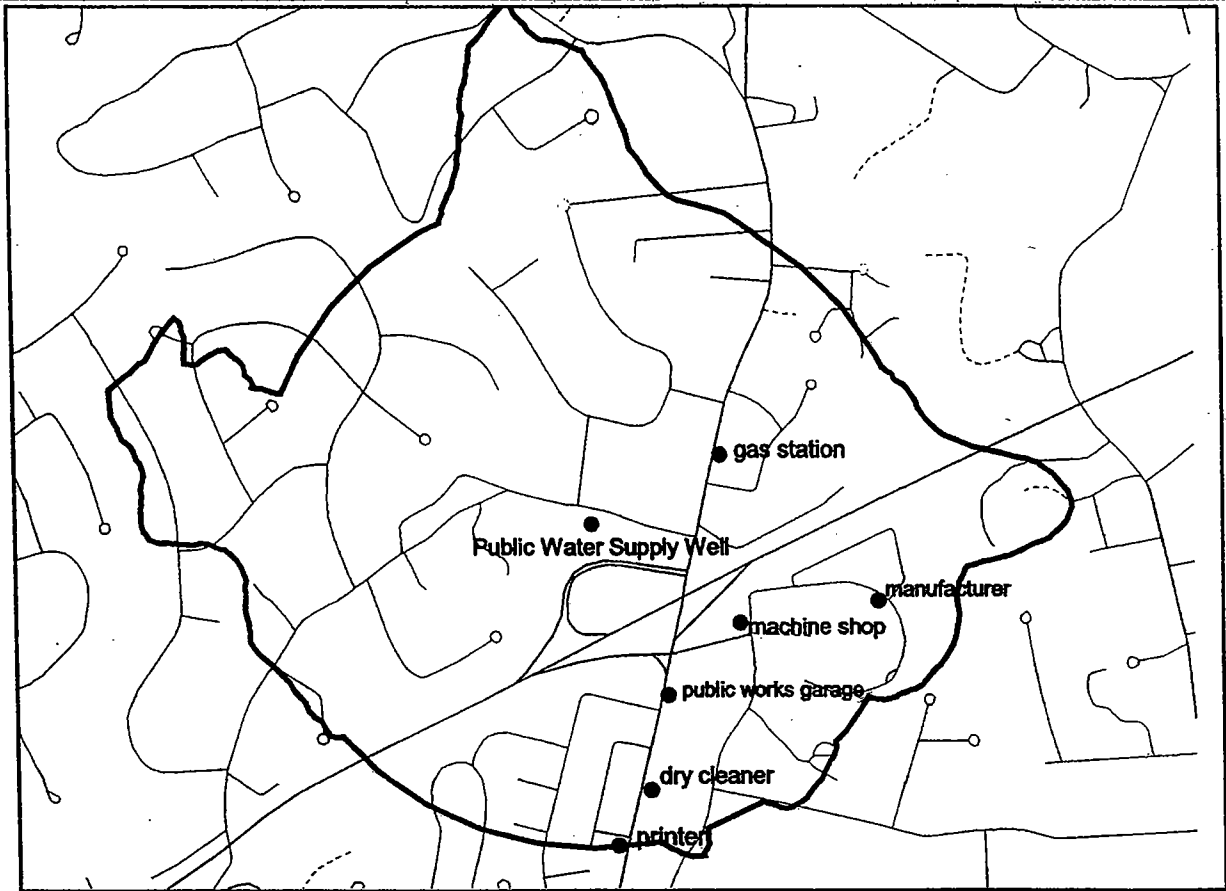


Figure 1: Example of aquifer protection area with regulated land uses.

What is the purpose of the Aquifer Protection Program?

In Connecticut, approximately one-third of the population relies on ground water for their drinking supply. Since the late 1970's, numerous public and private wells have been found to be contaminated by various pollutants from land use activities. Aquifers, geologic formations able to yield water to wells, can not be considered naturally protected.

At particular risk are "stratified drift" (sand and gravel) aquifers supplying our larger public water supply wells. Despite current protection efforts, many types of land uses continue to threaten ground

water quality. To address this, Connecticut established the Aquifer Protection Area Program (CT General Statutes Sections 22a-354a et seq). The purpose of this program is to identify critical water supply aquifer areas and protect them from contamination by managing land uses in these areas.

What is an Aquifer Protection Area?

Aquifer Protection Areas will be designated around all wells in stratified drift used by water systems serving over 1000 people. The "protection area" is the critical portion of the aquifer which provides water to the well (sometimes referred to as a "wellhead protection area"). 122 active well fields

(wells or groups of wells) in the state will have aquifer protection areas established around them. Activities which might contaminate ground water in these areas will be regulated.

How will these areas be identified?

The water companies which own the wells are required to map Aquifer Protection Areas according to DEP requirements.

The Aquifer Protection Area includes the well field, and areas of contribution and recharge. The size of the area can vary from tens of acres to hundreds of acres depending on the well yield and aquifer materials. Areas will be mapped for existing wells. Once mapped and approved, the protection areas must be adopted by towns.

Preliminary mapping indicates that 83 towns will have Aquifer Protection Areas designated (see figure

2) for existing wells. Eventually, additional protection areas will be designated for sites of future wells.

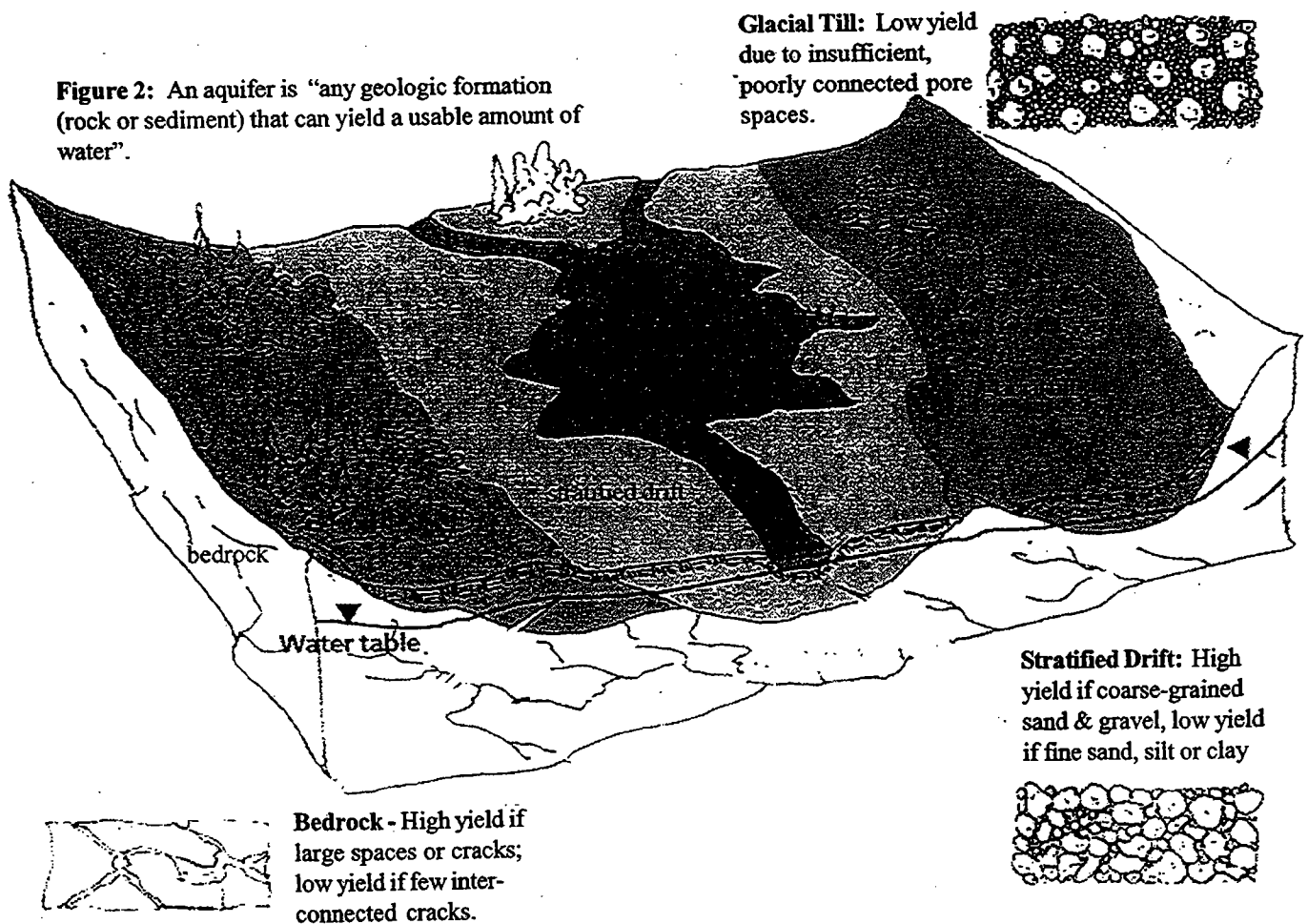
How will the protected areas be regulated?

Protection responsibilities will be shared by the state, municipality, and water company:

STATE - In addition to overall program implementation, DEP will:

- ◆ Establish state land use regulations and standards;
- ◆ Approve aquifer protection areas and local regulations;
- ◆ Oversee municipal aquifer protection agencies and provide training and technical assistance;
- ◆ Regulate facilities that hold wastewater permits or RCRA waste permits, and state and federal facilities;

Figure 2: An aquifer is "any geologic formation (rock or sediment) that can yield a usable amount of water".



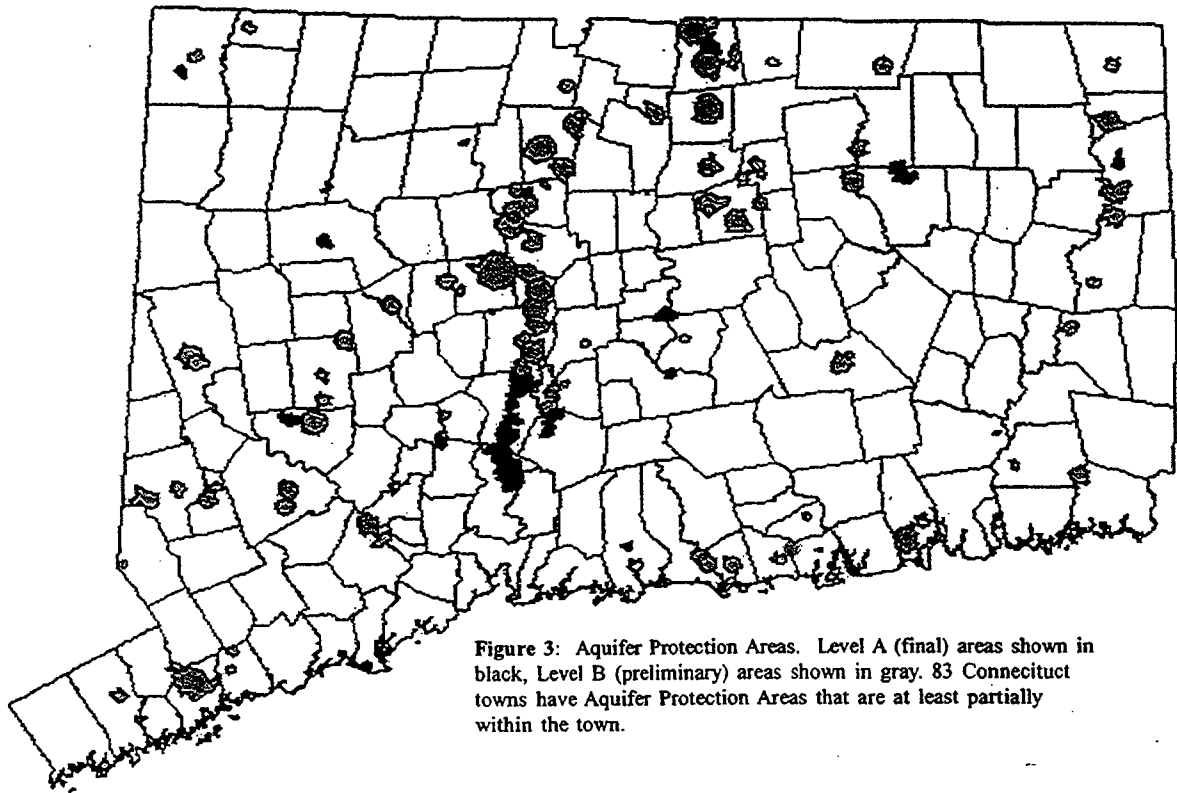


Figure 3: Aquifer Protection Areas. Level A (final) areas shown in black, Level B (preliminary) areas shown in gray. 83 Connecticut towns have Aquifer Protection Areas that are at least partially within the town.

- ◆ Provide for education about ground water protection;

MUNICIPALITIES – Responsibilities include the following:

- ◆ Authorize an existing board or agency to serve as the local Aquifer Protection Agency;
- ◆ Adopt local Aquifer Protection Area regulations consistent with state regulations;
- ◆ Delineate Aquifer Protection Areas on the town zoning map;
- ◆ Regulate land use activity within the Aquifer protection Areas including:
 - Registering existing regulated activities;
 - Issuing permits for new regulated activities;
 - Inspecting regulated facilities.

WATER COMPANIES – Besides mapping, the water companies will:

- ◆ Inspect Aquifer Protection Areas;
- ◆ Assist towns with the protection programs;
- ◆ Plan for land acquisition around well field.

How will business and the general public be affected?

Land uses and activities that can contaminate ground water quality will be regulated in protected areas. Generally, these are activities which use, store, handle or dispose of hazardous materials and other potential ground water contaminants (see table on next page).

Certain new land use activities of these types will not be allowed to locate in aquifer protection areas. Businesses already in existence in protection areas will have to register their land use activity and follow best management practices designed to minimize the possibility of a release. This may include implementing new procedures and/or installing new containment equipment. Registered businesses may expand their existing activities, and may apply for a permit to add new regulated activities to their facilities.

Some state and local government operations such as highway maintenance garages, road salt storage, airports, and waste disposal will be regulated. Workshops and laboratories in schools and other institu-

Regulated Land Use Activities¹ In Aquifer Protection Areas

Waste disposal / handling facilities, such as landfills, transfer stations, recycling centers, salvage yards, hazardous waste treatment, storage or disposal facilities, and non-domestic wastewater discharges to the ground.

Underground storage tanks for hazardous materials or petroleum (except residential #2 fuel oil tanks, and commercial #2 fuel oil tanks > 500 feet from the well field).

Wholesale chemical / petroleum storage, such as warehouses, bulk storage facilities, tank farms, and salt storage facilities.

Industrial processes using hazardous materials, such as production of chemicals, electronics, metals, rubber, resin, textiles, pesticides or reconstituted wood products, and power plants.

Commercial services using hazardous materials, such as gas stations, fleet garages, fuel oil dealers, dry cleaners, furniture strippers, mixing of pesticides, and printers.

Some uses are allowed if connected to sewer, such as car washes, funeral homes, crematories, laboratories, and photo finishing.

Exceptions include residential uses, agricultural uses, minor amounts of hazardous materials, lubricating oils, and minor fuel dispensing operations.

¹ This table provides simplified descriptions, intended only to give the reader an idea of the types of activities regulated. See the Land Use Regulations (Section 22a-354i-1 thru 22a-354i-10 of the R.C.S.A.) for the exact regulatory definitions.

tions will also have to follow best management practices.

Residents in protected areas will be educated about the risk to ground water quality from pesticides and fertilizers, improper septic system use, and hazardous cleaning and maintenance materials such as paints, paint thinner and automotive fluids.

DEP will develop an incentive program to reward outstanding efforts to protect the aquifer.

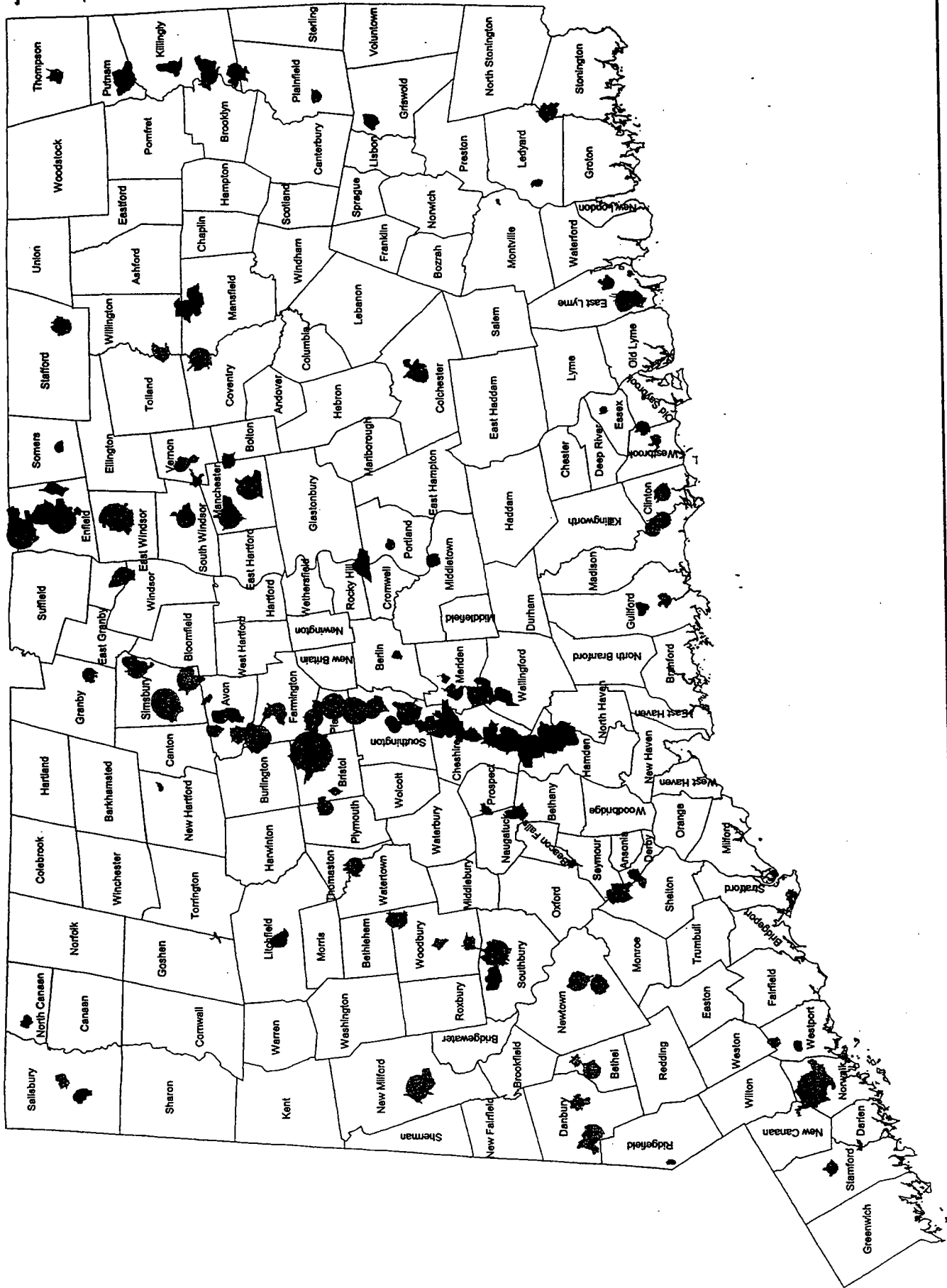
The Rewards....

Clean water is vital for our very survival. Until recently, people assumed that it would always be plentiful in Connecticut. The events of the past decade have shown that ground water, like surface

water, is increasingly at risk from our chemical-dependent society. The aquifer protection area program requires a major commitment from state and local government, business, water companies, and individual residents, but the reward, clean drinking water for now and the future, is well worth the trouble.

Where can I get more information?

CT Department of Environmental Protection
Bureau of Water Management
79 Elm Street
Hartford, CT 06106-5127
(860) 424-3020
www.dep.state.ct.us/wtr/index/htm



Connecticut Aquifer Protection Areas
Final (Level A) Areas: Black **Preliminary (Level B) Areas: Grey**

28125 0 28125 56250 Feet



1:675000

Map printed 4/11/2003

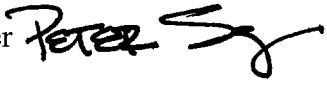


Agenda Item Summary

Date: November 15, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Robin Newman, Director of Human Services

Reviewed By: Peter Souza, Town Manager 

Subject: Mental Health Committee Update

Background

The mission of the Healthy People initiative is to foster a vital, creative and productive Windsor by promoting the social, emotional, intellectual, and physical well-being of all people who live, work and travel in our community through school, town, and community programs. The Mental Health Committee is a sub-committee or task team of the Healthy People initiative, and the overall goal for 2004 – 2005 is to assess the type, extent, and delivery of community services that promote the quality of life for residents of all ages.

Discussion/Analysis

The Mental Health Committee is a task team with representatives from town departments, the Board of Education, Town Council, and the public. Since its inception, this group has identified existing community resources and gaps in the system and there have been discussions reviewing alternatives for filling those gaps. The first objective is to address education and training in the Windsor community for first responders, which includes police officers and emergency medical service personnel, on recognition, response, and referral of persons with mental health issues. This initiative draws upon input from the Connecticut Alliance to Benefit Law Enforcement, Inc. (CABLE), which is a non-profit organization that assists police departments and communities in developing effective interaction models which was founded in 1997. "Suicide by Cop" is an emerging phenomenon that has placed professionals on alert. It is just one of the potential mental health crises that police officers may confront at any given moment. De-institutionalization of Connecticut's mental health system has played a role in placing more mentally ill people in the community, possibly precipitating the suicide-by-cop phenomenon.

In Connecticut, it was the New London Police Department that took the lead in 2001, establishing the first police department Crisis Intervention Team in the State. Its formation came after the closure of Norwich Hospital--a state psychiatric hospital. New London police found that they were dealing more and more with people suffering from mental illness. Crisis Intervention Training (CIT) is an intense five day, 40 hour course, its goal being to help officers identify clues indicating that they are dealing with a mental health crisis or mental illness. The goal of the Windsor Police Department is to not only have 20 percent of the department receive this specialized training in the Spring of 2005, but to also give all officers some level of exposure to the program.

The second objective is to offer education to the general public, in an effort to de-stigmatize mental illness, realizing that stigmas can keep those in need from seeking help. The first community educational outreach was held on September 9, and the seminar was entitled "Helping Children Deal with Stress." The Mental Health Committee, in partnership with

Spectrum Psychotherapy Centers, LLC, is offering five (5) one-hour sessions to the Windsor community on various mental health topics. On October 14, there was an educational seminar held for the community, and the topic discussed was, "What Does it Mean to be Mentally Healthy." The next workshop will be held on December 2nd at 5:00 p.m. in the Board of Education Conference Room at the L.P. Wilson Community Center, and the topic is depression. Upcoming topics offered by Spectrum Psychotherapy, local professionals, and other service providers may include eating disorders, anxiety disorders, preparing children for divorce, and parenting mentally healthy children. Also, there is an increased understanding of the interrelationship between physical and mental health. It is a goal of this committee to develop a plan to heighten the community's awareness of this.

Financial Impact

In the current fiscal year budget, \$5,000 is allocated from the General Fund for the Healthy People Initiative to provide education on mental health issues for the general public. This money is being utilized for guest speakers at workshops and informational brochures to be distributed. During the FY 05 budget deliberations, the Police Department's budget was increased by \$10,000 for training of officers related to mental health services.

Other Board Action

None.

Recommendations

None.

Attachments

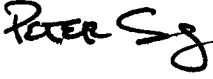
None.

Agenda Item Summary

Date: November 15, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: James Burke, Economic Development Director

Reviewed By: Peter Souza, Town Manager 

Subject: Creation of Redevelopment Agency

This memorandum recommends the creation of a redevelopment agency per Chapter 130 of the *Connecticut General Statutes*. This action is required for the town to implement the Tax Increment Finance Policy that was adopted in 2002.

Background

On December 16, 2002, the Town Council adopted a Tax Increment Finance (TIF) policy. This policy had been recommended by the Economic Development Commission as a tool to address priority redevelopment sites including, among others, the Plaza Theater, Rappaport Building, former Tobacco Valley Inn property, and the Wilson Redevelopment Parcel. A copy of the previous Agenda Item Summary for the TIF policy is attached.

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 increased taxes become part of the town's general revenues.

In Connecticut, towns are authorized to use TIF for redevelopment projects (*Connecticut General Statutes*, Chapter 130, Part I), development projects (*Connecticut General Statutes*, Chapter 132), and business and municipal development projects (*Connecticut General Statutes*, Chapter 5881). The town's bond counsel has advised that the town must follow the requirements of Chapter 130, Part I in order to utilize TIF bond proceeds for redevelopment projects.

Town staff is currently working with two projects for which TIF has been requested or is likely to be requested. As described in a recent status report to Council, the prospective redeveloper of the Rappaport Building at 33 Mechanic Street has asked that we consider TIF assistance for environmental remediation and access. The likely future candidate for TIF is the Redevelopment Parcel project for which an RFQ has recently been issued.

Discussion

Attached to this memorandum is a proposed ordinance creating a redevelopment agency for the Town of Windsor. The Town Attorney prepared this draft. The key provisions include the following:

1. Creation of a five-member Redevelopment Agency to be appointed by the chief executive officer (Town Manager) with the approval of the legislative body (Town Council).

2. The term of Agency members is five years after the initial staggered term.

As envisioned, the role of the Redevelopment Agency will be to facilitate the actions required by State Statute to use TIF for redevelopment projects. These actions include creating a redevelopment area plan, conducting a public hearing, seeking comments from the Town Planning and Zoning Commission and others, and recommending a final plan to the Town Council. The Agency would also be involved in approving specific redevelopment projects before the town issues any TIF bonds.

Financial Impact

The purpose of the redevelopment agency is to implement the town's TIF policy. The TIF policy is intended to stimulate the redevelopment of properties that are currently vacant or underutilized. So the ultimate impact will be to strengthen the town's financial condition with a growth in the Grand List. Each project proposed for TIF assistance will be reviewed for its specific impact. The proposed guidelines state that the developer should pay all costs incurred by the town in determining the feasibility of the project.

Other Board Action

The Town Improvements Committee met on November 8th to discuss the proposed ordinance creating a redevelopment agency. The Committee reviewed the town's adopted Tax Increment Finance Policy and how creation of a redevelopment agency is a required step toward implementing that policy. They also considered the procedure for appointing members and the powers of the redevelopment agency as provided by Connecticut Statute. After discussion, the Town Improvements Committee voted to recommend that the Town Council approve the ordinance with an amendment.

The recommended amendment to Section 4 of the proposed ordinance would require a 2/3 vote of Town Council to approve agency members appointed by the Town Manager. While the Committee agreed that the preferred arrangement would be for the Town Council to make appointments, State Law requires that the chief executive appoint the agency members with the approval of the legislative body.

Recommendation

It is recommended that if the Town Council is in agreement, the following motion be approved:

1. Waiving of the reading of the ordinance

“RESOLVED that the reading into the text of the ordinance entitled, “ORDINANCE CREATING THE WINDSOR REDEVELOPMENT AGENCY IN THE TOWN OF WINDSOR” 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. Introduce Ordinance

“MOVE to introduce an ordinance entitled, “ORDINANCE CREATING THE WINDSOR REDEVELOPMENT AGENCY IN THE TOWN OF WINDSOR.”

3. Set Public Hearing

“RESOLVED, that a Public Hearing be held at the Windsor Town Hall on Monday, December 6, 2004 at 7:15 p.m. (prevailing time) for the purpose of receiving public comment on a proposed ordinance entitled “ORDINANCE CREATING THE WINDSOR REDEVELOPMENT AGENCY IN THE TOWN OF WINDSOR.”

And

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

Attachments

Tax Increment Financing Policy Agenda Item Summary

Ordinance creating Redevelopment Agency (11/01/04)

Ordinance creating Redevelopment Agency (Revised per TIC recommendation)

**ORDINANCE CREATING THE WINDSOR REDEVELOPMENT AGENCY
IN THE TOWN OF WINDSOR**

{Section 4 Revised Based in Town Improvements Committee's Recommendation}

BE IT ORDAINED by the Town Council of the Town of Windsor, in meeting duly assembled, that pursuant to § 8-126 of the *Connecticut General Statutes*, the following ordinance is adopted.

Section 1. Creation of the Windsor Redevelopment Agency. There is hereby created the Windsor Redevelopment Agency to carry out the purposes of Chapter 130 of the *Connecticut General Statutes*.

Section 2. Technical Assistance. The Agency may request such information as it may require from the Town Manager or the Manager's designee, who shall respond in a reasonably timely manner or provide reasonable access to such matters as the Agency may require. All such requests for information, shall be made through the chairperson of the Agency or, in the chairperson's absence, through the secretary.

Section 3. Purpose of the Agency. The purpose of the Agency shall be:

- (a) To prepare one or more redevelopment plans for approval of the Windsor Town Council.
- (b) To take such actions as are necessary or desirable to carry out the public policy of the State of Connecticut within the Town of Windsor as set forth in Chapter 130 of the *Connecticut General Statutes*.

Section 4. Membership. The Agency shall consist of five (5) members who shall be electors and residents of the Town of Windsor appointed by the Town Manager with the approval of ~~the~~ two-thirds of the Windsor Town Council and shall serve at the pleasure of the Town Council.

Section 5. Term of Office. Those first appointed to the Agency shall be designated to serve for one, two, three, four, and five years respectively, and thereafter members shall be appointed annually to serve for five years. Each member shall serve until a successor is appointed and has qualified and any vacancy shall be filled for the unexpired term.

Section 6. Procedure - Officers. The Agency shall select from among its members a Chairperson and a Vice-Chairperson, a Secretary and subject to Council appropriations and with the approval of the Town Manager may employ necessary technical and clerical assistance and legal assistance with the approval of the Town Attorney and prescribe the compensation for such services rendered. Action by the Redevelopment Agency shall be taken only on the majority vote of all the members.

Section 7. Remuneration. The members shall serve without compensation but may be reimbursed for necessary expenses which have been submitted and approved in advance by the Town Manager.

Section 8. Conflicting Resolutions, Orders, Rules and Regulations Suspended. At all times when any orders, rules and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede all existing resolutions, orders, rules and regulations insofar as the latter may be inconsistent therewith.

Section 9. No Conflict with State or Federal Statutes. This Ordinance shall not be construed to conflict with any State or Federal statute, rule or regulation.

Section 10. Savings Clause. The enactment of this Ordinance shall not operate as an abatement of any action or proceeding previously taken, now pending, or taken prior to the effective date of this Ordinance. All said actions and proceedings are hereby ratified to be continued.

Section 11. Severability. All provisions of the *Town Code* in conflict herewith are hereby repealed and that 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 which is in conflict with *Connecticut General Statutes* is hereby repealed, it being understood that said statutes shall take precedence over this Ordinance.

Section 12. Effective Date. 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:

Town Clerk

Distributed to Town Council _____ 11/15/04

Public Hearing Advertised _____ 11/24/04

Public Hearing _____ 12/6/04

Adopted _____

Advertised _____

Effective Date _____

**ORDINANCE CREATING THE WINDSOR REDEVELOPMENT AGENCY
IN THE TOWN OF WINDSOR**

BE IT ORDAINED by the Town Council of the Town of Windsor, in meeting duly assembled, that pursuant to § 8-126 of the *Connecticut General Statutes*, the following ordinance is adopted.

Section 1. Creation of the Windsor Redevelopment Agency. There is hereby created the Windsor Redevelopment Agency to carry out the purposes of Chapter 130 of the *Connecticut General Statutes*.

Section 2. Technical Assistance. The Agency may request such information as it may require from the Town Manager or the Manager's designee, who shall respond in a reasonably timely manner or provide reasonable access to such matters as the Agency may require. All such requests for information, shall be made through the chairperson of the Agency or, in the chairperson's absence, through the secretary.

Section 3. Purpose of the Agency. The purpose of the Agency shall be:

- (a) To prepare one or more redevelopment plans for approval of the Windsor Town Council.
- (b) To take such actions as are necessary or desirable to carry out the public policy of the State of Connecticut within the Town of Windsor as set forth in Chapter 130 of the *Connecticut General Statutes*.

Section 4. Membership. The Agency shall consist of five (5) members who shall be electors and residents of the Town of Windsor appointed by the Town Manager with the approval of the Windsor Town Council and shall serve at the pleasure of the Town Council.

Section 5. Term of Office. Those first appointed to the Agency shall be designated to serve for one, two, three, four, and five years respectively, and thereafter members shall be appointed annually to serve for five years. Each member shall serve until a successor is appointed and has qualified and any vacancy shall be filled for the unexpired term.

Section 6. Procedure - Officers. The Agency shall select from among its members a Chairperson and a Vice-Chairperson, a Secretary and subject to Council appropriations and with the approval of the Town Manager may employ necessary technical and clerical assistance and legal assistance with the approval of the Town Attorney and prescribe the compensation for such services rendered. Action by the Redevelopment Agency shall be taken only on the majority vote of all the members.

Section 7. Remuneration. The members shall serve without compensation but may be reimbursed for necessary expenses which have been submitted and approved in advance by the Town Manager.

Section 8. Conflicting Resolutions, Orders, Rules and Regulations Suspended. At all times when any orders, rules and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede all existing resolutions, orders, rules and regulations insofar as the latter may be inconsistent therewith.

Section 9. No Conflict with State or Federal Statutes. This Ordinance shall not be construed to conflict with any State or Federal statute, rule or regulation.

Section 10. Savings Clause. The enactment of this Ordinance shall not operate as an abatement of any action or proceeding previously taken, now pending, or taken prior to the effective date of this Ordinance. All said actions and proceedings are hereby ratified to be continued.

Section 11. Severability. All provisions of the *Town Code* in conflict herewith are hereby repealed and that 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 which is in conflict with *Connecticut General Statutes* is hereby repealed, it being understood that said statutes shall take precedence over this Ordinance.

Section 12. Effective Date. 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:

Town Clerk

Distributed to Town Council 11/15/04

Public Hearing Advertised 11/24/04

Public Hearing 12/6/04

Adopted _____

Advertised _____

Effective Date _____

Agenda Item Summary

Date: December 16, 2002

To: Honorable Mayor and Town Council Members

Prepared By: James Burke, Economic Development Director

Reviewed By: Leon Churchill, Town Manager

Subject: Tax Increment Finance Policy

This memorandum presents a recommendation from the Town Economic Development Commission and the Town Finance Committee for the adoption of a Tax Increment Finance (TIF) Policy for the Town of Windsor.

Background

In September of 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 explored a number of tools the Town could use to achieve redevelopment of these key properties. A real estate tax incentive was presented to and approved by the Council in January of 2001. The Council also included in the Town's investment policy the potential use of a linked deposit program as an incentive for redevelopment, although the specific policies for its use have not been presented for Council consideration.

Discussion

Another redevelopment tool that the Commission has studied is tax increment finance. 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 increased taxes become part of the town's general revenues.

In Connecticut, towns are authorized to use TIF for redevelopment projects (Conn. Gen. Stat. Ch. 130, Part I), development projects (Conn. Gen. Stat. Ch. 132), and business and municipal development projects (Conn. Gen. Stat. Ch. 5881). In addition, the State has recently approved a "Brownfields and Information Technology Program" which authorizes the Connecticut Development Authority to use TIF to fund remediation of impacted sites.

In developing a proposed policy for Windsor, the Economic Development Commission used the policy that the City of Hartford has adopted as a guide. Hartford adopted its policy in 1999 and is using it for the first time to help finance the Thomas Cadillac/University of Hartford project.

Attached to this memorandum is a proposed TIF policy for the Town of Windsor. The policy sets the requirements for eligibility and the underwriting guidelines to be used to review each eligible project.

The essential eligibility requirements provide that:

1. The property must be one of the Town's priority redevelopment sites and in a project area for which the Town Council has adopted a Development Plan.
2. The developer must show that the TIF assistance is necessary and reasonable and that he/she has the capacity to complete the project if assistance is provided.
3. The Town must determine that there will be adequate taxes generated to provide the financing without adversely impacting the Town.

The chief underwriting guidelines include:

1. The Town will not use all of the new tax revenues generated by a project to pay TIF bonds. The amount of new taxes from a project to be available for paying TIF bonds will be limited to 85% of new revenues if the bonds have a 10 year term or 50% of new revenues if the bond term is more than 10 years. This allows the Town to realize some of the benefits of a project immediately and to encourage shorter-term obligations.
2. Overall, the maximum term of any bond is twenty years.
3. The TIF proceeds should be expended after or at the same time as the developer's other funds. This is to help assure a balance of funding and the project's viability.
4. A development agreement and deed restrictions will be utilized to effect the objectives of the town's development plan for the project.

Financial Impact

The purpose of the TIF policy is to stimulate the redevelopment of properties that are currently vacant or underutilized and so the ultimate impact will be to strengthen the Town's financial condition with a growth in the Grand List. Each project proposed for TIF assistance will be reviewed for its specific impact. The proposed guidelines state that the developer should pay all costs incurred by the town in determining the feasibility of the project.

Other Board Action

The Town Economic Development Commission has approved and is recommending Council approval of the proposed TIF policy.

The Town Finance Committee reviewed the proposed TIF policy at its meeting on October 29. The Committee voted to recommend Town Council approval of the policy with a change to Section III. 4., to clarify that the developer is to use best efforts to provide job creation priority for Windsor residents. The Committee also requested that the redevelopment properties list be officially adopted by the Council and that a procedure be established to review and update the list at least annually and otherwise when needed.

On December 2, the Town Council adopted a Priority Redevelopment Properties List and Policy in response to Council Members' concern for an official and up-to-date list.

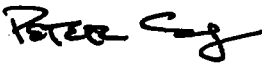
Recommendation

It is recommended that the Town Council approve the Town of Windsor Tax Increment Financing Policy attached as Exhibit A. This document contains the modifications as approved by the Finance Committee. It also incorporates by reference the Priority Redevelopment Properties List and Policy adopted on December 2.

Agenda Item Summary

Date: November 15, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Peter Souza, Town Manager 

Subject: Reconsider action of suspending acceptance of Gypsum material at Windsor-Bloomfield Landfill

Background

The Town Council on November 1 passed a motion banning the acceptance of gypsum at the Windsor/Bloomfield landfill. It is the Council's intent to revisit the issue at the January 3, 2005 Town Council meeting.

Discussion/Analysis

Staff has taken measures to notify the general public as well as the bulky waste haulers using the Landfill that we are not accepting gypsum and from other facilities in the area that accept such material. Staff has received a number of calls with concerns from individuals and local waste haulers about the inability to dispose of gypsum and the short notice of this action. Containers have been placed at the landfill for non-commercial or residential customers to drop off gypsum, which will be hauled off-site and disposed of by a contract hauler.

We expect the bulky waste intake to drop off considerably during the next two months. During the first quarter of this fiscal year, 12,146 tons of bulky waste were received. Approximately 23%, 2,764 tons, came from Bloomfield and Windsor locations. During Fiscal Year 2004, 13,200 tons, or 33% of the total bulky waste tonnage (39,182) originated in Bloomfield and Windsor.

The Mayor has requested that this item be placed on the item for reconsideration. His desire is to have a discussion relative to allowing the acceptance of gypsum waste generated in Windsor and Bloomfield.

Financial Impact

None.

Other Board Action

None.

Recommendations

None


Attachments

None.

Agenda Item Summary

Date: November 15, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Peter Souza, Town Manager 

Subject: Elderly Tax Relief Options

Background

In the past few months, a number of residents and the Commission on Aging and Handicapped have both raised the topic of tax relief for senior citizens. Outlined below are the options the town has through existing state enabling legislation. To go beyond the relief outlined below, there would have to be new enabling legislation approved by the General Assembly and signed by the Governor.

This item is presented now to allow adequate time to review and discuss policy and financial aspects and if the Town Council wishes to develop specific ordinance and program language for further consideration. It is recommended that this item be referred to the Finance Committee for review and discussion.

Discussion/Analysis

Presently, the following programs are available for senior citizens:

Senior Tax Relief (Circuit Breaker)

Homeowners 65 years of age or older meeting income eligibility requirements are eligible. Married couples with an income of less than \$32,000 and single/widowed taxpayers with an income of less than \$25,000 may also received a tax credit. Homeowners must be a resident of the State of Connecticut for at least one year before being eligible for this program. Depending on income and marital status, households may receive anywhere from \$250 to \$1,250 in tax credits. Attached please find the State of Connecticut income guidelines for 2004.

Based on the 2000 Census, there are approximately 2,250 Windsor households which own their home with at least one member that is 65 years of age or older. In FY 2005, 362 households are participating in the program. Over \$215,000 in tax credits were given this fiscal year. The town does receive reimbursement from the State of Connecticut for the credits.

Senior Tax Relief (local option)

The town has the ability to create and adopt a local option, which provides benefits for households above the state income requirements. Similar to the Circuit Breaker described above, this program is income or means based in nature and provides tax relief to qualifying households. The town may increase the current state income cap to provide relief to a greater number of seniors. The tax credit can be as high as 75% and can also contain specific dollar amount caps or limits based on income.

It must be understood that if the town adopts a so-called local option, the State will not reimburse the town for those funds "granted" under the local program. Therefore, the mill rate would need to be adjusted higher to generate an equal amount of revenue or the budget would need to be reduced.

Senior Tax Deferral Option

Similar to the local option program the town may establish (based on income limits) a program to defer payment of taxes and place a lien against the property. Upon the sale of the property or death of the taxpayer, the deferred tax plus accrued interest is paid out of the proceeds of the property sale or out of the estate of the deceased taxpayer. If such a program was to be adopted, the potential loss or deferment of revenue to the town could be substantial depending on the program parameters.

Tax Freeze Program

This program is no longer available to new participants per State of Connecticut law. No new participants have been allowed since May 1980. This program capped the property tax benefit at \$2,000. In Windsor, there are two individuals participating.

Veterans Exemption

Presently, the town, pursuant to Chapter 5, Section 14 of the *Windsor Code*, offers certain eligible veterans an additional exemption that is applied against their taxable property assessment. This exemption, which the town adopted in December 1982, provides for an additional \$2,000 property assessment exemption for any eligible veteran that meets a predetermined income test, similar to that used for the elderly tax relief program. Based on our current mill rate of 28.83 mills, this year the exemption was worth \$57.66 in tax savings. Presently, there are 184 veterans receiving this benefit. Again, it needs to be understood that the tax savings produced by this program are not reimbursed by the State of Connecticut.

Disability Exemption

All totally disabled homeowners are eligible to receive an exemption of \$1,000. Windsor residents received the benefit in FY 2005 and the average benefit was \$1,000 per person. Beginning this year, the State of Connecticut does not provide reimbursement to the municipalities for this exemption. There were approximately 58 residents that were receiving benefits under this program in FY 2005.

Blind Exemption

All legally blind homeowners are eligible to receive a \$3,000 assessment exemption. Forty-four Windsor residents received the benefit in FY 2005 and the average tax reduction was \$86.49 per person. The State of Connecticut does not reimburse the town for any part of the lost revenue.

Other Board Action

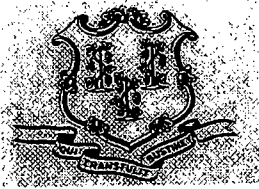
None.

Recommendations

It is recommended that this item be referred to the Finance Committee for review and discussion.

Attachments

State of CT 2004 Income Guideline



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT
INTERGOVERNMENTAL POLICY DIVISION

Date: October 4, 2004

To: Assessors and Directors of Social Services

From: Ronald S. Madrid, Assistant Director, IGP *RSM*

Subject: QUALIFYING INCOME-PROGRAM YEAR 2004

The following tables show the levels of qualifying income for the Elderly and Totally Disabled Tax Relief Program applications to be filed in the year 2005. These levels are to be used for the 2004 Grand List Homeowner and Renter applications, 2005 Grand List Additional Veteran's applications and may be used for any local option programs.

PLEASE NOTE: Homeowner applications that were taken for the 2003 G/L (RENEWALS) are calculated for the 2004 G/L using the 2003 qualifying income schedule, NOT the schedule below.

Homeowners Income and Grant Information - 2004 Benefit Year Filing period February 1 - May 16

Income		Tax Credit %		Tax Credit Maximum		Tax Credit Minimum	
Over	To	Married	Unmarried	Married	Unmarried	Married	Unmarried
\$-0-	\$13,400	50%	40%	\$1,250	\$1,000	\$400	\$350
13,400	18,100	40	30	1,000	750	350	250
18,100	22,600	30	20	750	500	250	150
22,600	27,100	20	10	500	250	150	150
27,100	33,000	10	-0-	250	-0-	150	-0-

Renters Income and Grant Information - 2004 Benefit Year Filing period May 16 - September 15

Income		Maximum Credit		Minimum Credit	
Over	To	Married/Single		Married/Single	
\$-0-	\$ 13,400	\$900	\$700	\$400	\$300
13,400	18,100	700	500	300	200
18,100	22,600	500	250	200	100
22,600	27,100	250	150	100	50
27,100	33,000	150	-0-	50	-0-

(Over)

XIII. Resignations and Appointments

November 15, 2004

- A. **Accept the resignation of Dorothy Bruno from the Commission on Aging & Handicapped**

- B. One *Republican Alternate* Member
Commission on Aging & Handicapped
Two Year Term to expire November 30, 2004 or until a successor is appointed
(VACANT)

- C. One *Republican* Member
Commission on Aging & Handicapped
Three Year Unexpired Term to expire January 31, 2006 or until a successor is appointed
(John Purcell – moved out of town - VACANT)

- D. One *Democratic* Member
Commission on Aging & Handicapped
Three Year Unexpired Term to expire January 31, 2006 or until a successor is appointed
(Joan McVey – resigned - VACANT)

- E. One *Democratic Alternate* Member
Commission on Aging & Handicapped
Three Year Unexpired Term to expire November 10, 2005 or until a successor is appointed
(L'Amour Howell – moved from alternate position to regular - VACANT)

- F. One *Democratic* Member
Commission on Aging & Handicapped
Three Year Unexpired Term to expire January 31, 2005 or until a successor is appointed
(Dorothy Bruno – resigned - VACANT)

- G. One *Republican* Member
Conservation Commission
Five Year Term to expire November 30, 2009 or until a successor is appointed
(Samuel Hinckley – reappointment)

- H. One *Republican Alternate* Member
Conservation Commission
Five Year Term to expire November 30, 2009 or until a successor is appointed
(Theresa Langevin – reappointment)

- I. One *Democratic* Member
Conservation Commission
Five Year Unexpired Term to expire November 30, 2007 or until a successor is appointed
(Adam Gutcheon – resigned - VACANT)

- J. One *Democratic Tenant* Member
Fair Rent Commission
Three Year Term to expire March 31, 2007 or until a successor is appointed
(Brian Daly – reappointment)

- K. One *Republican* Member
Historic District Commission
Five Year Term to expire October 11, 2009 or until a successor is appointed
(Marcia Hinckley – reappointment)

XIII. Resignations and Appointments

November 15, 2004

- L. One *Republican* Member
Housing Code Board of Appeals
Five Year Unexpired Term to expire October 31, 2007 or until a successor is appointed
(Michael McDonald – resigned – VACANT)

- M. One *Republican Alternate* Member
Human Relations Commission
Three Year Term to expire May 31, 2006 or until a successor is appointed
(VACANT)

- N. One *Republican Alternate* Member
Human Relations Commission
Three Year Term to expire May 31, 2007 or until a successor is appointed
(F. Evelyn Smith – moved from alternate position to member - VACANT)

- O. One *Republican Alternate* Member
Inland Wetlands and Watercourses Commission
Four Year Unexpired Term to expire March 31, 2005 or until a successor is appointed
(Bernard Halligan – deceased - VACANT)

- P. One *Democratic Alternate* Member
Public Building Commission
Three Year Term to expire November 30, 2007 or until a successor is appointed
(Thomas Dembrowski – reappointment)

- Q. One *Republican* Member
Public Building Commission
Three Year Term to expire November 30, 2007 or until a successor is appointed
(Robert Gustafson – reappointment)

- R. One *Democratic* Member
Public Building Commission
Three Year Term to expire November 30, 2007 or until a successor is appointed
(Richard Hazelton – reappointment)

- S. One *Democratic Alternate* Member
Public Building Commission
Three Year Term to expire November 30, 2007 or until a successor is appointed
(Thomas Dembroski – not attending meetings – VACANCY)

- T. One *Republican* Member
Town Planning & Zoning Commission
Five Year Term to expire November 8, 2009 or until a successor is appointed
(David Kelsey – reappointment)

- U. One *Republican* Member
Wilson/Deerfield Advisory Committee
Three Year Unexpired Term to expire April 30, 2005 or until a successor is appointed
(Abraham Morrison – deceased - VACANT)

XIII. Resignations and Appointments

November 15, 2004

- V. One *Democratic Alternate* Member
Youth Commission
Two Year Term to expire September 30, 2006 or until a successor is appointed
(Janet Foster – resigned - VACANT)

- W. One *Republican* Member
Youth Commission
Three Year Term to expire September 30, 2007 or until a successor is appointed
(Sarah Thrall – reappointment)

**Windsor Town Council
Council Chambers – Town Hall
November 1, 2004
Unapproved Minutes**

Mayor Trinks called the regular meeting to order at 7:32 p.m.

1. Roll Call – Present: Mayor Trinks, Deputy Mayor Curtis, Councilor Broxterman, Councilor Ellingwood, Councilor Dean, Councilor Jepsen, Councilor Mulligan, Councilor Simon and Councilor Walker (arrived 7:36 p.m.)
2. Prayer – Councilor Broxterman
3. Pledge of Allegiance – Councilor Broxterman
4. Proclamations/Awards
- A. Proclamation honoring the Windsor Little League 11/12 All Stars

Mayor Trinks read the proclamation.

- B. Presentation of donation from Windsor Library Association to Windsor Library Building Expansion Fund

Ms. Maryanne Overbaugh presented the \$1,500 check to the Windsor Library Building Expansion Fund from the WHS class of 1963 and 1964.

5. Public Communications and Petitions

Mayor Trinks reminded the public that there is a three-minute limit per speaker during Public Communications and Petitions.

Mr. George Yeramian, 739 Prospect Hill Road, said he had great respect and admiration of the Council members and the work they commit to. He requested that the Council consider closing the landfill immediately. On October 25, 2004, at 10 p.m., a vile stench filled the house and persisted all night. At 5 a.m., the stench was still there. Wouldn't it be logical to stop accepting the cause of the problem rather than trying to cover up the problem?

Mr. Joseph Spalluto, 456 Lantern Way, read a letter he recently sent to the Town Council, the Department of Environmental Protection, and Attorney General Richard Blumenthal regarding a request to eliminate the odor from the landfill. The letter was submitted for the record.

Ms. Maryellen Gallagher, 415 Lantern Way, addressed the Council regarding the unbearable stench from the landfill. She has sent over 20 e-mails and she does

appreciate the concern, but there doesn't seem to be a viable remedy to the solution. There has been no relief. Councilor Jepsen suggested the elimination of bulky waste intake and that hasn't happened. All who live in the neighborhood truly had faith and wanted to believe that the system would work. They no longer believe or have faith. The only way to eliminate the problem is to stop accepting bulky waste. Our lives have changed dramatically. They can no longer have people in their home for fear that the stench will arrive. She has actually sent her grandchild home because of the fumes. The only solution is to stop this.

Mr. Thomas Gallagher, 415 Lantern Way, spoke to the Council regarding the landfill. They experience headaches, nausea, and breathing problems. They pay some of the higher taxes in our town. They deserve and demand a higher quality of life.

Ms. Ellen Spalluto, 456 Lantern Way, confirmed that everything previous speakers have said tonight is true. She thought they had built their dream home, but it is now the house of terror. Their daily breakfast is Orbit gum, Maalox and Advil. She is beginning to feel that the Town Council and staff at the landfill are using her children and herself as a science experiment at the landfill. She now fears that her children are being put at serious risk for long-term exposure to a problem that is not going away.

Mr. Patrick Terrion, 510 Hearthstone Drive, spoke about the mismanagement of the situation. It is now at a point of indecision, not for lack of people trying. This liability is just going to continue to grow unless a decision is made to stop accepting the bulky waste.

Ms. Carol Hawco, 433 Lantern Way, said that the landfill situation is worse and it is not going away. She urges all of the Council to stop taking in the bulky waste and stop the odor.

Ms. Melissa Klaus, 511 Hearthstone Drive, said that this is not a community that she wants to continue to live in. She is disgusted and embarrassed of the stench. It is vile and nauseating and has caused her to vomit in her driveway. She urged the Council to stop the collection of bulky waste.

6. Report of Appointed Boards and Commissions

A. Board of Education

None.

B. Windsor Housing Authority

Mr. John Pier, Windsor Housing Authority, reported to the Council. This has been a year of change for authority at the Windsor Housing Authority. The Housing Authority is a separate government authority running the Senior and Section 8 programs. They also

manage two other programs, the Renters Rebate Program and the Fitch Court Apartments on Bloomfield Avenue.

They do not receive support from the town or State. One of the largest challenges that they face, is the lack of federal support for the Section 8 Program. The administrative fee attached to those programs impacts the Senior Program and residents applying for Section 8. The bigger problem that they have to face is regarding the trends of housing for individuals over 65 and the younger social security disabled living together. Most of the disabled people are on a very low income, which means less rent is collected to support the program. They received 1,200 Section 8 applications by mail.

Councilor Walker said that the mix of seniors and younger disabled is not working. He believes that it is a State problem, but municipalities have to deal with the after effect. Resources are limited and he doesn't know what the answer is. Mr. Pier said that the State is currently conducting an investigation.

Councilor Simon asked if the 1,251 families, who applied to be on the waiting list for Section 8, are all from Windsor and when do the vouchers become available. Mr. Pier stated that the applications are from surrounding communities and Windsor. Vouchers become available on a regular basis--a couple every month.

7. Town Manager's Report

Recent Retirements

It is my pleasure to recognize the efforts of a number of a town employees who have retired in the past few months. Ed Pruitt, from our Information Technology Department retired after ten years of service to the town.

At the end of August, Mr. Charles Antanaitis, a Maintainer II with the Public Works Department, retired after serving the town for 36 years.

In mid-September Mr. Dale Gardner, the Town Forester, retired after 30 years of service.

At the end of September, Mr. Robert Hotsko, Maintainer III in Public Works, retired after 30 years with the town.

These gentlemen's work, be it behind the scenes or on our streets and public spaces, has been invaluable and they will be missed. We wish them the best of luck in their future endeavors.

Bradley Airport Runway 01-19

At the last Town Council meeting Councilor Walker asked a question regarding the long-term master plan for Bradley International Airport and a recommendation to consider closing Runway 01-19.

Runway 01-19 is used exclusively for small general aviation aircraft (probably all or virtually all are single engine or propeller driven), such as piper cubs.

There is relatively no noise impact off the airport property. If the runway had significant aircraft operations, the resulting noise impact on Windsor would be worse than that from the other two runways because of its orientation.

According to the consultant recommendations, consideration for its removal as a runway is for the future (10-20 years out). When and if its use ends as a runway, it would be used as a taxiway.

From the Town of Windsor's perspective, its conversion to a taxiway would seem to be desirable.

Although air traffic at Bradley is projected to increase overtime there is no mention in the master plan of extending either of the 2 major runways. The recently completed Airport Noise Study contains flight patterns that are generally in Windsor's favor in terms of mitigating noise impacts.

Veteran's Day Observance

The Windsor Veteran's Day observance will be held at the Windsor VFW, located at the corner of Broad and Elm Street, from 7:00 PM to 8:00 PM on Thursday, November 11th. This year's Veteran's address will be delivered by World War II veteran and Windsor resident George Kafalas. In addition to his remarks, a salute to the dead and music from the Windsor High School band will be featured. This event is free and open to the public. For information call 285-1835.

Mayor Trinks asked about the percentage of reduced intake. Town Manager Souza replied that the primary generator has been reduced at least in half by construction debris.

Councilor Ellingwood asked what the acceptable levels of gypsum or mix is. Mr. Brian Funk said that the main issue is the condition or type of gypsum coming in and if it is in a crushed form (processed construction debris) which has much more surface for quicker degrading.

Councilor Mulligan hoped it would not come to micromanaging, but he has very little faith in the staff to solve this problem. Unfortunately, this is a move that we have to take at this point.

Councilor Simon thanked Councilor Mulligan for his motion.

Moved by Councilor Mulligan, seconded by Councilor Jepsen to add Agenda Item 12.

A.- Discussion concerning the types of waste that will be accepted at the Windsor/Bloomfield landfill.

Motion Passed 9-0-0

Moved by Councilor Mulligan, seconded by Councilor Jepsen to add Item 12. F under New Business, "Approve settlement of Genesis Health Ventures versus the Town of Windsor", to add Item 12.G. under New Business, "Approve settlement of Huntington Mortgage Company versus the Town of Windsor" and move to add Item 16.A. under Executive Session "Strategy and negotiations with respect to pending claims and litigation (Town vs. Huntington Mortgage Company)".

Motion Passed 9-0-0

8. Communication from Council Members

Councilor Broxterman – None.

Councilor Dean – None.

Councilor Ellingwood – received numerous phone calls related to local small business closures over the past weekend. He believes that it is another issue that the Council is going to have to come face to face with.

Councilor Jepsen – invited everyone to vote tomorrow.

Councilor Simon – the Council received a copy of the most recent Citizen Perception Survey. He found the comments to be quite valuable.

Councilor Mulligan – None.

Councilor Walker – encouraged all residents to vote for their beliefs. He thanked Councilor Mulligan for adding the landfill item to the agenda.

Deputy Mayor Curtis – reminded all to vote. He commended Councilor Mulligan's request regarding the landfill.

Mayor Trinks – was disappointed to hear of the ice cream business closing and urged all residents to support local businesses lest we have the ghost town that we had in the late 1980's and early 1990's.

9. Reports of Standing Committees

A. Finance Committee - None.

B. Town Improvements Committee – None.

C. Health and Safety – None.

D. Special Projects – None.

E. Joint Board of Education and Town Council Committee – None.

F. Personnel Committee – None.

10. Ordinances

None.

11. Unfinished Business

None.

12. New Business

12. A- Discussion concerning the types of waste that will be accepted at the Windsor/Bloomfield landfill.

Moved by Councilor Mulligan, seconded by Councilor Jepsen to ban the acceptance of gypsum at the Windsor/Bloomfield landfill to be revisited at the January 3, 2005 Town Council meeting.

Councilor Mulligan reiterated that he had hoped it would not come to micromanaging, but he has very little faith in the staff to solve this problem.

Mayor Trinks is worried that if we ban gypsum, that we may be giving the residents near the landfill false hope that the problem will be solved. He supports the motion, but we need to have the resources here to answer questions. This could also affect the funds needed to close the landfill.

Councilor Simon supports the motion, but feels that we need the facts before a decision is made.

Councilor Dean stated that she agrees with Councilor Mulligan's motion and that we have health issues to be concerned about. A decision to temporarily halt the acceptance of gypsum needs to be made.

Deputy Mayor Curtis supports the motion but doesn't think that banning the gypsum will solve the odor problem that is already there. He asked if there are any contractual obligations with companies that they are guaranteed to use our landfill. Town Manager Souza said that there are not any contractual obligations that we would be violating. There would be a significant drop-off if not a complete drop off of construction debris. The wallboard is difficult to separate. A short-term ban would not have a significant impact given that the seasonal slowdown of the construction industry is approaching.

Councilor Walker said he supports this motion tonight.

Councilor Mulligan said that it would be his expectation in the near future to appeal this motion. He is not in favor of putting a reinstatement date on the motion at this time.

Councilor Jepsen supports this motion. He doesn't expect the problem to go away with this motion. The gypsum is in the ground and will always be in the ground. Stopping the intake is the correct thing. He thinks that the coverage is going to be the key to this solution with some sort of permeable layer. He supports having a workshop to understand these issues and come up with a solution.

Councilor Simon asked if it is reasonable to conclude that we will not be accepting any construction demolition debris for awhile. Town Manager Souza said that there will be a significant drop-off. Councilor Simon said that there is no quick fix for this, we either have to install a methane system or dig up the gypsum. This is not going to remove the odor for anybody.

Mayor Trinks will support this motion as something that we need to try, but also what has to be done is looking at the financial impact of this on the closure. He cautioned the residents to not see this ban as a solution to the odor problem.

Councilor Ellingwood asked what tonnage we take in per day. Town Manager Souza said that over the next three years it is 100,000 tons.

Councilor Ellingwood made a friendly amendment to add a limit of 60 days for the ban.

Councilor Mulligan asked if within 60 days, the appropriate consultants can assure the Council that the problem is being handled. Town Manager Souza said that he would hope that the workshop could be held prior to the first week in December.

Councilor Jepsen suggested that the ban be revisited at the January 3, 2005 meeting.

Motion Passed 8-1-0 (Councilor Simon opposed)

A. Approve Town Council meeting dates for calendar year 2005 and January 2006

Moved by Councilor Jepsen, seconded by Councilor Broxterman to add the meeting date of November 7, 2005 onto the Town Council calendar for 2005 meeting dates.

Motion Passed 9-0-0

Councilor Simon noted that July 5, 2005 is a Tuesday.

Moved by Councilor Mulligan, seconded by Councilor Dean to accept the proposed Town Council meeting dates for calendar year 2005 and January 2006 with the addition of the meeting date of November 7, 2005 and the correction of the July 5, 2005 meeting as a Tuesday.

Motion Passed 9-0-0

- B. Approve 2005 schedule of Board/Commission Annual Reports to the Town Council

Moved by Councilor Broxterman, seconded by Councilor Jepsen to accept the proposed 2005 Schedule of Board/Commission Annual Reports to the Town Council with the correction that the July 5, 2005 meeting as a Tuesday.

Motion Passed 9-0-0

- C. Introduce an ordinance entitled, "AN ORDINANCE ADOPTING THE AQUIFER PROTECTION AREA PROGRAM AND DESIGNATING THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS THE AQUIFER PROTECTION AGENCY."

Resolved by Deputy Mayor Curtis, seconded by Councilor Broxterman that the reading into the text of the ordinance entitled, "AN ORDINANCE ADOPTING THE AQUIFER PROTECTION AREA PROGRAM AND DESIGNATING THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS THE AQUIFER PROTETION AGENCY" 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.

Motion Passed 9-0-0

Town Manager Souza reviewed the program. In February, the State adopted the Aquifer Protection Area Program Regulations mandating municipalities to create and/or designate a Municipal Aquifer Protection Agency and to put into place an aquifer protection program to include regulations, permitting and best management practices to help ensure protection of our ground water. The basic premise of the aquifer protection program is to find the best way to prevent contamination of large public drinking water supplies and to limit high-risk land uses in critical areas that feed water to the water supply wells.

Councilor Jepsen asked about the training. Town Manager Souza replied that the Environmental Planner has attended one training program and is scheduled to attend more.

Moved by Deputy Mayor Curtis, seconded by Councilor Broxterman, to introduce an ordinance entitled, "AN ORDINANCE ADOPTING THE AQUIFER PROTECTION AREA PROGRAM AND DESIGNATING THE INLAND WETLANDS AND WATERCOURSES COMMISSION AS THE AQUIFER PROTECTION AGENCY".

Motion Passed 8-0-0 (Mayor Trinks out of the room)

- D. Set a Public Hearing for November 15, 2004 at 7:15 p.m. (prevailing time) for Aquifer Protection Program Ordinance

Moved by Councilor Broxterman, seconded by Councilor Jepsen that a Public Hearing be held at the Windsor Town Hall on Monday, November 15, 2004 at 7:15 p.m. (prevailing time) for the purpose of receiving public comment on a proposed ordinance entitled "AQUIFER PROTECTION AREA PROGRAM ORDINANCE" and further resolved that the Town Clerk is authorized and directed to post and publish notice of said Public Hearing.

Motion Passed 9-0-0

- E. Introduce an ordinance entitled, "AN ORDINANCE ESTABLISHING A WINDSOR REDEVELOPMENT AGENCY IN THE TOWN OF WINDSOR."

Resolved by Councilor Jepsen, seconded by Councilor Ellingwood that the reading into the text of the ordinance entitled, "AN ORDINANCE CREATING THE WINDSOR REDEVELOPMENT AGENCY IN THE TOWN OF WINDSOR" 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.

Motion Passed 9-0-0

Mr. Jim Burke, Economic Development Director, reviewed the Tax Increment Finance Policy and the ordinance. The creation of a redevelopment agency per Chapter 130 of the Connecticut General Statutes is required for the town to implement the Tax Increment Finance Policy that was adopted in 2002. Town Manager Souza explained the Tax Increment Finance Policy.

Councilor Broxterman asked Mr. Burke about time constraints. Mr. Burke said that if it was convenient, it would be ideal if the Town Improvements Committee could review it and make a recommendation at the next Town Council meeting.

Mayor Trinks referred the ordinance to the Town Improvements Committee for review.

Moved by Councilor Jepsen, seconded by Councilor Ellingwood to move Items 12. F. "Approve settlement of Genesis Health Ventures versus the Town of Windsor" and 12. G. "Approve settlement of Huntington Mortgage Company versus the Town of Windsor" to follow Item 16. Executive Session.

Motion Passed 9-0-0

- F. Approve settlement of Genesis Health Ventures versus the Town of Windsor

