



# Council Agenda

Council Chambers  
Windsor Town Hall  
December 6, 2004



## 7:15 PM Public Hearing

To hear an ordinance entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AGENCY FOR THE TOWN OF WINDSOR."

## 7:30 PM Regular Council Meeting

1. ROLL CALL
2. PRAYER – Councilor Dean
3. PLEDGE OF ALLEGIANCE – Councilor Dean
4. PROCLAMATIONS/AWARDS
  - a) Honoring the 110<sup>th</sup> Anniversary of Windsor's Abigail Wolcott Ellsworth Chapter National Society Daughters of the American Revolution
5. PUBLIC COMMUNICATIONS AND PETITIONS  
(Three minute limit per speaker)
6. REPORT OF APPOINTED BOARDS AND COMMISSIONS
  - a) Board of Education
  - b) Zoning Board of Appeals
7. TOWN MANAGER'S REPORT
8. COMMUNICATIONS FROM COUNCIL MEMBERS
9. REPORTS OF STANDING COMMITTEES
10. ORDINANCES
  - a) \*Approve an ordinance entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AGENCY FOR THE TOWN OF WINDSOR."
11. UNFINISHED BUSINESS
12. NEW BUSINESS
  - a) \*Authorize the Town Manager to execute an agreement with the State of Connecticut for Bio-terrorism Planning Grant (Town Manager)



- b) \*Authorize the Town Manager to execute an agreement with the State of Connecticut for a Public Health Block Grant addressing Childhood Residential Injury Prevention (Town Manager)
- c) \*Authorize the Town Manager to sign and execute a contract with the State of Connecticut for a Social Services Block Grant (Town Manager)
- d) \*Resolved that the Town of Windsor Public Building Commission is hereby designated as the School Building Committee with regard to the Clover Street School Code Compliance Upgrade Project (Town Manager)
- e) \*Resolved that the Windsor Town Council hereby authorizes the preparation of schematic drawings and outline specifications for the Clover Street School Code Compliance Upgrade Project (Town Manager)
- f) \*Resolved that the Windsor Town Council hereby authorizes the Windsor Board of Education to file applications with the State of Connecticut for the Clover Street School Code Compliance Upgrade Project (Town Manager)
- g) \*Resolved that the Town of Windsor Public Building Commission is hereby designated as the School Building Committee with regard to Roger Wolcott Early Childhood Center Floor Tile Abatement Project (Town Manager)
- h) \*Resolved that the Windsor Town Council hereby authorizes the preparation of schematic drawings and outline specifications for the Roger Wolcott Early Childhood Center Floor Tile Abatement Project (Town Manager)
- i) \*Resolved that the Windsor Town Council hereby authorizes the Windsor Board of Education to file applications with the State of Connecticut for the Roger Wolcott Early Childhood Center Floor Tile Abatement Project (Town Manager)
- j) \*Approve an appropriation of \$170,608 from the John F. Kennedy School Floor Tile Abatement Project Account #9321 for the Clover Street School Window Replacement Project (Town Manager)
- k) \*Approve an appropriation of \$7,550 from the Sage Park Middle School Gymnasium Floor Abatement Project Account #9324 for the Clover Street School Window Replacement Project (Town Manager)

13. \* RESIGNATIONS AND APPOINTMENTS

14. MINUTES OF PRECEDING MEETINGS

- a) \*Minutes of the November 15, 2004 Public Hearing
- b) \*Minutes of the November 15, 2004 Regular Town Council Meeting



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15. PUBLIC COMMUNICATIONS AND PETITIONS

(Three minute limit per speaker)

16. EXECUTIVE SESSION

17. ADJOURNMENT

★Back-up included

# *Proclamation*

## *Honoring the 110<sup>th</sup> Anniversary of Windsor's Abigail Wolcott Ellsworth Chapter National Society Daughters of the American Revolution*

**WHEREAS,** Windsor's Abigail Wolcott Ellsworth Chapter of the National Society Daughters of the American Revolution will celebrate their 110<sup>th</sup> Anniversary on December 8, 2004; and

**WHEREAS,** Windsor's Daughters of the American Revolution promote pride in the United States of America through community services in educational programs and scholarships, essay contests and historic tours; and

**WHEREAS,** Windsor's Abigail Wolcott Ellsworth Chapter of the DAR promotes the study of American history making Windsor residents aware of the importance of freedom, equality, justice and humanity in all our lives today,

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

Windsor's Abigail Wolcott Ellsworth Chapter of the National Society Daughters of the American Revolution be commended for their commitment to keeping American history and Windsor's history an important focus for over 110 years.



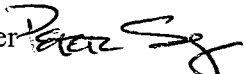
\_\_\_\_\_  
Donald S. Trinks  
Mayor of Windsor  
December 6, 2004

## Agenda Item Summary

Date: December 6, 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 8<sup>th</sup> 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. Approve Ordinance

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

#### Attachments

Tax Increment Financing Policy Agenda Item Summary  
Ordinance creating Redevelopment Agency

## 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.

**TOWN OF WINDSOR**  
**TAX INCREMENT FINANCING POLICY**

**I. Introduction**

This Tax Increment Policy has been approved by the Town Council of the Town of Windsor to serve as a guide to the use of tax increment financing. The Town of Windsor will evaluate requests for TIF on a case by case basis.

**II. Requirements**

The Town of Windsor will consider a project for assistance through Tax Increment Financing ("TIF") only if all of the following requirements are met:

1. The TIF project must provide for the improvement of a property included in the Town of Windsor's Priority Redevelopment Properties List and Policy adopted December 2, 2002, as amended.
2. The developer is able to demonstrate that "but for" the TIF assistance requested, the project in question could not reasonably be expected to move forward.
3. The Town Council has approved a Development Plan for the project area in question.
4. TIF assistance is provided to the proposed development only to the degree necessary to accomplish the proposed development and only in a prudent and fiscally responsible manner.
5. The Tax Assessor reviews and opines as to the tax increment projected to be realized from the proposed development.
6. Neither the developer nor any related or affiliated persons or entities (including all partners and corporate stockholders with a 25% or greater interest in the developer, directly or indirectly) are delinquent on Town taxes or any other obligations to the Town.
7. In determining the amount of TIF assistance to be provided to any specific project, consideration is given to the amount of TIF bonding already outstanding for all projects.
8. Unless otherwise specifically approved by the Town Council, the Town's commitment to provide TIF assistance is contingent upon commencement of the project within a period not to exceed two (2) years from the date it is approved by the Town Council.
9. The developer demonstrates to the satisfaction of the Town the capacity to undertake and complete the proposed project.

10. The developer and the Town execute a legally binding development agreement.

### **III. Underwriting Guidelines**

In addition to ensuring that each TIF project satisfies the requirements of Section II above, the Economic Development Commission and Town Council shall review each application for TIF assistance against the following guidelines.

1. The amount of money needed to pay the annual debt service of the TIF bonds should not exceed
  - a. 85% of the projected annual tax increment to be generated by a project with a term of ten (10) years or less, or
  - b. 50% of the projected annual tax increment to be generated by a project with a term of eleven (11) or more years.
2. The amortization period for any TIF bonds should not exceed twenty (20) years.
3. The proceeds of TIF bonds should be used for permanent financing and thus should be expended only after a project is substantially complete; it being the intent of this guideline that the Town's agreement to provide any TIF funds should be contingent upon the prior or simultaneous funding of all private permanent financing necessary to assure the project's viability.
4. Where possible and appropriate, the TIF development agreement should contain provisions requiring that the developer use best efforts to create job opportunities for Windsor residents.
5. Appropriate deed restrictions should be placed on the TIF project to effect the policy objectives of the Development Plan.
6. The developer should provide a letter of credit, bond insurance, or other credit enhancements as may be recommended by the Town Manager to mitigate the financial risk to the Town and its bondholders.
7. The developer should pay all costs incurred by the Town in determining the financial feasibility (due diligence costs) of the proposed TIF.

Approved by the Town Council of the Town of Windsor, Connecticut, on December 16, 2002.

**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 11/19/04

Public Hearing 12/6/04

Adopted 12/6/04

Advertised \_\_\_\_\_


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

## Agenda Item Summary

Date: December 6, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Charles Petrillo, Director of Health

Reviewed By: Peter Souza, Town Manager 

Subject: Year Five -- Bioterrorism Planning Grant Funding

### Background

The State of Connecticut Department of Public Health (DPH) has been awarded funding by the Centers for Disease Control and Prevention (CDC) and the Health Resources and Services Administration (HRSA) for year five for Bioterrorism Planning. The purpose of this funding is to continue enhancing the State's Bioterrorism response capacities. DPH is issuing funding to the 47 full-time local health departments and health districts in the State to continue to assist these departments in developing the infrastructure needed to plan and prepare for Public Health Preparedness Planning. The item on this agenda authorizes the Town Manager on behalf of the Town of Windsor to accept this funding.

### Discussion and Analysis

In 2002-2003, the State Department of Public Health was the recipient of a Cooperative Agreement Award "Public Health Preparedness and Response for Bioterrorism" from the Centers for Disease Control. The purpose of that award was to upgrade State and local public health jurisdictions' preparedness for and response to Bioterrorism, other outbreaks of infectious disease, and other public health threats and emergencies. Windsor received approximately \$8,525 in that first year of local funding and used that money to prepare the smallpox plan for smallpox planning region #31 (Windsor and South Windsor) and for emergency preparedness training. In 2003-2004, Windsor received \$82,056 to continue its Bioterrorism planning efforts, exercising those plans, and training staff. Windsor will receive \$92,734 in the 2004-2005 grant.

By entering into the contract for 2004-2005, the Town of Windsor Health Department agrees to

- 1) revise and exercise its local Public Health Preparedness and Response Plan;
- 2) actively participate in the development of a regional public health preparedness and response plan;
- 3) participate in the development and implementation of one or more drills/exercises of the Public Health Preparedness and Response plan;
- 4) revise our region's smallpox response plan and develop plans to address anthrax and pandemic flu;
- 5) procure ancillary supplies for mass dispensing clinics for smallpox, anthrax, and pandemic flu;
- 6) contract with an Internet service provider for continuous Internet service;
- 7) develop a local Health Alert Network (HAN) notification system;
- 8) continue developing and recruiting for a public health emergency response team;
- 9) provide bioterrorism preparedness and response education and training for staff; and
- 10) update the communication section of the Public Health Preparedness and Response plan.

As stated previously, Windsor will be receiving \$92,734 to carry out these activities. Throughout this grant period, Windsor will continue working with South Windsor as members of Planning Region #31 and assist them in addressing plan elements specific to South Windsor's needs.

Financial Impact

Acceptance of this grant will require no direct outlay of town funds. We will continue to contract with someone to be our Bioterrorism Coordinator to guide the grant deliverable process. However, staff time will be required to assist with the grant administration and with meeting the grant deliverables.

Other Board Action

None.

Recommendations

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

**“RESOLVED that the Town Manager, Peter Souza, is authorized to make, execute and approve on behalf of the Town of Windsor, any and all contracts or amendments thereof with the State of Connecticut Department of Public Health to carry out the services and submit the deliverables as described in contract DPH 2005-1104.”**

Attachments

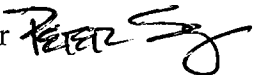
None

## Agenda Item Summary

Date: December 6, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Charles Petrillo, Director of Health

Reviewed By: Peter Souza, Town Manager 

Subject: Grant Funding – Childhood Residential Injury Prevention

### Background

The State of Connecticut Department of Public Health (DPH) has Preventive Health and Health Services Block Grants available to Local Health Departments for various preventive health program projects. Healthy People has applied and been approved for FY 2005 funding to conduct a childhood residential injury prevention project. The item on this agenda authorizes the Town Manager on behalf of the Town of Windsor to accept this funding.

### Discussion and Analysis

The Connecticut Department of Public Health (DPH) annually makes available to local health departments Preventive Health Block Grant Funds to address various categories of preventive health projects. For Fiscal Year 2005, Healthy People submitted a proposal addressing Childhood Residential Injury Prevention. That proposal has been accepted and funding has been approved in the amount of \$4,598.

By entering into the contract for 2004-2005, the Town of Windsor Health Department through the Healthy People program agrees to 1) develop a protocol for identification and referral of children who receive home safety assessments; 2) identify and adopt a home safety assessment tool; 3) conduct home safety assessments to assess homes of children for injury risks; 4) provide education and safety supplies to correct safety hazards as indicated by safety assessments; 5) follow up with families to determine if additional hazards have been corrected; and 6) conduct community awareness activities on childhood residential injury prevention.

### Financial Impact

Acceptance of this grant will require no direct outlay of town funds. The grant funds will be used for educational materials, supplies, developing and teaching two community workshops, advertising, and support of the Kid's Safety Fair.

### Other Board Action

None.

### Recommendations

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

**“RESOLVED that the Town Manager, Peter Souza, is authorized to make, execute and approve on behalf of the Town of Windsor, any and all contracts or amendments thereof with the State of Connecticut Department of Public Health to carry out the services and submit the deliverables as described in DPH Contract Log #2005-0089.”**

Attachments

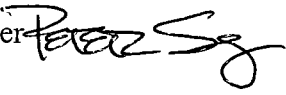
None.

## Agenda Item Summary

Date: December 6, 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: Social Services Block Grant

### Background

The State of Connecticut Department of Social Services has informed us of Windsor's eligibility to apply for a grant in the amount of \$21,997. This represents a reduction of \$970 over last year.

### Discussion/Analysis

The Town of Windsor has applied and received this grant since 1984. The grant supports the following programs offered by the Social Services Department:

- Case Management
- Health Related Programs:
  - Low Vision Support Group
  - Caregivers Support Group
  - Diabetic Support Group
  - Grandparents Raising Grandchildren Support Group
  - Share Support Group
  - Annual Health Fair
  - Caregivers Luncheon

### Financial Impact

The town is not required to provide any match money for this grant.

### Other Board Action

None.

### Recommendations

If the Town Council is in agreement, the following motion be approved:

**“RESOLVED that the Town Manager, Peter Souza, is empowered to enter into and amend contractual instruments in the name and on behalf of this Contractor with the Department of Social Services of the State of Connecticut for a Case Management and Health Related Program and to affix the corporate seal.”**

### Attachments


None.

## Agenda Item Summary

Date: December 6, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Gregg Pavitt, Director of Finance

Reviewed By: Peter Souza, Town Manager 

Subject: Clover Street School Code Compliance Upgrade Project

### Background

At its meeting of October 19, 2004, the Windsor Board of Education voted its approval of the Clover Street School Code Compliance Upgrade Project and the associated Educational Specifications. This project is intended to bring Clover Street School into full compliance with all applicable codes and will be eligible for reimbursement from the State of Connecticut at a rate of approximately 50%.

### Discussion/Analysis

This project is scheduled for accomplishment during the summer of 2005. Prior to performing this project, the Town Council must appoint a School Building Committee, authorize the School Building Committee to prepare a schematic design and authorize the Windsor Board of Education to file application with the State of Connecticut for a Clover Street School Code Compliance Upgrade Project.

### Financial Impact

At its October 18, 2004 meeting, the Windsor Town Council funded the design portion of this project. Preliminary project cost estimate is \$167,000. No further funding is requested until the full scope of work has been identified and a schematic design has been prepared. In order to complete this project in the summer of 2005, a bond ordinance would need to be approved in the first quarter of 2005. The project costs would be paid with available cash and then reimbursed when bonds are sold in FY 2006. The bond repayment schedule would be structured so the first payment would occur in FY 2007.

### Recommendations

If the Town Council concurs, the following motions are recommended:

- 1) Designate School Building Committee

**“RESOLVED, that the Town of Windsor’s Public Building Commission is hereby designated as the School Building Committee with regard to the Clover Street School Code Compliance Update Project.”**

- 2) Authorize Preparation of Plans and Specifications

**“RESOLVED, the Windsor Town Council hereby authorizes the preparation of schematic drawings and outline specifications for the Clover Street School Code Compliance Update Project.”**

3) Authorize Submitting Reimbursement Applications with State of Connecticut

**“RESOLVED, the Windsor Town Council hereby authorizes the Windsor Board of Education to file applications with the State of Connecticut for the Clover Street School Code Compliance Update Project.”**

Attachments


None.

## Agenda Item Summary

Date: December 6, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Gregg Pavitt, Director of Finance

Reviewed By: Peter Souza, Town Manager 

Subject: Roger Wolcott Early Childhood Center Floor Tile Abatement Project

### Background

In 1996, in preparation for the opening of the Roger Wolcott Early Childhood Center, the asbestos-containing floor tile in the cafeteria and all corridors was abated. The asbestos-containing floor tile under the carpet in the classrooms, however, remains. This carpet is glued directly to the asbestos-containing floor tile, has reached its end of life and is in need of replacement. Removal of the existing carpet will result in lifting of these floor tile.

### Discussion/Analysis

This project is scheduled for accomplishment during the summer of 2005. Prior to performing this project, the Town Council must appoint a School Building Committee, authorize the School Building Committee to prepare a schematic design and authorize the Windsor Board of Education to file application with the State of Connecticut for a Roger Wolcott Early Childhood Center Floor Tile Abatement Project.

### Financial Impact

At its October 18, 2004 meeting, the Windsor Town Council funded the design portion of this project. Preliminary project cost estimate is \$150,000. No further funding is requested until the full scope of work has been identified and a schematic design has been prepared. In order to complete this project in the summer of 2005, a bond ordinance would need to be approved in the first quarter of 2005. The project costs would be paid with available cash and then reimbursed when bonds are sold in FY 2006. The bond repayment schedule would be structured so the first payment would occur in FY 2007.

### Recommendations

If the Town Council concurs, the following motions are recommended:

- 1) Designate School Building Committee

**“RESOLVED, that the Town of Windsor’s Public Building Commission is hereby designated as the School Building Committee with regard to the Roger Wolcott Early Childhood Center Tile Abatement Project.”**

- 2) Authorize Preparation of Plans and Specifications

**“RESOLVED, the Windsor Town Council hereby authorizes the preparation of schematic drawings and outline specifications for the Roger Wolcott Early Childhood Center Tile Abatement Project.”**

3) Authorize Submitting Reimbursement Applications with State of Connecticut

**“RESOLVED, the Windsor Town Council hereby authorizes the Windsor Board of Education to file applications with the State of Connecticut for the Roger Wolcott Early Childhood Center Tile Abatement Project.”**

Attachments

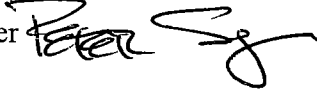
None.

## Agenda Item Summary

Date: December 6, 2004

To: Honorable Mayor and Members of the Town Council

Prepared By: Gregg Pavitt, Director of Finance

Reviewed By: Peter Souza, Town Manager 

Subject: Clover Street School Window Replacement Project

### Background

In 2003, the Windsor Town Council appropriated \$345,000 through the sale of bonds for the Clover Street School Window Replacement Project and assigned the project to the Windsor Public Building Commission. Plans and specifications were prepared and this project was sent out to bid in January 2004. The only bid received was approximately \$400,000 over budget. The project plans and specifications have been reviewed and revised as necessary and a new cost estimate has been developed.

Approximately half of the windows in the main building, library building and buildings 1, 2, 5 and 6 are full height, single pane, store front type design. Due to considerable heat loss from these windows condensation accumulates and uncomfortable and distracting drafts occur. The school administration views this project as a top priority in that it addresses the issues of energy efficiency, reduces fuel consumption and improves the classroom comfort for students and staff.

### Financial Impact

Based on the new cost estimate, \$176,500 of additional funding is needed to accomplish this project. The John F. Kennedy School Floor Tile and the Sage Park Middle School Gymnasium Floor Abatement Projects are complete. After all invoices are paid, a combined balance of \$178,158 will remain.

It is requested that \$170,608 from the John F. Kennedy School Floor Tile Abatement Project and \$7,550 from the Sage Park Middle School Gymnasium Floor Abatement Project be transferred to the Clover Street School Window Replacement Project.

### Recommendations

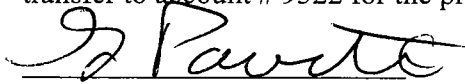
If the Town Council concurs, the following motions should be approved:

**“MOVE, that \$170,608 be appropriated from the John F. Kennedy School Floor Tile Abatement Project Account #9321 to the Clover Street School Window Replacement Project Account.”**

**“MOVE, that \$7,550 be appropriated from the Sage Park Middle School Gymnasium Floor Abatement Project Account #9324 to the Clover Street School Window Replacement Project Account.”**

**Certification of Available Funds**

I hereby certify that there are sufficient funds in the John F. Kennedy School Floor Tile Abatement Project Account and the Sage Park Middle School Gymnasium Floor Abatement Project Account for transfer to account # 9322 for the project described herein.



Gregg Pavitt  
Finance Director

Attachments

Memo from D. Shevel to F. Williams dated 11/3/04

**WINDSOR PUBLIC SCHOOLS**  
**Windsor, CT 06095**

TO: Frank Williams  
Director of Business Services

FROM: Dennis Shevel  
Physical Plant Manager

DATE: November 3, 2004

RE: Revised Budget for Clover Street School Window Replacement Project

The following summarizes the need for an additional \$176,500 of funding for the Clover Street School Window Replacement Project:

Funding to Date	\$ 345,000
Spent to Date	<u>5,237</u>
Current Balance:	\$ 339,763
Revised Construction Estimate	426,905
Administrative Services	8,000
Contingency (15%)	60,000
Inflation (5%)	<u>21,345</u>
Remaining Cost to Finish:	\$ 516,250
Additional Funding Needed:	<b>\$ 176,487</b>

The following funds should be left over from the listed projects:

JFK Floor Tile:	Current Balance:	175,180
	Performance & Payment Bonds:	<u>4572</u>
	Anticipated Final Balance:	<b>\$ 170,608</b>
Sage Park Gym Floor:	Current Balance:	8,650
	Performance & Payment Bonds:	<u>1,100</u>
	Anticipated Final Balance:	<b>\$ 7,550</b>

If there are questions or problems, please contact me at x223.

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

December 6, 2004

- A. **Accept the resignation of Susan Andrews from the Youth Commission**
- B. One *Republican Alternate* Member  
Commission on Aging & Handicapped  
Two Year Term to expire November 30, 2006 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 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)
- E. 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)
- F. One *Republican* Member  
Conservation Commission  
Five Year Term to expire November 30, 2009 or until a successor is appointed  
(Samuel Hinckley – reappointment)
- G. One *Republican Alternate* Member  
Conservation Commission  
Five Year Term to expire November 30, 2009 or until a successor is appointed  
(Theresa Langevin – reappointment)
- H. One *Democratic Tenant* Member  
Fair Rent Commission  
Three Year Term to expire March 31, 2007 or until a successor is appointed  
(Brian Daly – reappointment)
- I. One *Republican* Member  
Historic District Commission  
Five Year Term to expire October 11, 2009 or until a successor is appointed  
(Marcia Hinckley – reappointment)
- J. 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)
- K. One *Republican Alternate* Member  
Human Relations Commission  
Three Year Term to expire May 31, 2006 or until a successor is appointed  
(VACANT)

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

December 6, 2004

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

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- O. One *Democratic Alternate* Member  
Public Building Commission  
Three Year Term to expire November 30, 2007 or until a successor is appointed  
(Thomas Demboski – not attending meetings – VACANCY)
  
- P. One *Republican* Member  
Town Planning & Zoning Commission  
Five Year Term to expire November 8, 2009 or until a successor is appointed  
(David Kelsey – reappointment)
  
- Q. 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)
  
- R. One *Republican Alternate* Member  
Youth Commission  
Three Year Term to expire September 30, 2007 or until a successor is appointed  
(Susan Andrews – not attending meetings - VACANT)
  
- S. 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 – Public Hearing  
Council Chambers - Town Hall  
November 15, 2004  
Unapproved Minutes**

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"

Present: Mayor Trinks, Deputy Mayor Curtis, Councilor Ellingwood, Councilor Dean, Councilor Jepsen, Councilor Mulligan, Councilor Simon and Councilor Walker

Mayor Trinks called the public hearing to order at 7:16 p.m.

Mayor Trinks read the public hearing notice.

Public Comment

None.

Mayor Trinks closed the public hearing at 7:18 p.m.

Respectfully submitted,

Kristin Countryman  
Clerk of the Windsor Town Council

cc: Town Clerk  
Main Library  
Wilson Branch

**Windsor Town Council  
Council Chambers – Town Hall  
November 15, 2004  
Unapproved Minutes**

Mayor Trinks called the regular meeting to order at 7:33 p.m.

1. Roll Call – Present: Mayor Trinks, Deputy Mayor Curtis, Councilor Broxterman (arrived 7:45 p.m.), Councilor Ellingwood, Councilor Dean, Councilor Jepsen, Councilor Mulligan, Councilor Simon and Councilor Walker
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

Councilor Walker read the proclamation honoring Comalita Elliott, RN, CDE.

5. Public Communications and Petitions

Ms. Doris Hensley, 98 Allen Street, asked that property taxes be frozen for citizens over 70 years of age. It is important for seniors to remain in their own homes and she hopes the Council considers the tax suggestions.

Ms. Janet Kiehne, 603 Bricklayer Road, Chair, Windsor Early Childhood Council, addressed the Council. She provided feedback from community members regarding a universal pre-kindergarten program. Most of the participants supported the idea in principal; however, there were too many questions for them to make an opinion. Ms. Kiehne read some of the concerns and comments of citizens. She quoted a report Investing in Pre-Kindergarten Programs by the National Institute for Early Education Research, Rutgers University.

Mr. Patrick Terrion, 510 Hearthstone Drive, spoke regarding the reconsideration of accepting gypsum at the landfill. His concern is not just the odor and sickness caused from the gas, but also the mismanagement that is resulting in this problem. He noted that there would be consequences across the board. He strongly urged the Council to come up with a plan that will provide a long-term solution.

Ms. Darlene Klase, 318 Hitching Post Drive, addressed the landfill odor problem. The odor is more concentrated inside area houses. She feels that there is a problem with the wedge. She wanted to know what the plan is, temporary and long-term. She is concerned about the problems the odor causes with her children's asthma.

Mr. Gerald LaFleur, 449 Lantern Way, discussed his anger concerning the landfill. With the expansion of the landfill, pursuant to closure, they have suffered greatly with the odors. He dreads coming home in the evening and has to leave frequently to get respite from the odors. He asked that other options be reviewed for the landfill. The quality of life is not being maintained for the community around the landfill.

Ms. Ellen Spalluto, 456 Lantern Way, said that residents near the landfill were encouraged by the Council's decision to stop accepting gypsum at the landfill. If you do not live there you cannot imagine the horror. She is very disappointed in hearing that because of fiscal considerations, the Council is reconsidering accepting gypsum at the landfill.

Mr. Patrick Higgins, 16 Broadleaf Circle, is annoyed that the Council is reconsidering accepting gypsum at the landfill. He thinks that the Council is rushing to make a decision without having all of the facts. He added that the Council had agreed that there was time to sit back and evaluate it.

Ms. Maryellen Gallagher, 415 Lantern Way, discussed the reconsideration of accepting gypsum at the landfill. Thanksgiving is just around the corner and it won't be celebrated in the neighborhood. In the past two weeks, they had to pack a bag and leave their home and stay somewhere else because they couldn't breathe the air in their home. Two weeks ago, she had hope when the Council voted to stop accepting gypsum at the landfill.

Mr. Thomas Gallagher, 415 Lantern Way, said that if they have to leave their home again, they would go to a local hotel and bill the town for being displaced from their home.

Mr. Steve Hawes, 444 Lantern Way, added that it is difficult to imagine any guests at their home at this point. He thanked the Council and town staff for being proactive at this point. He suggested that both residents and town officials would benefit from a link on the town website regarding the landfill issues. He added that e-mail addresses for residents to contact would be useful on that page as well.

Ms. Cathy LaFleur, 449 Lantern Way, said that her confidence level has dipped tremendously. She is at the point where she is ready to cut their losses and leave.

Mr. Joe Spalluto, 456 Lantern Way, is concerned that this issue regarding reconsidering the acceptance of gypsum may break down politically. This should not be a political issue and he will be seriously disappointed if it does break down along political lines.

Mr. Daniel Moran, 505 Hearthstone Drive, added that his wife goes to bed very ill because of the landfill odors.

6. Report of Appointed Boards and Commissions

A. Public Building Commission

Mr. Joseph Novak, Chair, reported to the Council.

WHS – The circuit breakers still need to be labeled. A letter was sent to the contractor giving him until the end of this week or they will hire another contractor.

L.P. Wilson Roof – is complete. There is still some sheet metal work going on.

Welch Pool Renovation – No change.

~~Clover Street Window Replacement Project – they will make a presentation to the Council to continue with this project by taking funds from existing projects that are under budget and transferring the funds to this project.~~

Public Works Facility – the sand and salt storage shed has been erected and is in use. They are awaiting the installation of the door.

L.P. Wilson and Sage Park Gyms – the floors are complete.

Poquonock Office Improvements – complete. The project will come in over budget. The Board of Education budget will pick up the difference.

Library Expansion Project – is out to bid and will come back next month. The schedule is to select the general contractor the first week of January.

Councilor Broxterman asked about the Clover Street Window Replacement Project. Mr. Novak said that the contractors estimated the project at \$486,900. The project is for replacement of windows, however the windows will be smaller so walls will be rebuilt.

Councilor Simon requested a report on the Poquonock School expenditures.

Councilor Mulligan asked what was left out to have gone from an estimate of \$800,000 to an estimate of \$486,900. Mr. Novak said that the Board of Education and the architect reviewed the project and obtained estimates.

Councilor Jepsen inquired that when a bond ordinance is passed, by what mechanism is the Board of Education able to change the scope of the bonded project. Mr. Novak said that soft money was added in the form of furniture, etc. Town Manager Souza said that he doesn't believe that the bond would be compromised.

B. Youth Commission

Ms. Florence Barlow, Chair, Youth Commission gave the report to the Council.

She reviewed their mission and requested representatives from the Town Council and the Town Manager's office be present at the Youth Commission. They held a battle of the bands event and it was very successful. They are currently reviewing the possibility of changing the name of the Youth Commission. The \$4,500 grant from the Capital Area Substance Abuse Program does fund quite a few projects. Their main concern is adequate funding and space at L.P. Wilson for the Youth Services Bureau. The Commission is requesting help in finding space. Their goals are to approach the address/street sign theft with a newsletter and education program on the seriousness and consequences of this felony. A two-day program "Every 15 Minutes" will be held. The program dramatically emphasizes to teenagers the consequences of drinking and driving. They estimate the program will cost \$5,000.

## 7. Town Manager's Report

### **Stormwater Management Plan Annual Review**

In accordance with the State of Connecticut Stormwater Management Plan guidelines, town staff will present an annual report on the plan to the town's Conservation Commission on Tuesday, November 30<sup>th</sup>. The Conservation Commission will meet at 7:30 PM in the Ludlow Room at the Windsor Town Hall and the public is welcome to attend. For more information, call Duane Martin at 285-1871.

### **Update on the Installation of the Expansion to the Landfill Gas Collection System**

I want to provide an update on the status of the construction project at the Landfill to expand the Landfill Gas Collection System. This expansion, which was approved by the Town Council in October, is being installed to deal with odor issues emanating from the area of the Landfill which we refer to as the "wedge", which is along the southern and southwestern edge of the site.

Our consultants, SCS Field Services have been on-site since November 8<sup>th</sup> doing drilling of the vertical collection wells. The installation of these wells was completed this last weekend. Beginning today, they have been trenching and installing the pipes between the vertical wells. This will continue for the next two weeks, with the majority of this work being completed in the next week-and-a-half. It is anticipated that the expansion project will be done and in operation during the week of November 29<sup>th</sup>.

### **Community Development Block Grant - Small Cities Program**

In both March and September of this year, the Community Development Office and Wilson Deerfield Advisory Committee hosted public hearings to obtain feedback on the town's community development initiatives. We sought feedback from residents regarding the needs of the community, and suggestions of activities for which the town may wish to apply for funds. The result of both of these meetings was a recommendation that the Community Development Office pursue CDBG funding for a number of activities, including: improvements to the Wilson Branch Library, reconstruction of Wilson Avenue, median improvements along Windsor Avenue, ADA improvements to Milo Peck and the Rappaport Building, and small business loan program.

The recommendations from those meetings were reviewed and it was determined that some of the projects such as the Windsor Avenue project were already included in the town's CIP but were a number of years out in the future.

In addition, two of the projects, the Rappaport Building project and renovation of the Wilson Branch Library are not ready for implementation at this time. The response from the Library Director and Wilson Branch Manager was that while they would be interested in renovating the Branch in the future, it should not proceed while the Main Library project is underway. In addition, any discussion of renovation needs to involve the Windsor Library Association.

During the current calendar year, Community Development Office grant activity has ~~included completion of the final application for a \$300,000 housing rehab grant~~ authorized by Town Council in 2003. It also involved reapplication for a \$110,000 grant for emergency generators for the Windsor Housing Authority. Originally, this project had been included with the housing rehab grant application, but it was rejected. Staff pursued and received approval of a separate grant for this project.

Presently, the staff is assessing potential applications for CDBG funds for public improvement projects as identified in the Capital Improvement Plan and for small business loans. We expect to be making recommendations to the Town Council in the near future.

Dr. Charles Petrillo, Director of Health Services, gave an update on the flu vaccination shortage.

Councilor Mulligan asked about the monthly financial reports from SummerWind. Town Manager Souza said that he has not received a written financial report from SummerWind, however, he spoke to them a week ago and is expecting financials shortly.

#### 8. Communication from Council Members

Councilor Broxterman – None.

Councilor Dean –also expressed congratulations to Diane McDougald for her award.

Councilor Ellingwood – None.

Councilor Jepsen – None.

Councilor Simon – None.

Councilor Mulligan – None.

Councilor Walker – announced that there will be a Carol Sing on the Town Green on Thursday, December 2<sup>nd</sup>. For more information call 688-5165. He congratulated Diane McDougald for her award from Archer Memorial Church.

Deputy Mayor Curtis – congratulated Diane McDougald and Councilor Walker who also received an award from Archer Memorial.

Mayor Trinks – None.

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

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.”

Resolved by Councilor Jepsen, 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 PROTECTION AGENCY” is hereby waived, the full text of the ordinances 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

Moved by Councilor Jepsen, seconded by Councilor Broxterman 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.”

Town Manager Souza provided a brief overview of the program. 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.

Councilor Walker asked about the application fee that may be established. Town Manager Souza responded that they are reviewing an application fee.

Councilor Simon asked which position will complete the technical training. Town Manager Souza said that the Environmental Planner who also serves as the Wetlands Agent would complete the training.

Motion Passed 9-0-0

11. Unfinished Business

None.

12. New Business

A. Presentation on mental health education and awareness

Ms. Robin Newman, Director of Human Services, and Police Chief Searles gave an overview. The Mental Health Committee is a task team with representatives from town departments, the Board of Education, Town Council, and the public. Their objectives are to address education and training in the Windsor community for first responders and 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.

Spectrum Psychotherapy Centers, LLC, is offering five (5) one-hour sessions to the Windsor community on various mental health topics. The next workshop will be held on December 2<sup>nd</sup> at 5:00 p.m. in the Board of Education Conference Room at the L.P. Wilson Community Center and the topic is depression.

Deputy Mayor Curtis asked for an update on the crisis intervention program. Chief Searles said that 20% of officers will get the full crisis intervention program training and the other officers will receive awareness training.

Moved by Councilor Broxterman, seconded by Councilor Walker to move Item 12 D. Reconsider action suspending acceptance of gypsum material at Windsor-Bloomfield Landfill to this point in the agenda.

Motion Passed 9-0-0

D. Reconsider action suspending acceptance of gypsum material at Windsor-Bloomfield Landfill

At their November 1<sup>st</sup> meeting, the Town Council 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.

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. We expect the bulky waste intake to drop off considerably during the next two months. The Mayor has requested that this item be placed on the agenda for reconsideration. His ~~desire is to have a discussion relative to allowing the acceptance of gypsum waste generated in Windsor and Bloomfield.~~

Mayor Trinks discussed the reconsideration of accepting gypsum from residential customers. Residential customers will drop off the gypsum in containers placed at the landfill, which will then be hauled off site and disposed of by a contract hauler. It is in his opinion that this is an operational decision, not a policy change.

Councilor Ellingwood asked what the volume was in the past few weeks. Mr. Mark Goossens, Landfill Manager, said that approximately a ton and a half was received last week.

Councilor Simon was hoping that this evening, the Council would have a more involved discussion about the decision to accept gypsum. Councilor Simon asked if we are getting any bulky waste, exclusive of gypsum. Mr. Goossens stated that it is greatly reduced, perhaps 3-5 a day, compared with 20-25 per day previously.

Councilor Mulligan noted the estimate for FY2004-2005 was 29,200 tons of bulky waste for the year and the first quarter accepted 12,000 tons. Mr. Goossens responded that it is seasonal. A good portion of the 29,200 tons is spot market. Councilor Mulligan asked if any air monitoring tests have been performed. Town Manager Souza said that there is testing at the well heads and a surface scan was done in late October. No testing has been done at the boundaries of the landfill or in the neighborhood. Additional data will be available hopefully by the end of the week.

Councilor Ellingwood said that if we keep talking at this point, it is speculation until we get the data.

Councilor Mulligan said that we were told in excess of a year ago that there was an issue and we were led to believe that town staff would solve the issue. Obviously they were wrong, there wasn't a comprehensive plan to expand the gas collection system as the landfill was filled. It is time to stop them until they have a comprehensive plan to solve the problem.

Mayor Trinks inquired about the workshop date. Town Manager Souza scheduled the workshop for December 13<sup>th</sup> at 7:00 p.m.

Councilor Walker asked if the workshop would be a public discussion. Town Manager Souza said that it would be three or four agenda items followed by public discussion.

Councilor Mulligan requested that the workshop be held in Council chambers and that it be televised.

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

Resolved by Deputy Mayor Curtis, seconded by Councilor Ellingwood that the reading ~~into the text of the ordinance entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AGENCY FOR 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 8-0-0 (Councilor Broxterman out of chambers)

Moved by Deputy Mayor Curtis, seconded by Councilor Ellingwood to introduce an ordinance entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AGENCY FOR THE TOWN OF WINDSOR" as presented at the Town Improvements Committee meeting.

Mr. James Burke, Director of Economic Development, reviewed the Tax Increment Financing Policy. 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.

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<sup>th</sup> and they 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 Council officially adopt the redevelopment property list and that a procedure be established to review and update the list at least annually and otherwise when needed. On December 2<sup>nd</sup>, the Town Council adopted a Priority Redevelopment Properties List and Policy in response to Councilors concerns for an official and up-to-date list.

Councilor Jepsen is troubled by this. The state law enacting this doesn't fit our town. "Members of any redevelopment agency will be appointed by the city or borough or by a

board of selectman". We should be free on our own in selecting the members of this board. He asked if this state law overrides our charter. Town Manager Souza said that town staff raised this question to the town attorney.

Mr. Burke said that in Section 5-2 of the Town Charter, it provides that the Town Manager will be the Chief Executive Officer of the town. In towns that do not have a Chief Executive Officer, the Board of Selectman may appoint the Board. Town Manager Souza added that they have deferred this question to the town attorney and the bond attorney.

Councilor Jepsen asked if we take out the comment of "2/3's" that the attorneys are telling us to do. It is possible that this new board could be comprised of all members from one political party. Given the legal standing, Councilor Jepsen will not support this motion.

Councilor Simon mentioned that because we have done something a certain way before, it doesn't necessarily mean it's a good way. We eliminate 40% of our population that are unaffiliated voters. He would welcome the opportunity to have some non-partisan appointments.

Councilor Walker said that those elected to serve should have integrity. He concurs with the town attorneys.

Councilor Mulligan will support the creation of the board. He understands Councilor Jepsen's opinion, but it is important to get this board established. He added that the Republican Party does designate non-partisan appointments.

Councilor Dean asked what the attorney referenced in order to come to his decision. Mr. Burke said that the attorney consulted the charter and state statutes related to municipal powers. Councilor Dean asked what the process is for nominating residents to the board. Town Manager Souza said that they have not flushed out the process but they will place a request on the website, use the e-mail direct subscription service and consult members of community development and economic development.

Deputy Mayor Curtis said that this is the one mechanism that is available, those appointments still have to come back to the Council, funding also has to go through the Council. He is in favor of going forward with this motion.

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

- 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."

Moved by Deputy Mayor Curtis, seconded by Councilor Broxterman 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 "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AGENCY FOR THE TOWN OF WINDSOR" 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. Presentation on elderly tax relief options

Town Manager Souza reviewed the elderly tax relief options.

Councilor Jepsen asked about the circuit breaker option and asked about the percentage of state reimbursement that we received for the \$215,000 in credits. Town Manager Souza said that we received 100% reimbursement from the state.

Councilor Ellingwood asked if we are reviewing two tax payments per year. Town Manager Souza said that is a policy discussion that should be on the table in the next couple of months. It has a financial impact of potential lost interest earnings and collection rates.

Councilor Simon said that the estimates for two tax payments per year would cost the town \$1 million per year.

Mayor Trinks referred the item to the Finance Committee for review and discussion.

13. Resignations and Appointments

Moved by Deputy Mayor Curtis, seconded by Councilor Broxterman to:

- Accept the resignation of Dorothy Bruno from the Commission on Aging and Handicapped
- Appoint L'Amour Howell as a democratic member to the Commission on Aging and Handicapped for a three year unexpired term to expire January 31, 2006 or until a successor is appointed
- Appoint Margaret Harvey as a democratic member to the Conservation Commission for a five year unexpired term to expire November 30, 2007 or until a successor is appointed
- Reappoint Richard Hazelton as a democratic member to the Public Building Commission for a three year unexpired term to expire November 30, 2006 or until a successor is appointed

- Appoint Suzanne Moriarty as a democratic alternate member to the Youth Commission for a two year unexpired term to expire September 30, 2006 or until a successor is appointed.

Motion Passed 9-0-0

14. Minutes of Preceding Meetings

A. Minutes of the November 1, 2004 Regular Town Council Meeting

Moved by Councilor Broxterman, seconded by Councilor Dean to accept the minutes of the November 1, 2004 Regular Town Council Meeting. Corrections: page 6, item 12 A- strike supports the motion in the sentence: Councilor Simon supports the motion, but ~~feels that we need the facts before a decision is made.~~

Motion Passed 9-0-0

15. Public Communications and Petitions

None.

16. Executive Session

None.

17. Adjournment

Moved by Councilor Ellingwood, seconded by Councilor Broxterman to adjourn the Regular Town Council Meeting at 10:14 p.m.

Motion Passed 9-0-0

Respectfully submitted,

Kristin Countryman  
Clerk of the Windsor Town Council

Cc: Town Clerk  
Main Library  
Wilson Branch