

**Town of Farmington, CT
Office of the Town Manager
Regular Town Council Meeting**

Date: June 14, 2016
(Council Members are asked to call the Town Manager's Office if they are unable to attend.)

Time: 7:00 p.m.

Location: Town Hall Council Chambers

Agenda

- A. Call to Order
- B. Pledge of Allegiance
- C. Proclamations and Recognitions
 - 1. Doug Pelham - Scoutmaster
- D. Public Hearing - None
- E. New Items
- F. Public Comment
- G. Reading of Minutes
 - 1. April 11, 2016 Special Town Council Meeting
 - 2. May 10, 2016 Regular Town Council Meeting
- H. Reading of Communications and Written Appeals - None
- I. Report of Committees
 - 1. UCONN Committee(s)
 - 2. Land Acquisition Committee
 - 3. Green Efforts Committee
 - 4. Joint Town of Farmington/City of Hartford Committee
 - 5. Bicycle Advisory Committee
 - 6. Farmington Gateway Committee
 - 7. Web Page Sub-Committee
 - 8. Farmington High School Renovation Committee
- J. Report of the Council Chair and Liaisons
 - 1. Chair Report – Set a date for a Public Official Training Workshop
 - 2. Board of Education Liaison Report
 - 3. Unionville Village Improvement Association Liaison Report

4. Town Plan and Zoning Liaison Report
5. Water Pollution Control Authority Report
6. Economic Development Commission Liaison Report
7. Human Relations Commission Report
8. Chamber of Commerce Report
9. Other Liaison Reports

K. Report of the Town Manager— Revolutionary War Encampment, State Budget Update.

L. Appointments

1. Plainville Area Cable TV Advisory Council (Landry) (R)
2. North Central Regional Mental Health Board, Inc. (Wienke) (R)
3. Building Code Board of Appeals (Schadler) (R)
4. Plainville Area Cable TV Advisory Council (Montes) (R)
5. Unionville Historic District and Properties Commission Alternate (Hoffman) (R)
6. Conservation and Inland Wetlands Commission Alternate (Colandrea) (R)
7. Human Relations Commission (Grobe) (D)
8. Human Relations Commission (Bernard) (R)
9. Human Relations Commission (Mergenthaler) (R)
10. Human Relations Commission (Nakhimovsky) (D)
11. Human Relations Commission (Sliwinski) (R)
12. Plainville Area Cable TV Advisory Council (Bagdigian-Buttero) (D)
13. Plainville Area Cable TV Advisory Council (Markuszcza) (R)

M. Old Business. None

N. New Business

1. To set a Public Hearing on July 12, 2016 at 7:05 p.m. to amend the Code of the Town of Farmington, Chapter 156 "Sewers".
2. To approve the Town Council meeting schedule for 2017 and to set the date of the Annual Town Meeting.
3. To approve the 2017 Town Council Budget Special Meetings.
4. To authorize the Board of Education, or a Sub-Committee appointed by the Board, to serve as the Building Committee for the Farmington High School Roof Replacement project.
5. To approve property tax refunds.

O. Executive Session

1. Land Acquisition
2. Collective Bargaining
3. Personnel Matters

N. New Business

6. To set the Town Clerk's Salary for Fiscal Year 2016-2017.

P. Adjournment

PROCLAMATION

WHEREAS, Scoutmasters help train the Boy Scouts of America with skills which serve them well in the future, and

WHEREAS, Scoutmasters must undergo a thorough and comprehensive Leader specific training program, and

WHEREAS, many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

WHEREAS, Doug Pelham is stepping down as Scoutmaster for Troop 68 Boy Scouts of America after three years of service, and

WHEREAS, under Doug Pelham's leadership, the Troop has continued to grow and prosper and currently has 50 registered Scouts, and

WHEREAS, during Doug Pelham's tenure, the Troop has participated in numerous community service projects totaling hundreds of hours of dedicated service, and

WHEREAS, during Doug Pelham's term, eight Scouts attained the rank of Eagle Scout, Boy Scouting's crowning achievement, and

WHEREAS, as a result of Doug Pelham's hard work and dedication, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Doug Pelham our best wishes and we hereby proclaim June 8, 2016 as Doug Pelham Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 7th day of June 2016.

Nancy W. Nickerson
Farmington Town Council Chair

MOTION:

Agenda Item K

Report of the Town Manager— Revolutionary War Encampment, State Budget Update.

Revolutionary War Encampment

The Farmington Historical Society is planning a Revolutionary War Encampment to celebrate the 240th anniversary of The 2nd Continental Light Dragoon's Sheldon's Horse being commissioned by General George Washington. The event will take place on July 16 & 17 at the Farmington Polo Grounds. They are requesting in-kind services from the Town for two police officers for seven (7) hours each day from 9:30 a.m. to 4:30 p.m., and a Fire Watch for Saturday night which consists of two volunteer firefighters for approximately four (4) hours. I would like a consensus from the Town Council if they would be willing to approve this expenditure from the Town Council contingency account.

State Budget Update

It has been reported by the media, CCM and COST that when signing the state budget for FY16/17, the Governor exercised his line-item veto authority by cutting \$20.0 million from municipal aid. The reduction was to the "Municipal Opportunities and Regional Efficiencies (MORE) Commission Lapse". This is a program that is supposed to realize savings from the regionalization of services. In other words, there is not a specific grant program tied to the \$20.0 million reduction at this time.

Last September during the current fiscal year, the Governor made an identical reduction and eventually cut each town's PILOT: State Property Grant. Farmington's reduction at that time was \$170,883. As of today, it is unknown which grant program will actually be reduced in Fiscal 2016/2017. We anticipate that we may not know the actual reduction until September of 2016 when the PILOT: State Property Grant is paid. While we are concerned about the extent of any reduction to next year's state grants, please keep in mind that during deliberations on the Town Budget, you took action that provided us with a buffer should additional state grant cuts be made. We will continually monitor the situation and provide updates to the Town Council as more information becomes known.

For the current year, as we informed you, we have been waiting on a large grant payment from the state which has normally been paid in February. The grant, which totals \$545,000 for Farmington, was awaiting State Bond Commission approval before it could be paid out. The State Bond Commission met on May 27, 2016 and approved funding for the grant program. Indications from state staff are that the grant will be distributed to each municipality by June 30, 2016. So we should receive it in adequate time to count it towards this year's revenue.

MOTION: Agenda Item L-1

That _____ be appointed to the Plainville Area Cable TV Advisory Council for the balance of a two-year term beginning immediately and ending June 30, 2016. (Landry) (R)

MOTION: Agenda Item L-2

That _____ be appointed to the North Central Regional Mental Health Board, Inc. for the balance of a two-year term beginning immediately and ending September 30, 2017. (Wienke) (R)

MOTION: Agenda Item L-3

That _____ be appointed to the Building Code Board of Appeals for the balance of a five-year term beginning immediately and ending September 30, 2019. (Schadler) (R)

MOTION: Agenda Item L-4

That _____ be appointed to the Plainville Area Cable TV Advisory Council for the balance of a two-year term beginning immediately and ending September 30, 2017. (Montes) (R)

MOTION: Agenda Item L-5

That _____ be appointed to the Unionville Historic District and Properties Commission as an **Alternate** for the balance of a three-year term beginning immediately and ending September 30, 2017. (Hoffman) (R)

MOTION: Agenda Item L-6

That _____ be appointed to the Conservation and Inland Wetlands Commission as an **Alternate** for the balance of a four-year term beginning immediately and ending September 30, 2017. (Colandrea) (R)

MOTION: Agenda Item L-7

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2018. (Grobe) (D)

MOTION: Agenda Item L-8

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2018. (Bernard) (R)

MOTION: Agenda Item L-9

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2018. (Mergenthaler) (R)

MOTION: Agenda Item L-10

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2018. (Nakhimovsky) (D)

MOTION: Agenda Item L-11

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2018. (Sliwinski) (R)

MOTION: Agenda Item L-12

That _____ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2018. (Bagdigian-Buttero) (D)

MOTION: Agenda Item L-13

That _____ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2018. (Markuszka) (R)

MOTION:

Agenda Item N-1

To set a Public Hearing on July 12, 2016 at 7:05 p.m. in the Town Hall Council Chambers to amend the Code of the Town of Farmington, Chapter 156 "Sewers" to include Section VI Sewer Use Charge System.

NOTE: The amendment to the Code of the Town of Farmington, Chapter 156 "Sewers" is to codify how the WPCA establishes and sets sewer rates for the purpose of providing funds for the operation, maintenance and replacement expenses associated with the collection, conveyance and treatment facilities. The CT DEEP and Town Attorney have both reviewed and approved the amended ordinance. The WPCA has it on its July 13 Agenda to consider it as well. It is required by the CT DEEP in order to receive the Clean Water Fund grant funding and loan.

The CT DEEP is requiring that we create our own ordinance to follow for establishing the sewer user rate each year for all users of the system.

Attachment

Article VI

Sewer Use Charge System

156-52: Purpose

An ordinance establishing user charges in the town of Farmington for the purpose of providing funds for the operation, maintenance and replacement expenses associated with the municipal wastewater collection, conveyance, and treatment facilities.

As provided for under Section 7-255 et seq. of the Connecticut General Statutes, the Water Pollution Control Authority (WPCA) is empowered to establish and revise fair and reasonable charges for the use of the municipal sewerage system. The owner of property against which any such use charge is levied shall be liable for the payment thereof. Municipally owned and other tax-exempt property which uses the sewerage system shall be subject to such charges under the same conditions as are the owners of other property.

No charge for the use of the municipal sewerage system shall be established or revised until after a public hearing before the WPCA, at which owners of property which use the sewerage system shall have an opportunity to be heard concerning the proposed charges. Notice of the time, date, and place of such hearing shall be published at least ten days before the hearing in a newspaper having a general circulation in the municipality, and a copy of the proposed charges shall be on file in the office of the Town Clerk for public inspection at least ten days before the date of the hearing.

Within ten days of having established such charges, the WPCA shall cause the same to be published in a newspaper having a general circulation in the municipality.

156-53: Calculation of Charges

The total cost of the operation and maintenance of the sewerage system, including replacement fund, (OM&R cost) shall be recovered from the users of the system. Each user's share of the OM&R cost of the sewerage system shall be in proportion to the user's contribution to the total wastewater loading of the sewerage system. All residential users shall be charged on the residential basis of their total wastewater contribution. All commercial, industrial and public agencies shall be charged on the quantity of water consumed for the year and shall be based upon water consumption values provided to the Town of Farmington by the appropriate water company that supplies those users. Surcharges shall be added to the volume based charges for wastewater discharges whose BOD or suspended solids concentrations are in excess of 300 ppm, or for discharges whose other constituents result in an identifiable increase in wastewater conveyance, treatment, or disposal costs. Should the WPCA determine that there has been a discharge that exceeds the maximum concentration as defined within this ordinance and/or within other applicable state codes or other discharges that impedes the daily nutrient removal and daily workings of the plant, the person(s) who allow the unauthorized discharge shall be responsible for any and all costs, damages and expenses incurred to the Town of Farmington for the removal of such discharge and rectification costs and expenses that enable the WPCA to return the plant operation to normal nutrient removal levels. Normal nutrient removal levels are defined to be those levels of which the plant operates during any given day or time period throughout the year.

The WPCA will review the sewer user charges annually and revise the rates as necessary to ensure that adequate revenues are generated to recover all OM&R costs and that the rate structure continues to distribute the costs of wastewater collection and treatment among the users in proportion to their contribution.

156-54: Collection and Payment of Sewer Use Charges

All sewer use charges shall be billed yearly through the Town for the WPCA and shall be paid in full within a period of thirty days after same is declared due and payable unless otherwise stated on the billing form. The billing form shall state the amount owed by the property owner for sewer use and the portion of the bill that is dedicated to pay for debt service.

Any charge for the use of a sewerage system, not paid within thirty days of the due date, shall thereupon be delinquent and shall bear interest from the due date at the rate and in the manner provided by the general statutes for delinquent property taxes. Each addition of interest shall be collectible as a part of such connection or use charge. Any such unpaid connection or use charge shall constitute a lien upon the real estate against which such charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens and encumbrances except taxes and may be foreclosed in the same manner as a lien for property taxes.

All revenues collected under the provisions of this ordinance shall be kept separate from any other funds of the municipality and shall be used solely for the purposes stated in Article 1 of this ordinance, and for no other purpose. Fiscal year-end balances shall be used to defray the following year's costs, or shall be deposited in a non-lapsing fund established for replacement of major mechanical components which could reasonably be expected to require replacement during the useful life of the treatment works. If, as a result of a shortfall, funds have been transferred from other sources into the sewerage funds account, those funds shall be repaid at the beginning of the next fiscal year, and the sewer user charge shall be increased to cover the transfer of these funds.

156-55: Appeals and Adjustments

Any person aggrieved by any charge for the use of the sewerage system may make written appeal to the WPCA within thirty days of the billing date, requesting a review of the user charge. This request shall, where necessary, show the actual or estimated flow and/or strength of the discharge in comparison with the values upon which the charge is based, including how the measurements or estimates were made.

Should an agreement not be reached between the person(s) making such a request to review their charge and the WPCA, those person(s) aggrieved by any charge for the use of a sewerage system may appeal to the superior court for the judicial district wherein the municipality is located and shall bring any such appeal to a return day of said court not less than twelve or more than thirty days after service thereof. The judgment of the court shall be final.

156-56: Septage

The Town of Farmington WPCF does not accept for disposal or treatment of any private septage wastewater in any manner.

Definition: PPM – Parts Per Million

MOTION:

Agenda Item N-2

To approve the following Town Council Meeting schedule for 2017 and to set the date of the Annual Town Meeting.

TOWN COUNCIL MEETING SCHEDULE

January 10	January 24
February 14	February 28
March 14	March 28
April 3* (Monday)	April 25
May 9	May 23
June 13	June 27
July 11	
August 8	
September 12	September 26
October 10	October 24
November 14	
December 12	

ANNUAL TOWN MEETING(S) AND REFERENDUM(S)

April 17	First Annual Town Meeting
April 27	First Referendum
May 1	Second Annual Town Meeting (if needed)
May 11	Second Referendum (if needed)

*April 3rd is the Town Council Public Hearing on the budget.

NOTE: April 10-14 Farmington Public Schools Spring Break

MOTION:

Agenda Item N-3

To approve the following 2017 Town Council Budget Special Meetings.

BUDGET SPECIAL MEETINGS

March 15 (Wednesday)	4:00 p.m. to 9:00 p.m.
March 16 (Thursday)	4:00 p.m. to 9:00 p.m.
March 18 (Saturday)	9:00 a.m. to 12:00 noon
March 20 (Monday)	4:00 p.m. to 9:00 p.m. (if needed)
March 21 (Tuesday)	4:00 p.m. to 9:00 p.m. (if needed)

MOTION:

Agenda Item N-4

To authorize the Board of Education, or a Sub-Committee appointed by the Board, to serve as the Building Committee for the Farmington High School Roof Replacement project, and

1. To authorize the Board of Education to apply to the Commissioner of Education and to accept or reject a grant for the Roof Replacement project at Farmington High School.
2. To authorize the preparation of schematic drawings and outline specifications for the Roof Replacement project at Farmington High School.

NOTE: A similar motion was approved at the May 10, 2016 Town Council Meeting, however, it was incomplete as items 1 and 2 were not included. In order to satisfy State Board of Education requirements, the Town Council must approve this expanded motion.

MOTION:

Agenda Item N-5

To approve the following property tax refunds:

NAME	REASON	AMOUNT
1)Michael Campbell	Assessor's adjustment	\$51.28
2)Daniel Dornfeld	Assessor's adjustment	\$148.09
3)Gregory Guay	Assessor's adjustment	\$228.33
4)J Gummere & R Marone	Assessor's adjustment	\$39.16
5)M Kuprewicz & J Kordowska	Assessor's adjustment	\$247.74
6)Nicole Maragnano	Assessor's adjustment	\$45.85
7)J Narasimharaju	Assessor's adjustment	\$356.42
8)William Torpey	Assessor's adjustment	\$132.91
	TOTAL:	\$1,249.78

MOTION:

Agenda Item O-1

Executive Session—To discuss matters concerning the sale or acquisition of real property.

To adjourn the meeting to Executive Session as permitted by Connecticut General Statutes Section 1-225 (a) for the following purposes as allowed by Section 1-200(6), that is

Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned;

That attendance in the Executive Session shall be limited to:

Members of the Town Council
Town Manager

NOTE: Approval of this motion shall be by 2/3 vote.

MOTION:

Agenda Item O-2

Executive Session –To discuss matters concerning Collective Bargaining.

To adjourn the meeting to Executive Session as permitted by Connecticut General Statutes Section 1-225 (a) for the following purposes as allowed by Section 1-200(6), that is

Discussion of any matter, which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-210.
(9) records, reports and statements of strategy or negotiations with respect to collective bargaining;

That attendance in the Executive Session shall be limited to:

Members of the Town Council
Town Manager

NOTE: Approval of this motion shall be by 2/3 vote.

MOTION:

Agenda Item O-3

Executive Session – To discuss personnel matters.

To adjourn the meeting to Executive Session as permitted by Connecticut General Statutes Section 1-225 (a) for the following purposes as allowed by Section 1-200(6), that is

Discussion concerning the appointment of a public officer or employee, provided that such individual may require that discussion be held at an open meeting; discussion of any matter, which would result in, the disclosure of public records or the information contained therein described in subsection (b) of section 1-210. Personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy;

That attendance in the Executive Session shall be limited to:

Members of the Town Council
Town Clerk

NOTE: Approval of this motion shall be by 2/3 vote.

MOTION:

Agenda Item N-6

To set the Town Clerk's Salary at \$_____ for the 2016-2017 Fiscal Year.

NOTE: The Town Council sets the salary of the Town Clerk per the Charter of the Town of Farmington.