



Council Agenda

**Council Chambers
Windsor Town Hall
October 17, 2016**



7:20 PM Public Hearing

To hear public comment on a proposed lease for the Luddy Carriage House located at 261 Broad Street, Windsor, CT

7:30 PM Regular Council Meeting

1. ROLL CALL
2. PRAYER – Councilor Jepsen
3. PLEDGE OF ALLEGIANCE – Councilor Jepsen
4. PROCLAMATIONS/AWARDS
5. PUBLIC COMMUNICATIONS AND PETITIONS
(Three minute limit per speaker)
6. REPORT OF APPOINTED BOARDS AND COMMISSIONS
 - a) Board of Education
7. TOWN MANAGER'S REPORT
8. COMMUNICATIONS FROM COUNCIL MEMBERS
9. REPORTS OF STANDING COMMITTEES
10. ORDINANCES
11. UNFINISHED BUSINESS
 - a) *Consider approval of lease for 261 Broad Street (Town Manager)
12. NEW BUSINESS
 - a) *Approve an appropriation of \$40,000 from the Capital Project Undesignated Fund balance to fund assessment of outdoor pool facilities (Town Manager)
 - b) *Approve an appropriation of \$47,366 from the General Fund Unassigned Fund Balance for costs associated with the FY 2015 – FY 2018 Teamsters' contract arbitration award (Town Manager)



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13. *RESIGNATIONS AND APPOINTMENTS
 14. MINUTES OF PRECEDING MEETINGS
 - a) *Minutes of the October 4, 2016 Regular Town Council Meeting
 15. PUBLIC COMMUNICATIONS AND PETITIONS
(Three minute limit per speaker)
 16. EXECUTIVE SESSION
 - a) Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee (Town Manager's evaluation)
 17. ADJOURNMENT
- ★Back-up included

Agenda Item Summary

Date: October 17, 2016

To: Honorable Mayor and Members of the Town Council

Prepared By: Jonathan Luiz, Assistant Town Manager

Reviewed By: Peter Souza, Town Manager 

Subject: Proposed Lease of 261 Broad Street

Background

The Luddy Carriage House, located at 261 Broad Street, is an 850 square foot building built in 1921. It housed the Windsor Chamber of Commerce in the 1980's until 1991. Since then, it has been leased for several years for a variety of purposes, including a yarn shop, hair salon and the fabrication, display and sale of crafts.

Discussion/Analysis

Windsor resident, Janice Porri, currently owns a business located in Windsor Locks called "Jan's Sewing Room." Ms. Porri wants to relocate her business to the Luddy Carriage House for purposes of conducting sewing and quilting classes, and the fabrication, display and sale of sewing / quilt crafts.

Staff and Ms. Porri have reached an agreement in principal to lease the property. Highlights of the lease include:

- A 3 year term effective November 1, 2016. The lessee can extend it for up to two years.
- Monthly rental payments starting at \$650 and increasing approximately 3% each year.
- Lessee is responsible for housekeeping, rubbish, liability insurance, and phone utilities.
- Town is responsible for property insurance, utility costs (minus phone and internet services), grounds maintenance, snow removal and major maintenance.
- The Lessor or Lessee may terminate the lease with 60 days notice.

The required public hearing prior to leasing, selling or transfer town owned real estate, per Section 7-163e of the *Connecticut General Statutes*, is scheduled for earlier in the evening.

The operation of the business requires a special use permit from the Town Planning and Zoning Commission to have a non-public use on public property. This matter is scheduled for the Commission's November meeting.

Financial Impact

Proposed rental payments for the first year of the lease (November 2016 through October 2017) would total \$7,800. These funds will be deposited into the Special Revenue Fund account, which is used to pay utility and maintenance costs for town buildings that are leased.

Other Board Action

None

Recommendations

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

“MOVE that the Town Manager is authorized to sign the attached lease agreement with Ms. Janice Porri for use of the town owned Luddy Carriage House located at 261 Broad Street.”

Attachments

Lease Agreement for the Luddy Carriage House

DRAFT LEASE

1. DATE

This Lease Agreement is entered into on the _____ day of _____, 2016.

2. PARTIES

This Agreement is between the TOWN OF WINDSOR, a municipal corporation having its territorial limits within the County of Hartford and State of Connecticut (LESSOR) and Janice Porri (LESSEE).

3. PREMISES

The LESSOR agrees to lease to LESSEE and LESSEE agrees to lease from LESSOR the Premises described as The Luddy Carriage House, 261 Broad Street, Windsor, Connecticut.

4. TERM

The term of this Lease will begin on November 1, 2016 and expire on to October 31, 2019. The LESSEE or LESSOR may terminate this lease 60 days written notice.

5. PAYMENTS

Rent for the period of November 1, 2016 through October 31, 2017 shall be
November 1, 2016: \$650/month.
November 1, 2017: \$670/month
November 1, 2018: \$690/month

6. INSURANCE

The LESSOR shall provide fire and multi-peril insurance on the building on the premises. LESSEE may, at its option, purchase insurance to cover its personal property. In no event shall the LESSOR be liable for any damage to or loss of personal property sustained by LESSEE, whether or not it is insured.

The LESSOR shall, prior to the commencement of this lease, furnish a Certificate of Insurance evidencing a Commercial General Liability policy with a combined single limit of \$1,000,000 per occurrence, \$1,000,000 aggregate for bodily injury and property damage, and \$100,000 per occurrence for Damage to Rented Premises. The CGL shall be written on ISO occurrence form CG 0001 (or a substitution form providing equivalent coverage) and shall cover liability from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract). The Town of Windsor shall be included as an additional insured under the CGL, using CG 2011 or a substitution providing equivalent coverage. This insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs afforded to the Town of Windsor.

7. USE OF PREMISES

The Premises shall be used only for the following purposes: sewing and quilting classes, sewing accessories, the fabrication, display and sale of sewing / quilt crafts.

The Premises shall not be used for any other purpose without written consent of the LESSOR.

8. MAINTENANCE RESPONSIBILITIES

The LESSOR shall maintain water and other building utilities, grass cutting, snow removal and outside of building. LESSOR will provide maintenance and repairs to the property exterior, utility systems and building components, excluding components purchased by the LESSEE.

9. LAWS

LESSEE will comply with all laws and regulations regarding the Premises. LESSEE also will not permit any others to violate any laws or regulations on the Premises. LESSEE will pay LESSOR the amount of any fines or penalties that it has to pay because LESSEE or any others violated any laws or regulations in the Premises.

10. CARE OF THE PREMISES

LESSEE will keep the Premises and all fixture and appliances in a safe and clean condition. LESSEE will remove all garbage, rubbish, and other waste in a safe and clean manner. LESSEE will use all electrical, plumbing, heating and appliances in a reasonable manner.

LESSEE will not destroy or damage any part of the Premises or any of LESSOR's furnishings or appliances on the Premises. LESSEE also will not remove any of LESSOR's furnishing or appliances from the Premises.

11. UTILITIES

LESSEE's utilities, except phone, and services are included in the rent amount. This rent will not be reduced if LESSEE does not receive any of the utilities and/or services for reasons beyond LESSOR's control. LESSOR agrees to use its best effort to restore and correct any disruption in utilities and services.

12. ASSIGNMENT

LESSEE may not assign this lease without the written consent of the LESSOR.

13. ACCESS TO THE PREMISES BY THE LESSOR

The LESSOR shall have the right to reasonable access to the Premises, provided such access does not unreasonably interfere with LESSEE's use of the Premises.

14. EXPIRATION

At the expiration of this lease, LESSEE will return the property to the LESSOR in good order, condition, and state of repair, reasonable wear and tear accepted. Any property remaining after expirations of lease shall be considered abandoned by

LESSEE.

15. DEFAULT

If any LESSEE does not make lease payments as aforesaid within ten (10) days of the due date or after written notice, remains in default with respect to any other provision of this lease for thirty (30) days, the LESSOR shall have the right to take the Premises in accordance with legal process and shall be entitled to reasonable attorney's fees as well as any damages it sustains.

16. COMPLIANCE

LESSEE shall through the term of this lease, at its sole expense, promptly comply with all laws and regulations of all federal, state and municipal governments, including the Town Planning and Zoning Commission.

17. DAMAGE TO DWELLING UNIT

LESSEE will not have to pay rent for any time that LESSEE's use and enjoyment of the Premises is substantially affected because the Premises are damaged by fire or other casualty. However, LESSEE will pay rent if LESSEE caused the damage or destruction or unless LESSEE continues to occupy and portion of the Premises.

If any part of the Premises is damaged by fire or other casualty, LESSOR shall have the right to cancel this lease. If LESSOR decides to cancel the lease, LESSOR will give LESSEE notice within fifteen (15) days after the date of the fire or other casualty. The lease will end on the date that LESSOR gives in its notice to LESSEE. If LESSOR does not cancel this lease, LESSOR will repair the damage within a reasonable amount of time, not to exceed 120 days.

18. CONDEMNATION BY GOVERNMENTAL AUTHORITY OTHER THAN LESSOR

If any part of the building is condemned, LESSOR shall have the right to cancel this lease. If LESSOR decides to cancel the lease, LESSOR will give LESSEE notice within fifteen (15) days after the date of the condemnation. The Lease will end on the date that LESSOR gives in said notice.

LESSEE will not be entitled to any payment from the government because of such condemnation except for moving expenses.

19. CHANGES

LESSEE will not make any changes on the Premises or change the appearance of any walls, floors, carpeting, windows, doors, appliances, fixtures or furnishings without LESSOR's advanced written permission.

20. SALE OF PROPERTY

If LESSOR sells the property, LESSOR shall not have any further liability to LESSEE under this lease for any event that happens after LESSEE receives written notice that LESSOR has sold the property. ANY SALE OF THE PROPERTY BY LESSOR shall be subject to this Lease.

21. HOLD-OVER

If LESSEE continues to occupy the Premises with LESSOR's consent after this lease ends, this lease will be on a monthly basis. In that case, either LESSEE or LESSOR

can send a notice to the other and cancel lease at any time. All the other terms of this lease will still apply.

22. SEPARATE PROVISIONS

If any provisions of this lease are invalid or unenforceable, the other provisions of this lease will still apply.

23. BINDING EFFECT

This lease shall be binding upon LESSEE and LESSOR and their respective successors, and assigns.

24. NOTICES

All notices shall be given as follows:

To LESSOR: Town Manager
275 Broad Street
Windsor, CT 06095

To LESSEE: _____

Windsor, CT 06095

25. OPTION PERIODS

The LESSEE shall have the successive options to extend this lease for one year periods beginning November 1, 2019 and 2020 provided that his lease is in full force and effect on the May first preceding the beginning of the option year. Each option shall be automatically exercised unless the LESSEE notifies the LESSOR in writing that the LESSEE elects not to exercise its option prior to the September first preceding the option year. Any such notice shall cancel and void any subsequent options of the LESSEE under this Section 25. The monthly rent during each option year shall be adjusted upward by 3% November 1st of each option year.

26. PARKING

The LESSEE's employees, members, guests and invitees shall have the right to use the parking areas in common with others on the site and adjacent to the site on other land of LESSOR provided that such right to park shall be subject to reasonable restriction and control by the LESSOR.

27. SIGNAGE

The LESSEE shall have the right to place such signs as shall be permitted by the Zoning Regulations of the Town of Windsor or by approval of the appropriate Zoning Authorities on the Luddy Carriage House grounds or adjacent property of the LESSOR.

Dated this _____ day of _____ 20__.

LESSOR

TOWN OF WINDSOR
WINDSOR TOWN COUNCIL
Town and Town Council Designee

LESSEE
Janice Porri

Agenda Item Summary

Date: October 17, 2016

To: Honorable Mayor and Members of the Town Council

Prepared By: Paul Norris, Recreation and Leisure Services Director

Reviewed By: Peter Souza, Town Manager 

Subject: Town Facility Improvements – Outdoor Pool Facilities

Background

The town's three outdoor pools and associated facilities were originally constructed in the late 1960's into the 1970's. Goslee Pool's renovation was completed in 2000. At that time, the pool structure, piping, decking and filtration system was renovated. No significant work was done to the life guard facility or the restroom and changing facilities.

Eight years ago, work at Welch Pool was completed which included installing a vinyl liner in the pools and replacing the filtration system. No work was done to the guard office or the restroom and changing facility.

The adopted FY17- FY22 Capital Improvement Program includes an allocation of funds in FY 17 for the assessment and design of future repairs and improvements to the facilities. At this time, town staff is requesting monies for the evaluation and assessment phase of this project.

Discussion/Analysis

The purpose of this project is to assess the town's three outdoor pool facilities including all mechanical, plumbing, and electrical systems and to identify any structural, mechanical, accessibility and energy efficiency deficiencies. The assessment will also include the condition of the pools, pool decks, associated spray features and wading pools, restroom and changing facilities, fencing, pump rooms/houses, and chemical storage rooms. Preparation of a final planning document (including observations and data collected during the assessments) and recommended improvements at each facility will be completed. The recommendations will include prioritizing identified improvements, preliminary cost estimates for each facility, and identifying appropriate maintenance programs associated with each.

Similar to the Athletic Field Master Plan completed in 2013, this assessment will provide information and direction for future decisions regarding both short and long term facility improvements.

Financial Impact

The adopted FY17- FY22 Capital Improvement Program includes an allocation of funds in FY 17 for the assessment and design of future repairs and improvements to the facilities. At this time, town staff is requesting that \$40,000 be appropriated from the Capital Projects Fund, Assigned Fund Balance for the evaluation and assessment phase of this project.

Other Board Action

None

Recommendations

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

“MOVE to approve an appropriation of \$40,000 from the Capital Projects Fund, Assigned Fund Balance for the “Town Facility Improvements – Outdoor Pool Facilities project.”

Certification

I hereby certify that \$40,000 is available in the Capital Projects Fund, Assigned Fund Balance to fund the above appropriation.

A handwritten signature in cursive script that reads "James Bourke". The signature is written in black ink and is positioned above a horizontal line.

James Bourke
Finance Director

Agenda Item Summary

Date: October 17, 2016

To: Honorable Mayor and Members of the Town Council

Prepared By: Jim Bourke, Finance Director

Reviewed By: Peter Souza, Town Manager 

Subject: Retroactive Wage Payments - Teamsters Local 671 Public Works and Clerical Employees Bargaining Unit

Background

The collective bargaining contract with the Teamsters Local 671 Public Works and Clerical Employees expired on June 30, 2014. The contract between the Town and the Teamsters was recently resolved through an arbitration award for the period of July 1, 2014 through June 30, 2018. An appropriation from the General Fund Unassigned Fund Balance in the amount of \$54,369, and an appropriation from the Landfill Enterprise fund in the amount of \$7,546 were approved by the Town Council on September 19, 2016 to fund the Teamster's FY16 retroactive wage increase.

Discussion/Analysis

It was discovered after the September 19th town council meeting the method used to calculate the appropriation request for the retroactive wage payment was based on taking the difference between the contracted FY 16 wages and the contracted FY 15 wages. The appropriation amount should have been the difference between the contracted FY 16 wages and the FY 14 base wages, which totals \$101,735 for general fund positions and \$14,080 for Landfill Enterprise Fund positions. Therefore an additional \$47,366 from the General Fund Unassigned Fund Balance is required and an additional \$6,534 is required from the Landfill Enterprise Fund.

Financial Impact

An appropriation of \$47,366 is requested from the General Fund Unassigned Fund Balance as well as authorization to expend \$6,534 from the Landfill Enterprise Fund. Both the FY 15 and FY 16 approved budgets included projected wage increases, but since the contract arbitration was not finalized until after the end of June 30, 2016, the budgeted but unspent funds for the wage increases were returned to the General Fund Unassigned Fund Balance as well as the enterprise fund. Therefore, this request does not result in additional or unplanned costs.

Other Board Action

None

Recommendations

It is respectfully requested that an appropriation in the amount of \$47,366 be made from the General Fund Unassigned Fund Balance, and an expenditure in the amount of \$6,534 from the Landfill Enterprise Fund be authorized to fund the portion of the retroactive wage payment that was not included in the September 19th appropriation.

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

“MOVE to approve an appropriation of \$47,366 from the General Fund Unassigned Fund Balance, and authorize an expenditure in the amount of \$6,534 from the Landfill Enterprise Fund, to fund the remaining portion of the Teamsters Local 671 Public Works and Clerical Employees retroactive wage payment for FY 16.”

Certification

I hereby certify that \$47,366 is available in the General Fund Unassigned Fund Balance, and \$6,534 is available in the Landfill Enterprise Fund, to fund the above appropriation and expenditure.



James Bourke, Finance Director

Town Council
Resignations/Appointments/Reappointments
October 17, 2016

Resignations

None

Appointments / Reappointments (to be acted upon at tonight's meeting)

- A. One Democratic Member
Conservation Commission
Five Year Unexpired Term to expire November 30, 2016 or until a successor is appointed
(Pricilla Eatherton – resigned – VACANT)

“MOVE to APPOINT James Klase as a Democratic member to the Conservation Commission for a five year unexpired term to expire November 30, 2016 or until a successor is appointed.”

- B. One Unaffiliated Alternate Member
Inland Wetlands and Watercourses Commission
Four Year Unexpired Term to expire March 31, 2017 or until a successor is appointed
(James Walton – moving up from alternate to full membership – VACANT)

“MOVE to APPOINT Steven Fraysier as a Republican Alternate member to the Inland Wetlands and Watercourses Commission for a four year unexpired term to expire March 31, 2017 or until a successor is appointed.”

- C. One Democratic Member
Inland Wetlands and Watercourses Commission
Four Year Term to expire March 31, 2020 or until a successor is appointed
(Nathan Karnes – resigned – VACANT)

“MOVE to APPOINT James Walton as an Unaffiliated member to the Inland Wetlands and Watercourses Commission for a four year term to expire March 31, 2020 or until a successor is appointed.”
(moving up from an alternate position to full membership)

Appointments / Reappointments (to be acted upon at tonight's meeting)

- D. One Republican Member
Inland Wetlands and Watercourses Commission
Four Year Term to expire March 31, 2020 or until a successor is appointed
(Paul St. Amand – reappointment)

“MOVE to REAPPOINT Paul St. Amand as a Republican member to the Inland Wetlands and Watercourses Commission for a four year term to expire March 31, 2020 or until a successor is appointed.”

- E. One Republican Member
Inland Wetlands and Watercourses Commission
Four Year Unexpired Term to expire March 31, 2018 or until a successor is appointed
(Linnea Gilbert – resigned – VACANT)

“MOVE to APPOINT Kevin Washington as an Unaffiliated member to the Inland Wetlands and Watercourses Commission for a four year unexpired term to expire March 31, 2018 or until a successor is appointed.”

- F. One Democratic Member
Library Advisory Board
Three Year Term to expire April 30, 2019 or until a successor is appointed
(Michael Raphael – resigned – VACANT)

“MOVE to APPOINT Kevin Washington as an Unaffiliated member to the Library Advisory Board for a three year term to expire April 30, 2019 or until a successor is appointed.”

- G. One Democratic Member
Town Planning & Zoning Commission
Five Year Unexpired Term to expire November 10, 2018 or until a successor is appointed
(Michael O'Brien – resigned – VACANT)

“MOVE to APPOINT Jill Levine as a Democratic member to the Town Planning & Zoning Commission for a five year unexpired term to expire November 10, 2018 or until a successor is appointed.” *(moving up from an alternate position to full membership)*

Names submitted for consideration of appointment

- A. One Democratic Member
Human Relations Commission
Three Year Term to expire May 31, 2019 or until a successor is appointed
(Richard Armstrong – VACANT)

“MOVE to APPOINT Patricia Mack as a Democratic member to the Human Relations Commission for a three year term to expire May 31, 2019 or until a successor is appointed.”
(moving up from an alternate position to full membership)

- B. One Democratic Member
Housing Authority of the Town of Windsor
Five Year Term to expire July 31, 2021 or until a successor is appointed
(Robert Mack – reappointment)

“MOVE to REAPPOINT Robert Mack as a Democratic member to the Housing Authority of the Town of Windsor for a five year term to expire July 31, 2021 or until a successor is appointed.”

- C. One Democratic Member
Insurance Commission
Four year term to expire October 31, 2020 or until a successor is appointed
(Edward Samolyk – reappointment)

“MOVE to REAPPOINT Edward Samolyk as a Democratic member to the Insurance Commission for a four year term to expire October 31, 2020 or until a successor is appointed.”

**Town Council
Council Chambers
Windsor Town Hall
October 4, 2016
Regular Council Meeting**

UNAPPROVED MINUTES

1) ROLL CALL

Mayor Trinks called the meeting to order at 7:30 p.m.

Present: Mayor Donald Trinks, Councilor Randy McKenney, Councilor Alan Simon, Councilor Jill Jenkins, Deputy Mayor Jody Terranova, Councilor Donald Jepsen, Councilor James Govoni and Councilor Bernard Petkis.

Councilor Wilkos was absent.

2) PRAYER – Councilor Govoni prayed.

3) PLEDGE OF ALLEGIANCE – Councilor Govoni led in the Pledge of Allegiance.

4) PROCLAMATIONS/AWARDS

a) Proclamation declaring October 2016 as Fire Prevention Month

At Mayor Trinks' request, Councilor Govoni read the proclamation aloud.

Councilor Govoni presented a commemorative plaque to Fire Marshal, Bob Bolasevich, and Fire Chief, Bill Lewis. Fire Marshal Bolasevich recognized, with gratitude, the Town of Windsor for allowing its employees to respond to fire calls during day time hours. Fire Marshal Bolasevich provided a certificate of recognition to Melissa Burokas and Lloyd Bachan, employees of the Deerfield Windsor Apartments, in recognition of the business' decision to install range hood fire stop canisters throughout the complex.

b) Proclamation declaring October 23-31, 2016 as Red Ribbon Week

At Mayor Trinks' request, Councilor Petkis read the proclamation aloud.

c) Proclamation designating October 2016 as Community Planning Month

At Mayor Trinks' request, Councilor Jenkins read the proclamation aloud and presented a commemorative plaque to the Chair of the Town Planning and Zoning Commission Anita Mips and the Town Planner, Eric Barz.

5) PUBLIC COMMUNICATIONS AND PETITIONS

William Emmonds of 5 Michael Lane expressed his support for the amendment of the Sill House lease so that the Recovery Club no longer has to purchase property insurance on the Sill House.

6) REPORT OF APPOINTED BOARDS AND COMMISSIONS

a) Town Planning and Zoning Commission (TPZC)

Chair Anita Mips provided a report of the TPZC. She touched on various projects that have been recently completed in town and projects that are underway including upgrades and changes of use. She also mentioned that there are text amendments to the Zoning Regulations that were adopted and are in the process of being adopted.

Councilor Govoni inquired about activity on Archer Road. Chair Mips said no applications are pending. Town Planner, Eric Barz, explained that a land owner recently cleared land within his rights and staff is monitoring the activity. Mr. Barz said that decades ago, the State Legislature adopted a law prohibiting municipalities with no forestry plan in place from regulating logging activity. He said Windsor did not have a forestry plan in place.

Councilor Jenkins asked for information about the palliative marijuana regulation update. Chair Mips said the issue is being addressed now so Windsor does not have a problem in the long run. Town Planner, Eric Barz, said the TPZC had a moratorium so it could take time to do research on the impact of a palliative marijuana dispensary in town. He said the moratorium was lifted and a regulation was created that would allow the TPZC to approve one dispensary in town in either the B-2 Commercial Zone or the I Zone.

Councilor Jepsen asked if Windsor can now adopt a forestry management regulation. Town Planner Barz said no.

Councilor Petkis requested an update on the Plaza Building. Mr. Barz said the parking lot is being torn up to run additional utility lines into the back of the building. He said site plan approval has been given to add "green rooms" onto the back of the building. He also said that a house next door was demolished to provide for additional parking. Chair Mips said all of the applications submitted by the property owner to the TPZC have been approved, so the onus is on the owner to complete the work. Mr. Barz said the owner wants to continue to work on the apartments upstairs and would like to add a restaurant on the first floor.

b) Metropolitan District Commission (MDC)

MDC Commissioner, Tim Curtis, provided an update on MDC business. He spoke of the impact that the drought is having on the MDC reservoir capacity. Commissioner Curtis also discussed his interactions on social media with people that have questions about their MDC water bill and the Clean Water project.

Councilor Petkis said he has received phone calls from people saying their water bills are up to one thousand dollars for the quarter, which is troubling. He expressed concern that the MDC is charging for the treatment of water that is being used for outdoor uses. Councilor Petkis also said that people have told him that the Connecticut Water Company and the Hazardville Water Company have separate meters in the homes for sprinkler systems. Commissioner Curtis said he does know about the other water company's meters. He encouraged people with questions to call him at 860-683-1931 and/or someone at the MDC.

Councilor Govoni said he thinks that there is a sewer use charge that is charged this time of year to the user. He asked if municipalities and farmers that water their land pay the same sewer use surcharge as users that are utilizing the water for other purposes. Commissioner Curtis said he would research the matter.

Councilor Petkis asked if the MDC offers a payment plan for customers that are struggling to pay their bills. Commissioner Curtis said the MDC can work out an individual payment plan with a customer that calls and requests it. Commissioner Curtis also said that the MDC is planning to do monthly billing in the near future.

7) TOWN MANAGER'S REPORT

Potential Non-Registered Voters Will Receive Postcard from Secretary of State

Within the next few days, many Windsor residents will receive a postcard from the Secretary of the State's office. Those people receiving the mailing are individuals that the Secretary believes are likely eligible but not yet registered to vote. This project is required by the Memorandum of Understanding (MOU) between the State and the U.S. Department of Justice regarding the state's compliance of the National Voter Registration Act.

Residents should not be concerned if they receive the postcard in error. Receipt of the mailing does not indicate that their record has been changed or deleted. Residents may visit govote.ct.gov to view their voter registration record. If you are already a registered voter, and the information is correct, you are not required to take any follow-up action.

Senior Health Fair and Flu Clinic

The Health Department and Senior Services Department will be sponsoring the annual Senior Health Fair and Flu Shot Clinic for Windsor Seniors this Thursday, October 6, 2016 from 8:30 AM to 12:30 PM at the L.P. Wilson Community Center located at 599 Matianuck Avenue. More than 30 vendors will be offering free health screenings, services and giveaways. The flu vaccine being offered is the Quadrivalent and the flu vaccinations will be offered to Windsor residents age 50 and over and adults with disabilities age 18 and over.

The cost of the shots is covered by Medicare Part B and most other insurance plans including Anthem Blue Cross & Blue Shield, ConnectiCare and Cigna. Otherwise the cost for the flu shot is \$30. Participants must bring their Medicare and/or any other insurance cards to the Health Fair for verification of coverage. For more information please call (860) 285-1824 or (860) 285-1992.

Lions Club Craft Fair

The fall season is always a busy time on the Windsor Town Green and this Saturday, October 8th the 23rd annual Lions Club arts and crafts show will take center stage. Craft booths, food and beverages will be on the green from 9:00 AM to 3:00 PM. For more information call 860-670-7803.

Creatures of the Night

Take an evening trip to Northwest Park for their annual Creatures of the Night event from 6:30 PM to 9:00 PM on Saturday, October 15th. Take a guided tour on an adventure to find the creatures that are active in the night. While walking along the illuminated trails you will meet up with "animals" that speak on this special night. It won't be spooky or scary, so bring the family

for a night of nature and fun! Treats and other activities provided. Registration is required. \$3.00 (Windsor residents), \$5.00 (non-residents). Children two and under are free. 860-285-1886.

Prescription Drug collection

The Senior Services and Police Department recently partnered to present a prescription drug collection event at the senior center. In addition to collecting unwanted prescription drugs, there were presentations on how to safeguard and properly take these medications. We also have a secured drop off box for unwanted prescription drugs at the Public Safety Complex located at 340 Bloomfield Avenue which is open 24 hours per day.

Windsor Housing Authority to Modernize Millbrook Village

Congratulations to the Windsor Housing Authority on receiving \$3.4 million in funds from the CT Department of Housing for the renovation of Millbrook Village apartments on Mack Street.

Millbrook Village is a 60-unit elderly housing development owned by the Housing Authority of the Town of Windsor. The Department of Housing will provide approximately \$3,407,000 for the conversion of five efficiency units to 1-bedroom units, repaving the existing parking lot, community room upgrades including a new generator, replacement of electrical panels in units, replacement of walkways, installation of new roofing, gutters and leaders, vinyl siding, energy-star windows, removal and infill of all thru-wall AC sleeves, upgrades to site and unit lighting with LED, replacement of water heaters, replacement of Fire Alarm & Call for Aid system, new kitchen cabinets, bathroom upgrades, unit flooring upgrades and unit painting. This project leverages approximately \$55,000 in energy rebates and \$100,000 of owner reserves.

8) COMMUNICATIONS FROM COUNCIL MEMBERS

Councilor McKenney – nothing tonight.

Councilor Petkis – nothing tonight.

Councilor Simon – nothing tonight.

Councilor Govoni – nothing tonight.

Councilor Jenkins – nothing tonight.

Councilor Jepsen congratulated the Windsor Volunteer Ambulance for winning first place at the Annual Chili Challenge.

Deputy Mayor Terranova acknowledged Councilor Petkis' efforts with the Police Cadets event last week. She said it was well done and thanked Councilor Petkis for a job well done in celebrating the Cadets' successes.

Mayor Trinks thanked the Windsor Chamber of Commerce and Windsor First Town Downtown for putting on a successful Chili Challenge event. Mayor Trinks announced that First Town Downtown will be having their first annual Hoe Down Country Dance at Central Street Antiques on Saturday, October 15th with Western attire encouraged.

Councilor Wilkos – absent.

9) REPORTS OF STANDING COMMITTEES

Town Improvements Committee – None

Health & Safety Committee – None

Joint Town Council/Board of Education Committee – None

Personnel Committee – Deputy Mayor Terranova said the Personnel Committee met two weeks ago and that it has some names to review on tonight's agenda. Councilor Jepsen said that the Town Manager's annual performance review will be a subject of conversation during tonight's Executive Session.

Special Projects Committee – None

Finance Committee – None

10) ORDINANCES – None

11) UNFINISHED BUSINESS – None

12) NEW BUSINESS

- a) Authorize Town Manager to enter into and sign a release agreement for future town road right of way at 68 and 70 White Rock Drive

Councilor Jenkins MOVED and Councilor Jepsen seconded to release the Access Reserve Parcel Agreement between Becker Farms Associated L.L.C., its heirs, executors, successors and assigns, and the Town of Windsor.

At Town Manager Souza's request, Town Planner, Eric Barz, provided a summary of the agenda item.

Councilor Jenkins asked what would be the access to 68 White Rock Drive and 70 White Rock Drive. Town Planner Barz said both parcels have 25 feet of access to White Rock Drive. Councilor Jenkins said that the map provided indicates that such road access would be very close to homes on White Rock Drive. Town Planner Barz confirmed that the road access would indeed be very close to the homes on White Rock Drive.

Councilor Jenkins asked about the plan for 68 and 70 White Rock Drive to gain road access to Dally Farm Road. Town Planner Barz said that when the Town Planning and Zoning Commission (TPZC) subdivides a piece of land and there is adjacent land beyond the area being subdivided, the state enabling statutes state that the local Planning Commission cannot preclude the further development of adjacent land as a result of their action. He said when Dally Farm ended in a cul-de-sac and there was additional land beyond the end of the cul-de-sac, the town was granted an access reserve parcel that in this case is a 50 foot right-of-way that continues to the adjacent land. Town Planner Barz said that under normal circumstances,

when the owner of the adjacent land desires to build on it, they would get the right from the town to construct a town standard road at their own expense in the town's access reserve parcel so the road could serve their own development. He said that this situation is unusual in that the TPZC anticipated that the town might build a road at its own expense so that Dally Farm Road would connect to White Rock Drive.

Councilor Jenkins asked what is on the sites behind 68 White Rock Drive and 70 White Rock. Town Planner Barz said there is a piece of town open space on the west side of the access reserve parcel and a large lot on the east side of the access reserve parcel.

Councilor Jepsen asked if the access reserve parcel coming from Dally Farm Road is land that the town actually owns or if someone else has the right of title. Town Planner Barz said that the town owns the fifty feet from the Dally Farm Road cul-de-sac to the back of 68 and 70 White Rock Drive, as well as the open space to the west of the access reserve parcel. Councilor Jepsen asked if the parcels at 68 and 70 White Rock Drive could conceivably combine if the motion is passed. Town Planner Barz answered yes. Councilor Jepsen asked if the two parcel owners still have to resolve the issue of creating an access way. Town Planner Barz said the owner of 68 White Rock Drive has the right to have half of his driveway on 70 White Rock Drive and that 70 White Rock Drive desires to have a separate driveway as to avoid any future land disputes.

Mayor Trinks called for a vote.

Motion Passed 8-0-0 (Councilor Wilkos absent)

b) Approve amendments to Sill House Lease

Councilor Jepsen MOVED and Councilor McKenney seconded that the Town Council approve the attached amendment to the Sill House lease with the Recovery Club as presented.

At Mr. Souza's request, Assistant Town Manager, Jonathan Luiz, provided an overview of the request.

Councilor Jenkins asked why the Sill House is the only property with a lease provision requiring the lessee to purchase property insurance on the leased premises. Assistant Town Manager Luiz said he checked the file on the lease and it did not indicate any reason why the lease requires that the lessee purchase property insurance.

Councilor Jenkins asked if since 1990 the Recovery Club has been paying for property insurance on the Sill House. Assistant Town Manager Luiz answered yes.

Councilor Simon asked how many properties the town leases to private organizations. Mr. Luiz answered nine.

Councilor Simon asked why the town would not benefit if a property insurance claim was made under the property insurance of the lessee as opposed to the insurance of the town. USI's Chris Wardrop explained that the recommendation to eliminate the property insurance requirement on the Recovery Club was made after balancing the desire to be consistent with

what is in other leases and considering the types of property claims that are likely to take place at the Sill House.

Councilor Simon asked whose insurance would pay the claim if there is an accidental fire that is not the cause of the Lessee. Mr. Wardrop said the claim would be submitted to the town's property insurance carrier and the town's carrier would pay subject to the deductible.

Councilor Simon asked if the property insurance of the lessee only takes effect if there is property damage caused by the lessee's use and not by a weather event. Mr. Wardrop said it is difficult to say exactly how the lessee's property carrier would respond, and that he is unsure as to how the two carriers would respond to the claim.

Councilor Simon said he is still unsure as to why it is better for the town to carry property insurance. Councilor Simon asked if there would be an impact on the town's rates if there is a claim filed by the town. Mr. Wardrop said there are a lot of factors that come into play with the town's rates. Mr. Wardrop explained that a property loss on the Sill House would have a muted effect on the town's overall rates because all of the town and school buildings are grouped together on a single policy and because profit margins on municipal policies are higher than profit margins in other markets.

Councilor Simon asked what the practical difference is between the current requirement on the general liability policy and the proposed requirement on the general liability policy. Mr. Wardrop explained that a standard commercial liability policy has a \$50,000 limit on damages to rented premises, so the new language would increase that to \$500,000 in consideration of the town's property insurance carrier being able to successfully subrogate against the lessee in situations where property damage occurred as a result of lessee negligence. Mr. Wardrop also said that the cost to the lessee to increase the damage to rented premises coverage from \$50,000 to \$500,000 is a lot less than what the lessee is currently paying for property coverage on the Sill House.

Councilor Simon asked if all of the nine properties being leased are being leased to non-profit organizations. Town Manager Souza said the restaurant at 330 Windsor Avenue is not a non-profit and that the Stony Hill School lease may not be with a non-profit.

Councilor Jepsen said the Town incurs a benefit from the Recovery Club's work. He asked about the status of the current sweat equity arrangement with the Club and also if the Club will have to go to a cash lease in the future if there are no significant projects to be performed on the building. Assistant Town Manager Luiz said the current balance of the sweat equity arrangement is about \$12,000 in the Recovery Club's favor and that town staff had identified two projects for the Club to do in the near future.

Councilor Jepsen asked for confirmation that there is a not a list of projects to be completed between now and when the lease is set to expire in 2026. Mr. Luiz confirmed that there is no such list.

Councilor Govoni said the Recovery Club has done an excellent job of maintaining the Sill House. He noted painting improvements.

Councilor Petkis said the Sill House looks great and that he sees a lot of people taking advantage of everything that is being offered there. He went on to say that he knows that it would be huge for the Recovery Club to realize the savings of not having to purchase property insurance on the Sill House. Councilor Petkis thanked the Recovery Club for doing a great job.

Mayor Trinks asked what the current deductible is. Mr. Wardrop said that the current deductible is \$15,000.

Mayor Trinks called for a vote.

Motion Passed 8-0-0 (Councilor Wilkos absent)

- c) Approve an appropriation for the construction of sidewalks and pedestrian safety improvements

Councilor Jepsen MOVED and Councilor Jenkins seconded to approve the transfer of \$35,000 from the Community Investment Initiative fund to fund design services for the 'Sidewalks and Pedestrian Safety Improvements' project.

At Town Manager Souza's request, Town Engineer/Public Works Director, Bob Jarvis, provided a summary of the transfer requested and the project.

Councilor Govoni suggested that a piece of sidewalk before the Sunoco Gas Station could be repaired. He also said that the employees at the Connecticut Agricultural Experiment station are concerned about getting their farm equipment across the sidewalk and they are also concerned about trash on the road. Councilor Govoni added that a good sized tractor would be needed to accommodate snow removal on the proposed sidewalk.

Councilor Jenkins expressed concern about the number of light posts along where the sidewalk is planned. She asked if it would be less expensive to install the sidewalk on the side of the street that does not have numerous light posts. Mr. Jarvis said he would consider that option once the road survey is completed.

Councilor Govoni asked if there are signalized crosswalks available for pedestrians wishing to cross Bloomfield Avenue in the area. Mr. Jarvis said he is not aware of any such crosswalks.

Councilor Jenkins expressed concern about high school students walking on the west side of Cook Hill Road to McDonalds. Mr. Jarvis said that town staff would do its best to evaluate pedestrian traffic patterns in the area. Town Manager Souza said that a challenge of installing the sidewalk on the west side of the street is that the majority of the resident population is located on the east side of the street.

Mayor Trinks called for a vote.

Motion Passed 8-0-0 (Councilor Wilkos absent)

- d) Approve an appropriation for Day Hill Road Reconstruction – Northfield Drive to Marshal Phelps Road

Councilor McKenney MOVED and Councilor Jepsen seconded to approve an appropriation of \$57,200 from the Capital Projects Fund Assigned Fund Balance for the Day Hill Road Reconstruction project – Northfield Drive to Marshal Phelps Road.

At Town Manager Souza's request, Town Engineer/Public Works Director, Bob Jarvis, provided a summary of the agenda item.

Councilor Jenkins asked if the construction costs must be paid up-front. Mr. Jarvis said it is his understanding that the state would provide the town with a check that would cover the cost of the project plus incidentals.

Town Manager Souza said that the Town Council would ultimately have to approve an appropriation for the entire project amount.

Mayor Trinks called for the vote.

Motion Passed 8-0-0 (Councilor Wilkos absent)

- e) Set a Public Hearing for October 17, 2016 at 7:20 PM regarding a proposed lease at 261 Broad Street

Councilor Jepsen MOVED and Councilor McKenney seconded that a Public Hearing be set for Monday, October 17, 2016 at 7:20 p.m. on a proposed lease of town-controlled real property, the Luddy Carriage House, located at 261 Broad Street; and that the Town Manager be authorized and directed to publish and to post notice of said public hearing.

Town Manager Souza provided background information on the agenda item, including the term of the proposed lease and the business activities to be conducted on site.

Councilor Jenkins asked if the vacant space was advertised. Town Manager Souza said that there was no formal advertisement, but several people have inquired about the space over the past two years. He said that most of the inquiries were from hair salons that would be competing with established hair salons.

Councilor Jenkins asked if the lessee was hand selected. Town Manager Souza said people have been made aware of the vacancy, but there was no formal advertisement of the property.

Councilor Jenkins said it would have been fair to advertise the vacancy for at least thirty days to make sure that the town is not being unfair in any way to potential lessees.

Councilor Govoni suggested that the town crew make improvements to the back parking lot of the Chamber of Commerce.

Councilor Simon expressed concern with the lack of advertising of the vacancy. He said his concern is with fairness to the taxpayers to get the best deal to generate revenue and/or defray costs. He also said there would be a difference between leasing to a business versus a non-profit.

Councilor Simon asked how the proposed monthly rent payment was determined for this facility. Town Manager Souza explained that the payment amount was determined based on the previous lease amount and information gathered from the Town Assessor about leases in the town center, with considerations given for the uniqueness of the Sill House.

Councilor Jenkins asked if there is a rest room facility at the Sill House. Town Manager Souza answered yes. Councilor Jenkins said she cannot think of a better place for a business than behind the Chamber of Commerce.

Councilor Jepsen said he appreciates Councilor Jenkins' remarks and that it has been difficult for the town to keep a tenant in the building since it is unique. He said the proposed three year lease is the best opportunity that has come along for the town in recent memory.

Deputy Mayor Terranova asked if other leases of town-owned property were the result of public advertising or the result of groups approaching the town in search of a lease opportunity. Town Manager Souza explained that for the most part, the leases have been the result of groups approaching the town. He said the Freight House and Railroad Station building were advertised with very little response.

Mayor Trinks called for the vote.

Motion Passed 8-0-0 (Councilor Wilkos absent)

- f) Introduce proposal to modify the name of Northwest Park

Town Manager Souza invited the President of the Friends of Northwest Park, Terry Langevin, to speak about the request for the name change.

President Terry Langevin explained that under the proposal the word "Center" would change to "Preserve." She said the change would help people understand what the land is really for and it will help reinforce the mission of the Park. She said it would provide a clearer picture of what the Park is all about – habitat and wildlife protection, housing endangered species of concern, and peaceful enjoyment of the natural habitat. She said the issue is one of public perception. She said the only place that the change would be evident would be on the website and on clothing.

Councilor Jenkins requested to know the fiduciary impact of the proposed name change. Town Manager Souza said that signage would be replaced through attrition. He said the property is town-owned, so that insurance and bills paid and contracts related to the Park would not be impacted.

Councilor Jenkins inquired about the impact that the proposed name change would have on wills and trusts leaving money to the Park. President Langevin said the Friends of Northwest Park are currently a 5013C and that 99.99% of checks are written out to "Northwest Park" so she does not foresee that as an issue. Councilor Jenkins said she is not so sure about that. President Langevin said the Friends of Northwest Park do not use "nature center" in their legal documents. Town Manager Souza said that the issue could be explored further should the

matter be sent to a committee of the Council. Councilor Jenkins expressed concern about the impact that the proposed name change would have on wills that leave money and possessions to the Park.

Councilor Jepsen asked if the proposed name change would open up access to grants. President Langevin said the inclusion of the word "preserve" would not hurt with grant applications.

Councilor Simon explained that the outcome of the name change will not make a difference because everyone already refers to the location as "Northwest Park" and that people will continue to refer to it as "Northwest Park." He said changing people's perceptions about what the Park is requires a whole lot more than a name change.

Councilor Govoni said he would like to see the comprehensive stewardship plan for the Park. President Langevin said the plan is up for renewal next year. Councilor Govoni said he would like to see the current plan. Councilor Govoni said he is not completely clear what a "preserve" is. President Langevin said the definition of preserve is "green space managed for flora, fauna and natural features."

Mayor Trinks explained that he is willing to hear the request but he would like to get the input of staff about the proposed name change. Town Manager Souza said the intent tonight is to start the conversation about the name change request. Mayor Trinks referred the matter to the Town Improvements Committee for its review and recommendation to the full Council.

13) RESIGNATIONS AND APPOINTMENTS – None.

14) MINUTES OF PRECEDING MEETINGS

a) Minutes of the September 19, 2016 Regular Town Council Meeting

Councilor Jepsen MOVED and Deputy Mayor Terranova seconded to accept the unapproved minutes of the September 19, 2016 Regular Town Council meeting.

Motion Passed 8-0-0 (Councilor Wilkos absent)

15) PUBLIC COMMUNICATIONS AND PETITIONS – None.

16) EXECUTIVE SESSION

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

b) Strategy and Negotiations with respect to collective bargaining (WPDEA – Police Officers and UPSEU – Dispatchers)

Councilor Jepsen MOVED and Deputy Mayor Terranova seconded to enter into Executive Session for the purpose of discussing the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, and for the purpose of strategy and negotiations with respect to collective bargaining (WPDEA – Police Officers and UPSEU –

Dispatchers).

The motion passed 8-0-0 at 9:33 p.m. (Councilor Wilkos absent)

Entering Executive Session in the Roger Ludlow room were all members of the Town Council except Councilor Petkis and Councilor Wilkos.

Also Executive Session were Town Manager, Peter Souza; Human Resources Director, Amelia Bliss; and Police Chief, Don Melanson.

Attorney Kevin Deneen entered Executive Session at 9:40 p.m.

At 10:05 p.m., Councilor Petkis entered Executive Session in consideration of the fact that discussion had ended concerning strategy and negotiations with respect to collective bargaining.

At 10:15 p.m., Ms. Bliss, Chief Melanson and Attorney Deneen left Executive Session.

At 10:20 p.m., Councilor McKenney exited Executive Session.

At 10:48 p.m., Councilor Jepsen MOVED and Councilor Jenkins seconded to leave Executive Session.

The motion passed 7-0-0 (Councilor Wilkos absent and Councilor McKenney not present)

Councilor Jenkins and Deputy Mayor Terranova then exited the meeting.

17) ADJOURNMENT

Councilor Simon MOVED and Councilor Govoni seconded to adjourn the meeting.

Motion Passed 5-0-0 at 10:49 p.m. (Councilor Wilkos absent, Councilor Jenkins, Councilor McKenney and Deputy Mayor Terranova not present)

Respectfully Submitted,

Jonathan Luiz
Assistant Town Manager