



# *Council Agenda*

**Council Chambers  
Windsor Town Hall  
November 21, 2016**



## **7:20 PM Public Hearing**

To hear public comment on a bond ordinance for stormwater management improvements

## **7:30 PM Regular Council Meeting**

1. ROLL CALL
2. PRAYER – Deputy Mayor Terranova
3. PLEDGE OF ALLEGIANCE – Deputy Mayor Terranova
4. PROCLAMATIONS/AWARDS
5. PUBLIC COMMUNICATIONS AND PETITIONS  
(Three minute limit per speaker)
6. REPORT OF APPOINTED BOARDS AND COMMISSIONS
  - a) Public Building Commission
7. TOWN MANAGER'S REPORT
8. COMMUNICATIONS FROM COUNCIL MEMBERS
9. REPORTS OF STANDING COMMITTEES
10. ORDINANCES
11. UNFINISHED BUSINESS
  - a) \*Approve a bond ordinance entitled, "AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION." (Town Manager)
12. NEW BUSINESS
  - a) \*Close out capital projects (Town Manager)
  - b) \*Accept an easement at 240 Prospect Hill Road (Town Manager)

**Town Council Agenda  
Windsor Town Hall  
November 21, 2016**



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- c) \*Authorize Town Manager to sign Prospect Hill Road Phase II right-of-way project authorization letter with Connecticut DOT (Town Manager)
  - d) \*Discussion and direction regarding MDC 2017 Proposed Budget (Mayor Trinks)
  - e) \*Authorization to submit open space grant application (Councilor Jepsen)

13. \*RESIGNATIONS AND APPOINTMENTS

14. MINUTES OF PRECEDING MEETINGS

- a) \*Minutes of the November 7, 2016 Regular Town Council Meeting

15. PUBLIC COMMUNICATIONS AND PETITIONS

(Three minute limit per speaker)

16. EXECUTIVE SESSION

17. ADJOURNMENT

★Back-up included

## Agenda Item Summary

Date: November 21, 2016

To: Honorable Mayor and Members of the Town Council

Prepared By: Victoria Houle, Project Engineer

Reviewed By: Peter Souza, Town Manager 

Subject: FY2017 Stormwater Management Improvement Projects

### Background

The Stormwater Management program is a multi-year program which has allowed the town to improve the condition of the town's storm sewer system, reduce the amount of pollutants that enter the stormwater system, and reduce the backlog of requests and complaints from residents regarding needed improvements to the storm sewer system. It is respectfully requested that the Council fund the design and construction of planned FY 2017 stormwater projects.

### Discussion/Analysis

In FY 16, stormwater funds were used to complete two major projects: Decker's Brook Maintenance (Phase 2) and outfall repairs in the area of Lighthouse Hill Road.

Stormwater management projects planned for FY 17 vary in scope and include items such as replacing old or damaged drainage structures, expanding the drainage network, repairing outfalls, dredging stormwater basins and ponds, and repairing and stabilizing sections of watercourses in town. Other initiatives to be taken with this funding include developing and implementing a program to reduce pollutants entering the storm sewer system, as well as developing and implementing other pollution prevention initiatives as required by the state Department of Energy and Environmental Protection's MS4 General Permit.

Currently, staff has identified the following work for FY 17 totaling \$305,000, including bond issuance costs:

- Decker's Brook Channel Maintenance \$30,000
- Materials Purchases for DPW work \$50,000
- Outfall Improvements \$150,000
- Detention Basin Improvements \$50,000
- Drainage Video Inspections \$10,000
- State DEEP Compliance Activities \$10,000
- Bond Issuance Costs \$ 5,000

### Financial Impact

The current unencumbered balance in the project fund is \$19,522. The requested FY 17 appropriation is \$305,000. Any unused fund balance at the end of FY 17 will be used on FY 18 stormwater projects. The average annual debt service on a \$305,000 bond issue, based on a 12 year term at 2.25% interest rate is \$29,000.

Other Board Action

None

Recommendations

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

1) Waiving of the Reading

**“RESOLVED, that the reading into the minutes of the text of the ordinance entitled “AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION” is hereby waived, the full text of the ordinance having been distributed to each member of the council and copies made available to those persons attending this meeting; and the full text of the ordinance be recorded with the minutes of this meeting.”**

2) Approve a Bond Ordinance

**“MOVE to approve a bond ordinance entitled “AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION.”**

Attachments

Bond Ordinance

**AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION**

BE IT HEREBY ORDAINED,

Section 1. That the Town of Windsor appropriate THREE HUNDRED FIVE THOUSAND DOLLARS (\$305,000) for costs in connection with the Stormwater Management Program, including engineering evaluations, the purchase of stormwater construction materials, minor and major repairs of the stormwater system such as outfall improvements at historic areas of concern, watershed analyses, maintenance and repairs to Decker's Brook, detention basin improvements, video inspection of drainage systems, activities required for compliance with the town's MS4 General Permit, and other related improvements. The appropriation may be spent for design, construction and installation costs, equipment, materials, engineering, inspection and consultant fees, land and easement acquisition, administrative costs, printing, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Town Council is authorized to determine the scope and particulars of the project and may reduce or modify the project scope, and the entire appropriation may be expended on the project as so reduced or modified.

Section 2. That the Town issue bonds or notes in an amount not to exceed THREE HUNDRED FIVE THOUSAND DOLLARS (\$305,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project and not separately appropriated to pay additional project costs. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed THREE HUNDRED FIVE THOUSAND DOLLARS (\$305,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.

Section 4. That the Town Manager and either the Treasurer or the Director of Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The Director of Finance shall keep a record of the bonds and notes. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and either the Treasurer or the Director of Finance are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be the certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and either the Treasurer or the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and either the Treasurer or the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or note to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

Section 7. That the Town Council, the Town Manager, the Treasurer, the Director of Finance, the Director of Public Works and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Bond Counsel

**ATTEST:**

\_\_\_\_\_  
Town Clerk

Distributed to Town Council	_____ 11/7/16 _____
Public Hearing Advertised	_____ 11/11/16 _____
Public Hearing	_____ 11/21/16 _____
Adopted	_____
Advertised	_____
Effective Date	_____

## Agenda Item Summary

Date: November 21, 2016

To: Honorable Mayor and Members of the Town Council

Prepared by: Jim Bourke, Finance Director

Reviewed by: Peter Souza, Town Manager 

Subject: Transfer of Capital Projects Funds

### Background

Staff is requesting that the Town Council close a number of capital projects that have been completed and to either transfer in full or part of the funds to the Capital Projects Fund Assigned Fund Balance.

### Discussion/Analysis

If the project closeouts (in full or partial) as outlined on Attachment A are approved, the total amount that will be transferred to the Capital Projects Fund Assigned Fund Balance is \$177,974. These funds will be available to help cash finance projects outlined in the FY17 – FY22 Capital Improvements Plan.

One project, Pigeon Hill Road Survey and Design, is recommended to have a partial transfer of funds in the amount of \$148,453.14. The remaining balance of \$22,000 is allocated for the widening a section of Pigeon Hill Road, immediately west of Lamberton Road. The design has been completed and prices have been solicited from Contractors. The road work required the relocation of overhead and underground utilities in the construction area. We are still awaiting the final relocation of an underground communication line. We expect to complete the widening work in the spring.

### Other Board Action

None

### Recommendations

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

**“MOVE that the projects listed on ‘Attachment A’ either be fully or partially closed out, and that the amount indicated for each account be transferred to the Capital Projects Fund Assigned Fund Balance.”**

### Attachments

Attachment A - Capital Projects Full and Partial Closeouts

**Attachment A**

Capital Projects - Full & Partial Closeouts - November 21, 2016

<u>Account #</u>	<u>Project Name</u>	<u>Project Balance</u>	<u>Transfer Amount</u>
<u>Full Closeouts</u>			
02440400-43180-9414	Deerfield & Sharshon Park Improvements	\$1,982.11	\$1,982.11
02440400-43180-9428	Heating System Conversions Phase II & III	\$31.17	\$31.17
02440400-43180-9456	Town Hall Windows	\$4,257.23	\$4,257.23
02660630-43180-9459	Tower Ladder Truck	\$128.82	\$128.82
02440400-43180-9463	Town Green Fountain	\$6,547.59	\$6,547.59
02440400-43180-9465	LPW Underground Pipe Replacement	\$6,666.00	\$6,666.00
02440400-43180-9466	Custer and Lancaster Park Playground	\$9,907.94	\$9,907.94
<u>Partial Closeout</u>			
02440400-43180-9412	Pigeon Hill Rd. Survey and Design	\$170,453.14	\$148,453.14
		<b>Total</b>	<b><u>\$177,974.00</u></b>

## Agenda Item Summary

Date: November 21, 2016

To: Honorable Mayor and Members of the Town Council

Prepared By: Robert A. Jarvis, Director of Public Works / Town Engineer

Reviewed By: Peter P. Souza, Town Manager 

Subject: Prospect Hill Road Reconstruction, Phase 2 – Rights of Way Activities

### Background

The Prospect Hill Road Reconstruction, Phase 2 project is the continuation of the Phase 1 pavement rehabilitation and streetscape improvements that were substantially completed in the fall of 2015. Phase 2 work would go from West Street to the intersection of Harvest Lane.

The Phase 2 project was selected for grant funding under the Connecticut Department of Transportation's (CT DOT) Local Transportation Capital Improvement Program (LOTICIP) in 2013. The LOTICIP Program provides 100% funding for the rights-of-way and construction phases of the project using state funds with the Town being responsible for the design costs.

The Phase 2 project includes similar roadway reconstruction elements and pavement cross-sections as the Phase 1 project. This includes a consistent 28-foot wide pavement section, with added storm drainage and curbing. A sidewalk along the north side of Prospect Hill Road, from West Street to Harvest Lane, is also included. The new sidewalk will complete the network from Poquonock Avenue to Northwest Park.

The final design for the project has been submitted to the Capitol Region Council of Governments (CRCOG) for final CT DOT review and approval for construction. Prior to CT DOT issuing approval to advertise the project, all rights-of-way activities must be completed in accordance with the LOTICIP guidelines.

### Discussion/Analysis

The CT DOT guidelines call for compensation to be offered for any permanent easement required. Phase 2 requires that one permanent easement be obtained at 240 Prospect Hill Road. The easement needed at 240 Prospect Hill Road is an easement to slope for the support of the roadway along the property. The easement is needed in order to grade the land adjacent to the project in a manner which supports the long-term integrity of both the new sidewalk and roadway. All other rights requested from project abutters are temporary rights and therefore do not require financial compensation.

An appraisal of the permanent easement value was completed in accordance with CT DOT Rights of Way Guidelines and resulted in a value of \$9,000. Town staff has discussed the easement and compensation with the property owner, and the property owner has accepted the offer and is prepared to sign the easement document upon the receipt of Town approvals. This compensation, associated staff time attributable to the acquisition, and other associated legal fees would be reimbursable from the CT DOT under the existing Master Municipal Agreement (MMA) for Rights of Way Projects between the town and the CT DOT. Under terms of the MMA, a Project Authorization Letter (PAL) is issued for each individual project.

At this time, Council is being requested to authorize the signature of the PAL for the Phase 2 project as well as to accept the easement needed at 240 Prospect Hill Road. Upon approval of these items, CT DOT will be able to authorize the construction phase of the project.

#### Financial Impact

At the time the town received the Commitment to Fund letter from the CT DOT for the project, rights of way activities were estimated to cost \$100,000. Therefore the PAL received identifies reimbursement available to the town in the amount of \$100,000. Estimated costs associated with the easement at 240 Prospect Hill Road is approximately \$12,000 which includes both the \$9,000 property owner compensation plus staff time attributable to the project and associated legal fees. Initial payment of the \$9,000 property owner compensation and legal fees would be covered through the existing funds for the project appropriated in December 2015.

Upon written acknowledgement of the PAL, the town would submit a request for CT DOT reimbursement for these costs.

#### Other Board Action

The Town Planning & Zoning Commission recommended the acceptance of the easement at its regularly scheduled meeting of November 9, 2016.

#### Recommendations

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

#### Item 12 (b) - Authorize Town Manager to sign Project Authorization Letter

**“RESOLVED, that Peter Souza, Town Manager, be authorized to sign the Project Authorization Letter for the Reconstruction of Prospect Hill Road (phase 2) Project, Project No. L164-002, under Master Agreement No. 3.31-01(15).”**

#### Item 12 (c) Accept the Easement to Slope for the Support of the Roadway at 240 Prospect Hill Road

**“MOVE to accept the Easement to Slope for the Support of the Roadway at 240 Prospect Hill Road as shown on the map entitled, ‘Map Showing Easement Acquired from Peter S. and Deanna M. Tyszka, 240 Prospect Hill Road, by Town of Windsor, Reconstruction of Prospect Hill Road – Phase 2, Scale 1” = 20’, dated October 2016.”**

#### Attachments

Project Authorization Letter  
Easement Map



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone: (860) 594-2701

September 21, 2016

Mr. Peter P. Souza  
Town Manager  
Town of Windsor  
275 Broad Street  
Windsor, Connecticut 06095

Dear Mr. Souza:

Subject: **Project Authorization Letter**  
Local Transportation Capital Improvement Program (LOTICIP)  
Reconstruction of Prospect Hill Road  
Town of Windsor  
State Project No. L164-0002  
Master Agreement No. 3.31-01(15)  
CORE ID No. 15DOT0217AA

On April 7, 2015 the State of Connecticut, Department of Transportation (DOT) and the Town of Windsor (Municipality) entered into the Master Municipal Agreement for Rights of Way Projects (Master Agreement) noted above. This Project Authorization Letter (PAL) is issued pursuant to the Master Agreement. The capitalized terms used in this PAL are the same as those used in the Master Agreement.

The Town of Windsor is responsible for the Administration of the Rights of Way Project and agrees to comply with the right of way procedures outlined in the LOTICIP guidelines.

The Rights of Way Project consists of Reconstruction of Prospect Hill Road.

Funding for the Rights of Way Project is provided under the Local Transportation Capital Improvement Program (LOTICIP), and right of way costs are estimated at One Hundred Thousand Dollars (\$100,000.00) as shown in the DOT's "commitment to fund" letter dated June 12, 2015, and accepted by you on June 29, 2015. If eligible right of way costs should exceed this amount, the final right of way reimbursement is subject to approval by the Department.

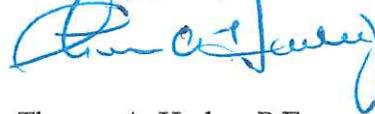
RECEIVED  
WINDSOR, CT  
2016 SEP 29 A 9:16

The Municipality shall provide a statement that any property acquired or incorporated into the Rights of Way Project shall be used for transportation purposes only and that such provision shall survive the PAL Agreement, the completion of the Rights of Way Project and the completion of any related construction project.

Please indicate your concurrence with the PAL by signing below on or before October 5, 2016, and returning a copy to the DOT's Authorized Representative. The signature of the Designated Municipal Official evidences the Municipality's concurrence with the PAL and constitutes the Written Acknowledgement of the PAL. You may submit the Written Acknowledgement of the PAL to the DOT's Authorized Representative in hard copy or by facsimile or electronic transmission. The Master Agreement and the PAL will be incorporated into one another in their entirety and contain the legal and binding obligations of the Municipality with respect to the Rights of Way Project.

If you have any questions, please contact Mr. Douglas M. Hummel, SR/WA, Rights of Way Project Coordinator, at (860) 594-2441.

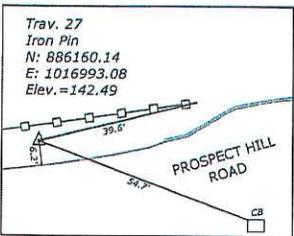
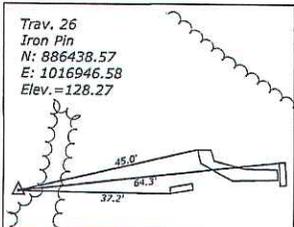
Very truly yours,



Thomas A. Harley, P.E.  
Bureau Chief  
Bureau of Engineering and Construction

MUNICIPALITY'S ACKNOWLEDGEMENT OF PAL

Concurred By \_\_\_\_\_ Date \_\_\_\_\_  
Peter P. Souza, Town Manager



Control Tie  
Not to Scale

**PETER S. & DEANNA M. TYSZKA**

EASEMENT TO SLOPE FOR THE SUPPORT OF THE ROADWAY ACQUIRED  
EASEMENT AREA = 1880± SF

RIGHT TO RECONSTRUCT DRIVEWAY ACQUIRED  
RIGHT AREA = 2280± SF

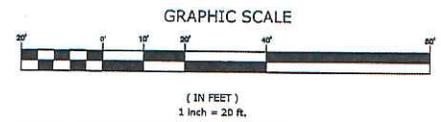
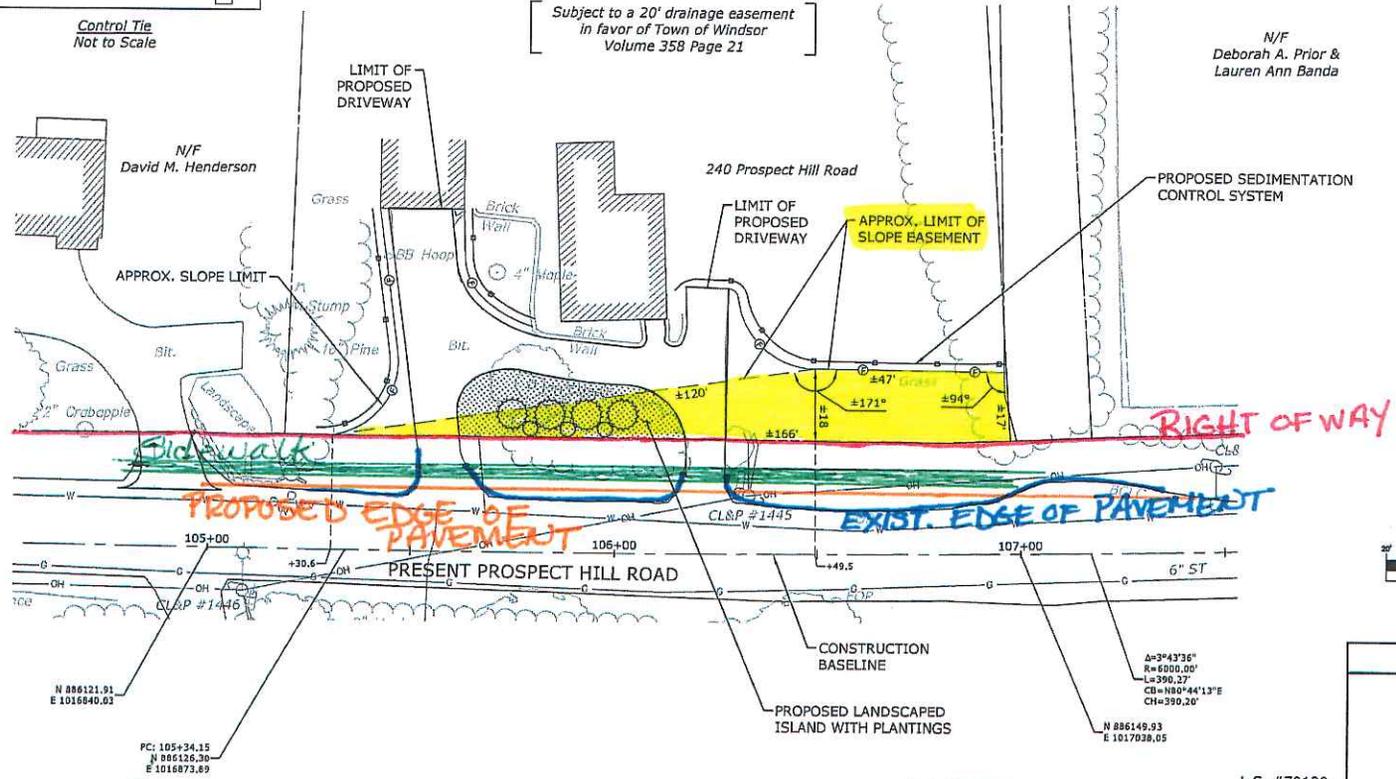
RIGHT TO INSTALL SEDIMENTATION CONTROL SYSTEM ACQUIRED  
RIGHT LENGTH = 200± LF

RIGHT TO INSTALL TREES AND SHRUBS ACQUIRED

Subject to a 20' drainage easement in favor of Town of Windsor  
Volume 358 Page 21

**NOTES:**

- THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300B-1 THRU 20-300B-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A RIGHT OF WAY SURVEY WITH THE BASELINE CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND IS INTENDED TO BE USED TO DEPICT THE LIMITS OF ACQUISITION FOR THE PROJECT REFERENCED HEREON. THE FEATURES DEPICTED HEREON ARE THE RESULT OF FIELD LOCATION SURVEYS PERFORMED FOR PROJECT PLANNING PURPOSES. THE STREET LINES DEPICTED CONFORM TO CLASS A-2 ACCURACY. THE PROPERTY LINES DEPICTED CONFORM TO CLASS D ACCURACY. THEY HAVE BEEN COMPILED FROM VARIOUS SOURCES AND ARE NOT TO BE CONSTRUED AS BEING OBTAINED AS THE RESULT OF A FIELD SURVEY, NOR DO THEY REPRESENT A PROPERTY/BOUNDARY OPINION.
- NORTH ARROW AND BEARINGS ARE BASED UPON THE CONNECTICUT COORDINATE SYSTEM (NAD 1983).
- REFERENCE IS HEREBY MADE TO THE FOLLOWING MAPS:
  - CONSTRUCTION PLANS ENTITLED: RECONSTRUCTION OF PROSPECT HILL ROAD - PHASE 2 LOTCIP PROJECT NO. L164-002



**RIGHT OF WAY SURVEY**

TOWN OF WINDSOR  
MAP SHOWING EASEMENT ACQUIRED FROM  
**PETER S. & DEANNA M. TYSZKA**  
240 PROSPECT HILL ROAD  
BY  
TOWN OF WINDSOR  
RECONSTRUCTION OF PROSPECT HILL ROAD - PHASE 2

SCALE: 1" = 20'  
OCTOBER 2016

ROBERT A. JARVIS, P.E., TOWNSHIP ENGINEER  
WINDSOR, CONNECTICUT

Drawn By NJJ Date OCT 2016  
Checked By MJJ Date OCT 2016  
File: SERIAL\_NO.1.DWG

DATE	REVISION	REQ. BY

VOID WITHOUT LIVE SIGNATURE AND EMPRESSED SEAL

L.S. #70120

TOWN NO. 164  
PROJECT NO. L164-002  
SERIAL NO. 01  
SHEET 1 OF 1

TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Michael Mansfield, L.S.  
Milone & MacBroom, Inc.  
TITLE Chief of Survey  
DATE \*\*\*\*\* \*\* 2016

## Agenda Item Summary

Date: November 21, 2016

To: Honorable Mayor and Members of the Town Council

Prepared By: Peter Souza, Town Manager 

Subject: Metropolitan District Commission

### Background

Windsor is a member of the Metropolitan District Commission which provides regional water and sewer services. The MDC's budget is essentially divided into two major parts; water treatment / distribution and sanitary sewer collection / treatment. The district has the authority to levy a tax upon the member municipalities to finance the operational and capital budget of the General Fund relating to the sewer system and also has the power to establish rates for the use of water to finance the operational and capital budget relating to water supply, treatment and distribution.

The method of taxing or assessing member towns is established in the MDC's charter. The tax is divided among the member towns in proportion to the total revenue each town received from property taxation, as averaged over the prior three years.

Due to the fact that the MDC budget operates on a calendar year while towns' fiscal years are July to June, the quarterly payments from the towns to MDC are unbalanced. The amount of the tax due in the first half of 2017 will be equal to 50% of the total 2016 MDC tax levy. This amount, when paid, will be subtracted from the total 2017 levy with the balance being the amount due in the first two quarters of each town's 2017-2018 fiscal year (July 2017 and October 2017.)

MDC staff has presented their proposed 2017 budget to the District Board of Directors. To date there has been two public hearings and the full Board of Directors is scheduled to adopt a budget on December 5<sup>th</sup>.

### Discussion/Analysis

The proposed sewer portion of the MDC budget, not including the proposed creation of a reserve or contingency and if adopted as is, would increase the Windsor's FY 2018 ad valorem sewer assessment by approximately \$340,000, nearly a 10% increase over our current year appropriation.

In addition to the regular ad valorem sewer assessment, the MDC staff has proposed to establish a reserve or contingency fund to account for a possible shortfall in payments due to Hartford's deficit budget projections. Hartford's assessment is 26% of the total ad valorem sewer assessment for all member towns combined.

The primary recommendation from MDC staff is to levy an additional ad valorem sewer assessment on member towns. Based on the proposed budget, Windsor's share of the "reserve assessment" would be approximately \$1.3 million for our Fiscal Year 2018. As currently outlined, the additional assessment would be due in July 2017 and October 2017, the first two quarters of our fiscal year 2018.

Obviously, creating a reserve to cover the potential loss of Hartford's assessment would be burdensome for each of the member towns.

Since the MDC staff proposed their budget, the City of Hartford has stated they are projecting that they will be able to make the January 2017 and April 2017 ad valorem payments. This information alone could allow the proposed 'reserve assessment' to be reduced by roughly 50%. As an alternative to a 'reserve assessment,' member towns have asked MDC to consider the option of issuing or selling *Tax Anticipation Notes*. Although MDC staff and financial advisors do not feel this alternative is feasible, if it is, it would reduce the short-term burden on member towns and provide time for the City of Hartford, the region and General Assembly to develop and act on a longer term plan.

In terms of the water rates, including the so-called Clean Water project charge, they are proposed to increase as well. The proposed rates increase the water consumption charge from \$2.66 per CCF to \$2.77 per CCF, the residential customer service charge would increase by \$4.50 per quarter and the Clean Water project charge is slated to increase by \$0.25 per CCF. For a residential user consuming 100 CCF of water per year, the proposed increases would be 7.17% higher than current levels.

#### Financial Impact

The proposed sewer portion of the MDC budget, not including the proposed creation of a reserve or contingency and if adopted as is, would increase Windsor's FY 2018 ad valorem sewer assessment by approximately \$340,000, nearly a 10% increase over our current year appropriation.

In FY 17 we've budgeted approximately \$130,000 for water usage between both general fund and special revenue accounts. Applying a 7.2% rate increase would result in an approximate \$9,000 increase in FY 18.

After preliminary discussions with our Financial Advisor as well as our external auditor, we would likely show any additional 'reserve assessment' as an assignment against the General Fund Unassigned Fund Balance and request the Town Council to consider a supplemental appropriation(s) if Hartford is unable to make payments in FY 2018.

#### Other Board Action

None

#### Recommendations

This item is presented for discussion purposes, and if desired, for the Town Council to provide direction and guidance to town staff and appointed Windsor representatives the MDC's Board of Directors.

#### Attachments

MDC Proposed FY 17 budget

## Agenda Item Summary

Date: November 21, 2016

To: Honorable Mayor and Members of the Town Council

Prepared by: Jonathan Luiz, Assistant Town Manager

Reviewed by: Peter Souza, Town Manager 

Subject: Authorization to Submit Open Space Grant Application

### Background

The State of Connecticut Department of Energy and Environmental Protection (DEEP) is accepting applications through February 2, 2017 for the Open Space and Watershed Land Acquisition Grant program (Grant). The highly competitive grant provides financial assistance to municipalities to acquire land for open space preservation. Awards are made to projects that offer the highest conservation and passive recreation value, and that leverage the greatest percentage of private and municipal funding.

### Discussion/Analysis

The former Traditions Golf Club – a 95-acre parcel located at 147 Pigeon Hill Road (Property) has been identified as property to consider submitting for Grant funding. The Mill Brook, which flows directly into the Farmington River, runs through the parcel. The Town's Plan of Conservation and Development identifies the Property as desired open space. Its acquisition would provide opportunity for the preservation of a large tract of open space in close proximity to residential neighborhoods and Town Center, improved water quality protection, opportunities to better manage storm water, and passive recreation opportunities such as walking paths, hiking trails, sledding and pavilion use.

The DEEP prefers that Grant applicants have the required matching share available, as well as two completed appraisals, title work and surveys. Prior to submittal of a grant application the town would need to enter into negotiations to acquire the property with various contingencies, such as funding approval and completion of acceptable environmental assessments.

The State may approve a grant award up to 65% of fair market value, although implementation of an administration grant award cap is possible. At this time, no such cap has been announced.

### Financial Impact

The Open Space Fund currently has an available balance of \$700,000 including the FY 2017 General Fund contribution of \$200,000.

The DEEP may approve a grant award up to 65% of fair market value, although implementation of an administration grant award cap is possible. At this time, no such cap has been announced.

The cost to update the two appraisals for the property are expected to cost less than \$10,000. The costs would be paid from the Open Space Fund.

Other Board Action

None

Recommendations

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

**“MOVE to authorize the Town Manager to submit an open space grant application to the State of Connecticut Department of Energy and Environmental Protection for the purchase of 147 Pigeon Hill Road.”**

Attachments

None

**Town Council**  
**Resignations/Appointments/Reappointments**  
**November 21, 2016**

**Resignations**

None

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

- A.     One *Democratic* Member  
Constable  
Two Year Unexpired Term to expire December 30, 2017 or until a successor is appointed  
(Ina Forman – VACANT)

**“MOVE to APPOINT Lawrence Jaggon as a Democratic member as Constable for the Town of Windsor for a two year unexpired term to expire December 30, 2017 or until a successor is appointed.”**

**Names submitted for consideration of appointment**

None

**Town Council  
Council Chambers  
Windsor Town Hall  
November 7, 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 Kenneth Wilkos, Councilor James Govoni, and Councilor Bernard Petkis.

**2) PRAYER** – Councilor Petkis prayed.

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

**4) PROCLAMATIONS/AWARDS** – None.

**5) PUBLIC COMMUNICATIONS AND PETITIONS**

Coralee Jones of 1171 Matianuck Avenue expressed her opinion that the proposed name change for Northwest Park would not have a significant legal impact. She also urged town officials to attend the upcoming meeting of the Metropolitan District Commission (MDC).

Michelle Vannelli of 1152 Poquonock Avenue spoke against Windsor providing financial support to the MDC in consideration of Hartford's financial problems.

Bonnie Karkowski of 1852 Poquonock Avenue spoke against Windsor providing financial support to the MDC in consideration of Hartford's financial problems.

**6) REPORT OF APPOINTED BOARDS AND COMMISSIONS**

a) Board of Education (BOE)

BOE Secretary Richard O'Reilly said parking at the schools would not be an issue on Election Day. He provided information about the Windsor food service as well as the various Veteran's Day activities that will be taking place at the Windsor schools. Mr. O'Reilly said that the BOE has started its budget process. He encouraged members of the public to share suggestions about process improvements to members of the BOE as well as to the Superintendent. He said that the next BOE meeting is scheduled to take place on November 15<sup>th</sup> at 7:00 p.m.

Councilor Jenkins inquired about how the district's food program utilizes the federal grant dollars received. Mr. O'Reilly said the dollars offset the cost of running the program.

Councilor Govoni praised Kelvan Kearse for his work at the schools. He inquired about the possibility of having no smoking signs put up on the school properties.

b) Windsor Housing Authority (WHA)

Chair Elizabeth Kenneson introduced WHA Board member Robert Mack and Executive Director Jermika Williams. She provided an overview of the WHA's function and makeup. Executive Director Williams discussed the WHA's property inventory. She discussed energy efficiencies achieved at Fitch Court and the grant receipt of \$4.38 million for the rehabilitation of 60 units at Millbrook Village.

Councilor Govoni asked if Fitch Court's parking lot is being paved. Executive Director Williams said yes.

Deputy Mayor Terranova offered her congratulations on the grant award and asked where residents will reside while renovations of Millbrook Village are taking place. Executive Director Williams said that residents would be relocated to another site on the Millbrook Village campus during construction.

## 7) TOWN MANAGER'S REPORT

Councilor Govoni asked if there is any talk of Hartford paying communities back once the City gets back on its feet again. Town Manager Souza said that is part of the discussions taking place with the MDC. Councilor Govoni explained that the more he learns about the MDC, the more he thinks that Windsor's hands are tied with respect to what the town can do with the agency.

Councilor Simon asked what the Town's fund balance is right now. Town Manager Souza said that as of June 30, 2016, the unaudited dollar amount is \$19.6 million or 17.7%. Councilor Simon said use of the fund balance would not harm Windsor.

Councilor Simon asked if Windsor's contribution to the MCD in consideration of Hartford's financial challenges would be a one-time payment or a yearly payment. Town Manager Souza said it could be a two to three year shortfall, depending on what the complete solution is by the General Assembly.

Mayor Trinks asked if MDC member towns are seeking relief from the General Assembly. Town Manager Souza said that the focus has been on what the General Assembly can do this session to help Hartford deal with having only 50% of its properties being taxable. Town Manager Souza said an idea is being explored to raise the state sales tax for purposes of providing financial support to Hartford and other cities that are struggling.

Mayor Trinks said a good percentage of MDC representatives are from communities other than Hartford, so he would be surprised if the concept of towns providing financial help to Hartford becomes a reality. Town Manager Souza said that the only way the MDC could make the financial assessment happen is if the MDC billed the member towns through a tax warrant that would include a levy amount sufficient to cover Hartford's potential shortfall.

Town Manager Souza said the MDC's available Sewer Fund/General Fund has about \$7.5 to \$7.7 million available in undesignated funds.

Councilor Jepsen called for MDC representatives to be electable and accountable. He spoke against the ad-valorem payment made by municipalities. He also said regionalization is not the answer, but that the General Assembly needs to help Hartford.

Mayor Trinks asked what comes next. Town Manager Souza said member towns are trying to come up with a reasonable solution before Thanksgiving. He said that aside from the ad-valorem piece of the budget (and associated reserve), the sewer general fund budget will be examined to see if it can be adjusted down.

Mayor Trinks suggested that the MDC representatives from Windsor come before the Town Council to discuss the matter.

## **8) COMMUNICATIONS FROM COUNCIL MEMBERS**

Councilor McKenney reminded people to vote tomorrow.

Councilor Petkis read aloud a writing about the importance of voting. He encouraged residents to vote.

Councilor Simon stated that the Town Council has asked for its representative to the MDC to provide quarterly reports to the Town Council.

Councilor Govoni – nothing tonight.

Councilor Jenkins made an appeal for the community to consider donating to the Windsor Food Bank.

Councilor Wilkos thanked residents for speaking about the MDC tonight. He said the Town Council will monitor the situation closely.

Deputy Mayor Terranova – nothing tonight.

Councilor Jepsen – nothing tonight.

Mayor Trinks encouraged people to vote.

## **9) REPORTS OF STANDING COMMITTEES**

Town Improvements Committee – None

Health & Safety Committee – Councilor Jenkins said that the Committee met on October 26<sup>th</sup> for the purpose of discussing the police traffic stop data. She said the Committee will continue to review additional data in a more in-depth fashion. Councilor Jenkins said the Committee also discussed the possibility of the community holding a gun buy-back event in the future.

Joint Town Council/Board of Education Committee – None

Personnel Committee – Deputy Mayor Terranova said Personnel has not met since the last Town Council meeting.

Special Projects Committee – None

Finance Committee – Deputy Mayor Terranova said Finance has not met since the last Town Council meeting.

**10) ORDINANCES** – None

**11) UNFINISHED BUSINESS** – None

**12) NEW BUSINESS**

- a) Reject collective bargaining contract with Windsor School Administrators' Association for the period of July 1, 2017 to June 30, 2020

Deputy Mayor Terranova MOVED and Councilor Wilkos seconded to reject the Memorandum of Agreement between the Windsor Board of Education and the Windsor School Administrators' and Supervisors' Association.

Assistant Superintendent for Human Resources, Terrell Hill, provided highlights of the proposed contract.

Councilor Jepsen asked if sabbaticals would not be allowed anymore. Assistant Superintendent Hill said the Board of Education could still allow a sabbatical.

Councilor Jepsen said he would abstain from voting on this matter because he thinks the state arbitration laws make the vote silly.

Councilor Simon expressed his desire for the motion to be removed from consideration.

Councilor Jenkins said she would like to vote on the motion.

Councilor McKenney said he feels that the presentation of information about the contract is worthwhile, since many people criticize the budget process as lacking information.

Motion Failed 0-7-2 (Councilors Simon and Jepsen abstaining)

- b) Introduce a bond ordinance entitled, "AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION."

Councilor Jepsen MOVED and Councilor McKenney seconded the adoption of the following resolution: "RESOLVED, that the reading into the minutes of the text of the ordinance entitled "AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION" is hereby waived, the full

text of the ordinance having been distributed to each member of the council and copies made available to those persons attending this meeting; and the full text of the ordinance be recorded with the minutes of this meeting.”

Motion Passed 9-0-0

Councilor Jepsen MOVED and Councilor Jenkins seconded to introduce a bond ordinance entitled “AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION” is hereby waived, the full text of the ordinance having been distributed to each member of the council and copies made available to those persons attending this meeting; and the full text of the ordinance be recorded with the minutes of this meeting.”

At Town Manager Souza’s request, Town Engineer / Public Works Director Bob Jarvis provided an overview of the proposed project.

Motion Passed 9-0-0

- c) Set a public hearing for November 21, 2016 at 7:20 PM for a bond ordinance entitled, “AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION.

Councilor Jepsen MOVED and Deputy Mayor Terranova seconded to adopt the following resolution “RESOLVED that a Public Hearing be set for November 21, 2016 at 7:20 p.m. (prevailing time) to approve or disapprove the foregoing ordinance entitled “AN ORDINANCE APPROPRIATING \$305,000 FOR COSTS IN CONNECTION WITH STORMWATER MANAGEMENT IMPROVEMENTS; AND AUTHORIZING THE ISSUE OF \$305,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION” and BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to post and publish notice of said Public Hearing.”

Motion Passed 9-0-0

- d) Approve appropriation of \$99,000 from the Capital Projects Fund Assigned Fund Balance for design of Oliver Ellsworth School HVAC project

Councilor Wilkos MOVED and Councilor McKenney seconded to approve an appropriation of \$99,000 from the Capital Projects Fund Assigned Fund Balance for the Oliver Ellsworth School HVAC Improvements project.

At Town Manager Souza’s request, Town Engineer / Public Works Director Bob Jarvis provided an overview of the agenda item.

Councilor Jepsen asked how the leaking boilers would be addressed in this project. Facilities Manager White Przech said the two boilers would both be replaced. Councilor Jepsen inquired about the age of the existing boilers. Mr. Przech provided information about the age of the boilers.

Councilor Wilkos inquired about the extent of failing equipment. Mr. Przech explained that given the age of the equipment, it is time to replace the equipment now or risk a catastrophic failure.

Motion Passed 9-0-0

- e) Approve appropriation of \$65,000 from the FY17 Community Investment Initiative for acquisition of a Dial-A-Ride replacement van.

Councilor Jepsen MOVED and Councilor Wilkos seconded to approve the purchase of a replacement bus to serve Windsor's elderly and/or disabled residents, and to approve the transfer of \$65,000 from the Community Investment Initiative fund to fund a project entitled, Senior Transportation Bus Replacement."

At Town Manager Souza's request, Senior Transportation Coordinator Ryan Deneen provided an overview of the agenda item.

Councilor Govoni said he would support the motion and expressed his gratitude for the great job that is being done by staff with seniors and senior transportation.

Councilor Jenkins said she would support the motion because it is a great opportunity for seniors to continue to enjoy the town they have supported for so long.

Motion Passed 9-0-0

- f) Approve collective bargaining contract with Windsor Police Department Employee Association for the period of July 1, 2016 to June 30, 2019

Councilor Jepsen MOVED and Deputy Mayor Terranova seconded to approve the collective bargaining agreement between the Town of Windsor and the Windsor Police Department Employee Association for the period of July 1, 2016 through June 30, 2019.

At Town Manager Souza's request, Town Attorney Kevin Deneen and Police Chief Donald Melanson discussed the significant impacts of the proposed union contract.

Councilor Wilkos asked if the contract would prohibit officers from smoking at all times. Chief Melanson said yes, except for special events such as the birth of a child or a wedding.

Councilor Wilkos asked how the officers feel about the changes regarding scheduling changes. Chief Melanson explained that he thinks the majority of officers support it, but the agreement does allow for a review of the scheduling change.

Motion Passed 8-0-1 with Councilor Petkis abstaining from vote.

- g) Town Manager performance review

Councilor Jepsen MOVED and Deputy Mayor Terranova seconded that the Town Manager be granted a two per cent salary increase effective November 1, 2016.

Deputy Mayor Terranova explained the process for evaluating the performance of the Town Manager. Councilor Jepsen said he thinks this year's evaluation was probably the best that has ever been done by the Town Council.

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

### **13) RESIGNATIONS AND APPOINTMENTS**

Deputy Mayor Terranova MOVED and Councilor Jepsen seconded the following:

- Accept the resignation of David Davis from the Conservation Commission.

Motion Passed 9-0-0.

Deputy Mayor Terranova MOVED and Councilor Jepsen seconded the following:

- Appointment of 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.
- Reappointment of 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.
- Reappointment of 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.

Motion Passed 9-0-0

### **14) MINUTES OF PRECEDING MEETINGS**

- a) Minutes of the October 17, 2016 Regular Town Council meeting

Councilor Jepsen MOVED and Councilor Jenkins seconded to approve the unapproved minutes of the October 17, 2016 Regular Town Council meeting as presented.

Motion Passed 9-0-0

- b) Minutes of the October 17, 2016 Public Hearing (lease of Luddy Carriage House)

Councilor Jepsen MOVED and Councilor Jenkins seconded to approve the unapproved minutes of the October 17, 2016 Public Hearing (lease of Luddy Carriage House) as presented.

Motion Passed 9-0-0

### **15) PUBLIC COMMUNICATIONS AND PETITIONS**

Coralee Jones of 1171 Matianuck Avenue expressed her opinions about the MDC collecting money from its member towns in consideration of the City of Hartford's financial situation.

### **16) EXECUTIVE SESSION**

- a) Discussion of the selection of a site or a lease, sale or purchase of real estate

Councilor Jepsen MOVED and Councilor Jenkins seconded to enter into executive session to discuss the selection of a site or a lease, sale or purchase of real estate.

Motion Passed 9-0-0 at 9:16 p.m.

All Councilors entered into executive session in the Town Council Support Room, along with Town Manager Souza.

Councilor Jepsen MOVED and Deputy Mayor Terranova seconded to leave executive session and to enter regular session.

Motion Passed 6-0-0 at 10:20 p.m. (Councilors Govoni, Jenkins and Simon left the room prior to vote.)

### **17) ADJOURNMENT**

Councilor Wilkos MOVED and Councilor Jepsen seconded to adjourn the meeting.

Motion Passed 9-0-0 at 10:21 p.m.

Respectfully Submitted,

Jonathan Luiz  
Assistant Town Manager