



Council Agenda

Council Chambers
Windsor Town Hall
February 4, 2019



7:15 PM Public Hearing

To hear public comment on:

- Fiscal Year 2020 budget development
- An ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS."

7:30 PM Regular Council Meeting

1. ROLL CALL
2. PRAYER – Councilor Govoni
3. PLEDGE OF ALLEGIANCE – Councilor Govoni
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) *Approve an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS." (Town Manager)
12. NEW BUSINESS
 - a) *Approve a resolution establishing tax payment deferment program for Federal employees (Town Manager)



- b) *Introduce a bond ordinance entitled, "AN ORDINANCE APPROPRIATING \$850,000 FOR COSTS IN CONNECTION WITH PURCHASING A FIRE PUMPER ENGINE; AND AUTHORIZING THE ISSUE OF \$350,000 BONDS AND NOTES AND \$500,000 FROM THE FISCAL YEAR 2019 GENERAL FUND CAPITAL BUDGET TO FINANCE THE APPROPRIATION." (Town Manager)
- c) *Set a Public Hearing for February 19, 2019 at 7:20 PM (prevailing time) to hear an ordinance entitled, "AN ORDINANCE APPROPRIATING \$850,000 FOR COSTS IN CONNECTION WITH PURCHASING A FIRE PUMPER ENGINE; AND AUTHORIZING THE ISSUE OF \$350,000 BONDS AND NOTES AND \$500,000 FROM THE FISCAL YEAR 2019 GENERAL FUND CAPITAL BUDGET TO FINANCE THE APPROPRIATION." (Town Manager)
- d) *Approve Redevelopment Priority Property list (Town Manager)
- e) Consider a settlement for 184 Windsor Ave, LLC vs Town of Windsor (Town Manager)

13. *RESIGNATIONS AND APPOINTMENTS

14. MINUTES OF PRECEDING MEETINGS

- a) *Minutes of the January 22, 2019 Public Hearing
- b) *Minutes of the January 22, 2019 Regular Town Council Meeting

15. PUBLIC COMMUNICATIONS AND PETITIONS
(Three minute limit per speaker)

16. EXECUTIVE SESSION

- a) Strategy and negotiations with respect to pending claims and litigation (184 Windsor Ave, LLC vs Town of Windsor)

17. ADJOURNMENT


★Back-up included

Agenda Item Summary

Date: February 4, 2019

To: Honorable Mayor and Members of the Town Council

Prepared by: Jim Bourke, Finance Director

Reviewed by: Peter Souza, Town Manager 

Subject: Property Tax Relief for Elderly and/or Disabled Homeowners Ordinance

Background

In 2006, the Town Council adopted an ordinance that provides a tax credit for Windsor homeowners who are elderly or totally disabled and whose incomes do not exceed certain limits. This ordinance, known as the local Property Tax Relief for Elderly and/or Disabled Homeowners, provides benefits in addition to tax credits available under a similar state authorized program. On January 7, 2013 the Town Council amended the ordinance to increase the local benefit from 20% to 40% of the state benefit and to increase the upper qualifying income level for the local benefit to \$43,500, in order to exceed qualifying incomes limits as set forth under the State program.

Presently a total of 401 households receive benefits under the overall elderly and / or disabled property tax relief program. 63 of these households have incomes between the State income limit and the town program income limits.

Discussion/Analysis

The Town's qualifying local income limit for eligibility has been greater than the State's limit since being reset in 2013. This allows for eligible participants to take advantage of both programs if they meet the qualifying income criteria, or to at least receive the local benefit should their income be greater than the State's income limit but still under the Town's.

Each year the State adjusts its qualifying income limit based on the annual Social Security cost of living adjustment. The State of Connecticut Office of Policy & Management has notified towns that the qualifying income limit for the State program as of the 2018 grand list will increase to \$36,000 for single households and \$43,900 for married households. This places the upper limit for married households under the State program higher than the Town's current limit of \$43,500. Therefore, the local benefit would be denied to married applicants if the local qualifying income limit is not adjusted upwards above the State's program limit.

It is recommended that the local qualifying income limit be increased to \$49,500, which is what the limit would currently be had the Town been making the same COLA adjustments as the State over the last several years. Town staff is also recommending that the language in Town ordinance section 5-17 (b)(2)(ii) be simplified to allow for the local qualifying income limit to automatically index to the State cost of living adjustment as part of an annual administrative process.

Financial Impact

Currently the value of the local option is \$92,272. \$79,912 of this amount is related to those households meeting state program income levels and \$15,360 is for those above the state level, but within the town's maximum income level. Although it is difficult to provide a precise cost estimate related to the

proposed increase in the local qualifying income limits, as we do not have detailed household income data by household age, it is not anticipated the amount allocated in the FY 19 budget will need to be increased.

Other Board Action

None

Recommendation

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 AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS” is hereby waived, the full text of the ordinance having been distributed to each member of the Council and copies being made available to those persons attending this meeting; and the full text of the ordinance be recorded with the minutes of this meeting.”

- 2) Approve an Ordinance

“MOVE to approve an ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS.”

Attachments

Red-lined version of current ordinance

Proposed amended ordinance

Red-Lined Version

Property Tax Relief
for Elderly and/or
Disabled
ordinance

**CHAPTER 5
ARTICLE XV11**

**AN ORDINANCE ADOPTING CONNECTICUT GENERAL STATUTES
SECTION 12-129n TO PROVIDE PROPERTY TAX RELIEF FOR ELDERLY
AND/OR DISABLED HOMEOWNERS.**

Sec. 5-17. Property tax relief for elderly and/or disabled homeowners.

(a) Pursuant to the authority granted under Connecticut General Statutes section 12-129n, as amended, the tax relief for elderly and/or disabled homeowners provided under said statute is hereby adopted, extended and supplemented by the town council as follows.

(b) The qualifications for the property tax relief provided by this section shall be as follows:

(1) Applicants must be a resident of the town who are:

(i) Sixty-five years of age or over or whose spouse, living with them, is 65 years of age or over, or 50 years of age and the surviving spouse of a taxpayer who has qualified under this section at the time of their death, and with respect to real property in which such resident or their spouse is liable for taxes under Connecticut General Statutes section 12-48.

(ii) Applicants under age 65 must be eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or have not been engaged in employment covered by Social Security and accordingly have not qualified for benefits thereunder, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teacher's retirement plan, in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirement under Social Security.

(iii) Applicants must have been a taxpayer of the town for one year immediately preceding their receipt of tax benefits under this section.

(iv) Applicants must own and occupy the dwelling of the property subject to tax relief for at least 183 days per year for the property to qualify as the taxpayer's principal residence.

(v) Applicants and/or their spouses shall have individually, if unmarried, or jointly, if married, adjusted gross income, as shown on Internal Revenue Service Form 1040, (if filed) Social Security benefits, and all other forms of income including but not limited to interest, dividends, annuities, pensions, retirement allowances hereinafter called "qualifying income", during the calendar year preceding the filing of their application in accordance with the guidelines set forth below.

(vi) Such other conditions, qualifications, standards and procedures as set forth in the Connecticut General Statutes, as may be amended and this section.

(2) (i) For the October 1, ~~2008-2018~~ Grand List, local tax credits shall be provided by the Town in accordance with the following income and credit guidelines:

<i>Qualifying Income</i>	Marital Status	Local Tax Credit = % of State Benefit
\$0 - \$16,700 <u>18,100</u>	Married	40%
\$0 - \$16,700 <u>18,100</u>	Single	40%
\$16,701 <u>18,101</u> - \$22,500 <u>24,200</u>	Married	40%
\$16,701 <u>18,101</u> - \$22,500 <u>24,200</u>	Single	40%
\$22,501 <u>24,201</u> - \$28,100 <u>30,200</u>	Married	40%
\$22,501 <u>24,201</u> - \$28,100 <u>30,200</u>	Single	40%
\$28,101 <u>30,201</u> - \$33,500 <u>36,000</u>	Married	40%
\$28,101 <u>30,201</u> - \$33,500 <u>36,000</u>	Single	40%
\$33,501 <u>36,001</u> - \$40,900 <u>43,900</u>	Married	40%
\$33,501 <u>36,001</u> - \$40,900 <u>43,900</u>	Single	\$240
\$40,901 <u>43,901</u> - \$43,500 <u>49,500</u>	Married	\$360
\$40,901 <u>43,901</u> - \$43,500 <u>49,500</u>	Single	\$240

(ii) The qualifying income levels described in paragraph (2)(i) above shall be ~~as set forth therein or equal to adjusted in accordance with any changes made to~~ the qualifying incomes for the Elderly and Totally Disabled Tax Relief program as published annually by the State of Connecticut ~~as determined by the state~~ Office of Policy & Management, whichever is greater ~~and/or by the Town Council, the local maximum income level shall increase by the same percentage as the maximum state income level increase.~~

(iii) The local property tax credits provided by this article shall be in addition to and not dependent upon those benefits available to qualified taxpayers under any

Connecticut General Statute, Sections 12-129b to 12-129d, inclusive, Sections 12-129h and 12-170aa, provided that the Town and state benefits in any one year shall not exceed 75% of the normal tax which would have been imposed on a qualified taxpayer in the absence of such state statute and this article.

(3) Except for the "qualifying income" standard as set forth in this article, if the state denies the eligibility of an applicant for the portion of tax relief granted under one of the state programs, the Assessor must deny the applicant the local share of tax relief, remove the applicant from the benefit records and bill them for the full real estate tax due.

(4) Upon the transfer of the property, the benefit is not transferable to the new owner and the new owner shall lose the benefit. Additionally, the Assessor shall prorate the increased tax liability from the date of transfer and notify the tax collector of such increase who will bill the new owner within a reasonable time period.

(5) The assessor and the tax collector shall prescribe, with regard to their respective duties under this article, such forms and procedures as may be necessary to implement this article. The Assessor shall, in addition, satisfy himself or herself as to the qualifying income of an applicant for benefits under this article by requesting and reviewing such evidence of qualifying income as may be pertinent. All applications, federal income tax returns, and any additional evidence of qualifying income which the Assessor may require shall be kept confidential and not open to public inspection to the extent permitted under the Connecticut Freedom of Information Act.

(6) Applications for benefits under this article shall be filed bi-annually with the assessor between February 1 and May 15.

(7) This article shall be applicable to the Grand List of October 1, ~~2008~~2018 and all subsequent Grand Lists thereafter.

(8) All provisions of the town code in conflict herewith are hereby repealed and that if for any reason, any word, clause, paragraph, or section of this article shall be held to make the same unconstitutional, this article shall not hereby be invalidated and the remainder of the article shall continue in effect. Any provision herein which is in conflict with the *Connecticut General Statutes* is hereby repealed, it being understood that said statutes shall take precedence over this article. In the event of any conflict between this article and *Connecticut General Statutes* Section 12-129n as it may be amended, the provisions of the statute shall control.

(9) The local tax credits available pursuant to this article shall be reduced if the total cost of the program exceeds the annual amount appropriated by the Town Council. The re-adjusted tax credits shall be calculated by reducing the tax credit in a pro rata amount until the total cost of the annual appropriation is reached. If in any year the Town Council fails to appropriate any funds for this program, the tax credits will be suspended for that fiscal year only.

(Ord. No. 06-01, 6-5-06)

APPROVED AS TO FORM:

Town Attorney

ATTEST:

Town Clerk

Distributed to Town Council _____ 1/22/19

Public Hearing Advertised _____ 1/25/19

Public Hearing _____ 2/4/19

Adopted _____

Advertised _____

Effective Date _____

Property Tax Relief
for Elderly and/or
Disabled
ordinance

**CHAPTER 5
ARTICLE XVII**

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF WINDSOR:

Chapter 5, Article XVII, of the *Windsor Code* is amended to read as follows:

Section 1. Property tax relief for elderly and/or disabled homeowners.

Section 5-17 (b)(2)(i) is amended to read as follows:

For the October 1, 2018 Grand List, local tax credits shall be provided by the town in accordance with the following income and credit guidelines:

Qualifying Income	Marital Status	Local Tax Credit = % of State Benefit or stated dollar value
\$0 - \$18,100	Married	40%
\$0 - \$18,100	Single	40%
\$18,101 - \$24,200	Married	40%
\$18,101 - \$24,200	Single	40%
\$24,201 - \$30,200	Married	40%
\$24,201 - \$30,200	Single	40%
\$30,201 - \$36,000	Married	40%
\$30,201 - \$36,000	Single	40%
\$36,001 - \$43,900	Married	40%
\$36,001 - \$43,900	Single	\$240
\$43,901 - \$49,500	Married	\$360
\$43,901 - \$49,500	Single	\$240

Section 5-17 (b)(2)(ii) is amended to read as follows:

The qualifying income levels described in paragraph (2)(i) above shall be as set forth therein or equal to the qualifying income for the Elderly and Totally Disabled Tax Relief program as published annually by the State of Connecticut Office of Policy & Management, whichever is greater.

Section 5-17 (7) is amended to read as follows:

This article shall be applicable to the Grand List of October 1, 2018 and all subsequent Grand Lists thereafter.

Section 2. Savings Clause. The enactment of this Ordinance shall not operate as an abatement of any action or proceeding previously taken, now pending, or taken prior to the effective date of this Ordinance. All said actions and proceedings are hereby ratified to be continued.

Section 3. Severability. All provisions of the Town Code in conflict herewith are hereby repealed and that if for any reason, any word, clause, paragraph, or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated and the remainder of the Ordinance shall continue in effect. Any provision herein which is in conflict with the Connecticut General Statutes is hereby repealed, it being understood that said statute shall take precedence over this Ordinance.

APPROVED AS TO FORM:

Town Attorney

ATTEST:

Town Clerk


Distributed to Town Council	<u>1/22/19</u>
Public Hearing Advertised	<u>1/25/19</u>
Public Hearing	<u>2/4/19</u>
Adopted	_____
Advertised	_____
Effective Date	_____

Agenda Item Summary

Date: February 4, 2019

To: Honorable Mayor and Members of the Town Council

Prepared By: James Bourke, Finance Director

Reviewed By: Peter Souza, Town Manager 

Subject: Tax Payment Deferment Program for Federal Employees

Background

On January 22, 2019, HB 5765 went into effect after being adopted by the General Assembly and signed into law by Governor Lamont. This new statute enables Connecticut cities and towns to establish a Tax Payment Deferment program for federal employees. The purpose of the program is to allow federal employees affected by the partial government shutdown in December and January to defer the due date of certain property taxes.

Discussion/Analysis

The statute enables municipalities to establish a program to defer the due dates for an affected employee's real and personal property or motor vehicles taxes, water or sewer rates, charges or assessments. Municipalities establishing the program must not charge or collect interest on an affected individual's taxes that became due during the period in which the individual met the eligibility criteria. Once the individual is no longer eligible for the program, he or she must pay the deferred amounts within 60 days, without interest or penalty. After 60 days, any unpaid amount is subject to interest and penalties applied retroactively to the tax payment's original due date.

In Windsor's case, since we issue real estate bills that are payable in July, eligible program participants would only be able to defer payment on their supplemental motor vehicle bills that were due in full no later than January 31, 2019.

In order to determine eligibility for the deferment, the affected employee will be required to provide to the Tax Collector sufficient evidence of his or her status, which may include but not be limited to, a federal employee identification card, a paystub or bank statement and a sworn affidavit from such employee indicating that such employee (i) is currently a federal employee residing in the State of Connecticut and (ii) is required to work as a federal employee without pay or furloughed as a federal employee without pay.

Financial Impact

As mentioned previously, any unpaid amount after 60 days will be subject to interest and penalties applied retroactively to the tax payment's original due date. Failure to pay may also jeopardize a taxpayer's ability to register their vehicle.

Other Board Action

None

Recommendations

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

“MOVE that the Town Council adopt the attached resolution establishing the Town of Windsor Tax Payment Deferment Program for Federal Employees.”

Attachments

Resolution Establishing Tax Payment Deferment Program
Federal Employee Tax Deferment Form/Affidavit

RESOLUTION ESTABLISHING A TAX PAYMENT DEFERMENT PROGRAM FOR CERTAIN INDIVIDUALS AFFECTED BY THE PARTIAL FEDERAL GOVERNMENT SHUTDOWN

1. Purpose

The purpose of this resolution is to establish the deferment program for municipal taxes and certain other charges allowed by House Bill No. 5765 (2019 Regular Session), in accordance with the terms and requirements of said Bill, for any qualified federal employee residing in the State of Connecticut who is required to work as a federal employee without pay or furloughed as a federal employee without pay.

2. Deferment and Payment Dates

- (a) The Town of Windsor hereby approves a Deferment Program and shall defer the due date for of taxes on real property, personal property or motor vehicles (hereinafter referred to collectively as “municipal charges”) owed by an Affected Employee as defined herein which became due during the period when such individual was an affected employee and shall not charge or collect interest on any Tax or part thereof that is payable by an Affected Employee.
- (b) Any such municipal charges which shall have been deferred as provided herein shall be due and payable without penalty or interest not later than sixty (60) days after the date on which an individual is no longer an affected employee. Thereafter, any portion of such municipal charges which remains unpaid, and all interest and penalties otherwise provided by law shall apply retroactively to the original due date for such municipal charges.
- (c) All provisions of the general statutes relating to the continuing, recording and releasing of property tax liens and the precedence and enforcement of municipal charges shall remain applicable to any deferred tax, rate, charge or assessment or installment or portion thereof.

3. Eligibility for Deferment and Additional Limitations

- (a) As used herein, the term “affected employee” means any federal employee who, during the federal fiscal year 2019 partial shutdown that began on December 22, 2018, is (i) a resident of the State of Connecticut and (ii) required to work as a federal employee without pay or furloughed as a federal employee without pay.
- (b) In order to determine eligibility for the deferment, the affected employee shall provide to the Tax Collector sufficient evidence of his or her status which may include, without limitation, a paystub or bank statement, a federal employee identification card, the federal tax identification number of the employee’s employer, and a sworn affidavit from such employee indicating that such employee (i) is currently a federal employee residing in the State of Connecticut, (ii) is required to work as a federal employee without pay or furloughed as a federal employee without pay.
- (c) The Tax Collector may require individuals to recertify their eligibility on a periodic basis of not less than thirty (30) days.
- (d) The deferment provided under this resolution shall not affect any interest or penalties on, lien rights or collection of, any municipal charges due before December 22, 2018 or after the date on which an individual is no longer an affected employee.

**APPLICATION AND AFFIDAVIT OF FEDERAL EMPLOYEE AFFECTED
BY FEDERAL GOVERNMENT SHUTDOWN TO DEFER MUNICIPAL TAX/UTILITY CHARGES**
Applicable to real estate, motor vehicle, and personal property taxes and/or water and sewer charges due on or after December 22, 2018

1. NAME LAST	FIRST	MIDDLE INITIAL	DATE OF BIRTH
2. MAILING ADDRESS NUMBER AND STREET	CITY OR TOWN		STATE ZIP CODE
3. DAYTIME TELEPHONE WITH AREA CODE	ALTERNATE TELEPHONE OR EMAIL ADDRESS		
4. DEPT/DIVISION OF FEDERAL EMPLOYMENT	WORK ADDRESS/LOCATION AND TELEPHONE		
5. ADDRESS OR DESCRIPTION OF PROPERTY IN THIS TOWN SUBJECT TO TAXES AND/OR CHARGES TO BE DEFERRED			

(A) I am a resident of the State of Connecticut. A copy of my driver's license, utility bill, or other proof of residency is attached.

(B) I am currently an employee of the federal government of the United States and have been since December 22, 2018 or earlier. A copy of my employee ID, paystub, or other proof of employment is attached.

(C) Since December 22, 2018, I have been either (i) required to work as a federal employee without pay, or (ii) furloughed as a federal employee without pay. A copy of a notice of furlough or nonpayment or other proof of effect on my pay is attached.

(D) I request that any applicable real estate, motor vehicle, and personal property taxes and any water or sewer charges or assessments on my property which would otherwise be payable by me to the Town between December 22, 2018 and the date on which my pay is restored be deferred, without interest or penalty, until sixty (60) days after the date on which my pay is restored.

(E) I am aware of the amount and basis of the taxes, charges, and assessments that I am requesting to be deferred, and I hereby irrevocably waive all of my rights to appeal or dispute them on any basis. I understand that the Town's lien, priority, and enforcement rights will remain unaffected during and after the deferral period.

(F) I understand that this request, if approved, will not defer any taxes, charges, or assessments, I may owe the Town which came due before December 22, 2018 or the interest and penalties applicable to them, or any other debt I may owe the Town at any time.

(G) I agree to recertify for this deferral by giving the Town proof that the above statements remain true within thirty (30) days from today, and each additional thirty (30) days thereafter, until such date and in such manner as the Town may direct.

(H) I authorize the Town and its agents to verify my statements above, and any recertification information I provide, from my employer and other third parties. I consent to those third parties releasing relevant information to the Town and its agents for this purpose upon the Town's request and that a copy of this application shall be adequate evidence of my consent.

(I) I understand that I must pay all taxes, charges, and assessments to be deferred in full by the earliest of: (i) sixty (60) days after the date on which my pay is restored; (ii) immediately upon my failure to recertify my eligibility; or (iii) immediately upon the Town's determination that I am not or am no longer eligible for deferment. I understand that if I fail to do so for any reason, all interest and penalties will be applied to all unpaid portions retroactive to the original (undeferred) due date.

APPLICANT'S AFFIDAVIT	Under penalties of perjury, I hereby swear or affirm that that I have read and understood all of the statements above, that they are all true and accurate, and that all attachments to this application and any additional information I give to support or recertify this application are genuine and unaltered.
SIGNATURE OF APPLICANT X	Date signed ____/____/____
SIGNATURE OF NOTARY PUBLIC X	Date signed ____/____/____

DO NOT WRITE BELOW THIS LINE - FOR TAX COLLECTOR'S USE ONLY


DEFERRAL FOR: <input type="checkbox"/> Real Estate Tax <input type="checkbox"/> Motor Vehicle Tax <input type="checkbox"/> Supp. Motor Vehicle Tax <input type="checkbox"/> Personal Property Tax <input type="checkbox"/> Water Charges <input type="checkbox"/> Sewer Usage Charges <input type="checkbox"/> Sewer Assessment Charges <input type="checkbox"/> _____	
TAX COLLECTOR'S AFFIDAVIT	___ - I am satisfied that the applicant meets all the necessary statutory requirements ___ - This claim is disallowed because: _____
SIGNATURE OF TAX COLLECTOR OR MEMBER OF TAX COLLECTOR'S STAFF X	Date signed ____/____/____
SIGNATURE OF NOTARY PUBLIC X	Date signed ____/____/____

Agenda Item Summary

Date: February 4, 2019

To: Honorable Mayor and Members of the Town Council

Prepared By: Paul Goldberg, Fire Administrator

Reviewed By: Peter Souza, Town Manager 

Subject: Authorization to Bond Fire Department Pumper Engine

Background

The fire department currently uses four first-line pumper vehicles for emergency responses in town, each located in the primary firehouses. These pumpers vary in age from 25 years old to 13 years old. To ensure that response standards are maintained, a regular schedule of replacement is needed for fire apparatus. Using National Fire Protection Association (NFPA) 1901 guidelines, vehicles older than 15-20 years should be considered second-line apparatus and vehicles older than 25 years are recommended to be taken out of service.

Discussion/Analysis

The pumper vehicle that is located at the Hayden Station Firehouse is a 1993 Pierce Pumper. This vehicle has a range of equipment with various firefighting capabilities. This vehicle responds to approximately 50% of the department's calls, equaling about 375 responses per year. This creates the need for a dependable, well-equipped and modern piece of apparatus. The equipment on the truck also is aging and is planned to be replaced.

In 2018, the fire department created a committee to develop a town-wide apparatus specification. This specification was used in a request for qualifications process (RFQ) late last year. The results of the RFQ was the submission of a bid from Pierce Manufacturing Company. The committee reviewed the bid and found the bid was found to be consistent with the RFQ and approved moving forward with the request to acquire this vehicle. Delivery of the vehicle is approximately 9-12 months from the time the contract is executed.

Financial Impact

The total purchase cost for a new pumper is \$850,000. Included in this cost is the price of the pumper and the equipment needed to meet both NFPA guidelines and what historically the fire department has used in the emergencies we respond to.

Proposed funding is a combination of bonding (\$350,000) and 'pay-as-you go' funding (\$500,000) which is included in the General Fund capital budget portion of the adopted FY 19 operating budget.

Bonding in the amount of \$350,000 is being requested. The average annual debt service based on a 15 year term and a 3.70% interest rate is \$30,240.

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 \$850,000 FOR COSTS IN CONNECTION WITH PURCHASING A FIRE PUMPER ENGINE; AND AUTHORIZING THE ISSUE OF \$350,000 BONDS AND NOTES AND \$500,000 FROM THE FISCAL YEAR 2019 GENERAL FUND CAPITAL BUDGET 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) Introduce an Ordinance

MOVE to introduce a bond ordinance entitled, ‘AN ORDINANCE APPROPRIATING \$850,000 FOR COSTS IN CONNECTION WITH PURCHASING A FIRE PUMPER ENGINE; AND AUTHORIZING THE ISSUE OF \$350,000 BONDS AND NOTES AND \$500,000 FROM THE FISCAL YEAR 2019 GENERAL FUND CAPITAL BUDGET TO FINANCE THE APPROPRIATION.’

- 3) Set a Public Hearing

RESOLVED that a Public Hearing be set for February 19, 2019 at 7:20 p.m. (prevailing time) to acc on a bond ordinance entitled, ‘AN ORDINANCE APPROPRIATING \$850,000 FOR COSTS IN CONNECTION WITH PURCHASING A FIRE PUMPER ENGINE; AND AUTHORIZING THE ISSUE OF \$350,000 BONDS AND NOTES AND \$500,000 FROM THE FISCAL YEAR 2019 GENERAL FUND CAPITAL BUDGET 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.”

Attachments

Bond ordinance

Certification

I hereby certify that there is \$500,000 in the adopted Fiscal Year 2019 General Fund Capital budget to fund the above appropriation.



Linda Collins
Assistant Finance Director

AN ORDINANCE APPROPRIATING \$850,000 FOR COSTS IN CONNECTION WITH PURCHASING A FIRE PUMPER ENGINE; AND AUTHORIZING THE ISSUE OF \$350,000 BONDS AND NOTES AND \$500,000 FROM THE FISCAL YEAR 2019 GENERAL FUND CAPITAL BUDGET TO FINANCE THE APPROPRIATION

BE IT HEREBY ORDAINED,

Section 1. That the Town of Windsor appropriate EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000) for costs in connection with the replacement of engine 10 through the purchase of a custom designed 2019 fire pumper truck, including necessary fire suppression equipment, forcible entry tools, ventilation equipment and other miscellaneous tools and equipment. The appropriation may be spent for the acquisition and installation of the new equipment and tools, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Fire Administrator 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. The appropriation shall be funded with \$500,000 included in the General Fund capital appropriation budget for fiscal year 2019, and \$350,000 from the proceeds of bonds and notes authorized pursuant to this Ordinance.

Section 2. That the Town issue bonds or notes in an amount not to exceed THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000) to finance, in part, the appropriation for the project. 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 FIFTY THOUSAND DOLLARS (\$350,000). 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

Public Hearing Advertised

Public Hearing

Adopted

Advertised


Effective Date

Agenda Item Summary

Date: February 4, 2019

To: Honorable Mayor and Members of the Town Council

Prepared By: James Burke, Economic Development Director

Reviewed By: Peter Souza, Town Manager 

Subject: Priority Redevelopment Properties List

Background

In December of 2002, the Town Council adopted a Tax Increment Financing Policy as one tool to encourage the redevelopment of key vacant or underutilized properties. As part of that policy, the Council approved a Priority Redevelopment Properties List to provide specific guidance regarding which sites should be eligible for Tax Increment Finance assistance.

In recommending the initial list, the Economic Development Commission included a statement of its purpose and procedures and criteria for updating properties. One of these provisions states that the Commission should review the list annually and report its recommendations for additions or deletions to the Town Council.

Discussion

The Economic Development Commission reviewed the Priority Redevelopment Properties List during their regular meeting of January 24, 2019. A status report on each property was presented by staff and discussed by the Commission. A copy of the status report is attached.

Following its review, the Commission determined that no additions or deletions to the Priority Redevelopment Properties List should be recommended at this time.

Recommendation

The Economic Development Commission recommends no additions or deletions to the adopted Priority Redevelopment Properties List at this time. If the Town Council is in agreement, the following motion is recommended for approval:

“RESOLVED that the Priority Redevelopment Properties List be adopted as presented.”

Attachments

Exhibit ‘A’ Priority Redevelopment Properties
Status report on redevelopment sites
Priority Redevelopment Properties Policy

Exhibit 'A'

Priority
Redevelopment
Properties

**‘EXHIBIT A’
TOWN OF WINDSOR
PRIORITY REDEVELOPMENT PROPERTIES**

02/04/19

The following are the priority redevelopment properties in the Town of Windsor as determined by the Town Council:

<u>Plaza Building</u>	280-294 Broad Street
<u>Tobacco Valley Inn</u>	Dunfey Lane and Bloomfield Avenue
<u>Redevelopment Parcel</u>	418-446 Windsor Avenue
<u>Udolf Property</u>	156 Windsor Avenue
<u>Flamingo Inn</u>	19, 27, 29, and 35 Windsor Avenue
<u>Parcel north of 457 Windsor Ave</u>	459-465 Windsor Avenue
<u>Spillane property next to CITGO</u>	581 Windsor Avenue
<u>Former Scranton Chevrolet Site</u>	125 Poquonock Avenue
<u>Larsens Hardware Property</u>	144 Poquonock Avenue
<u>Combustion Engineering Site</u>	2000 Day Hill Road
<u>Former Printing Express Site</u>	20-26 Poquonock Avenue

History

1. Initially adopted, December, 2002.
2. Revised, December, 2007 to delete 33 Mechanic Street and 853 Palisado Avenue.
3. Revised, August, 2010 to add 125 Poquonock Avenue, 147 Poquonock Avenue, and 144 Poquonock Avenue.
4. Revised, April 4, 2011 to add 2000 Day Hill Road.
5. Revised, February 4, 2013 to add 20-26 Poquonock Avenue
6. Revised, December 21, 2015 to delete 69 Mechanic Street, 147 Poquonock Avenue and 240 Broad Street.

Status report on redevelopment sites

**TOWN OF WINDSOR
PRIORITY REDEVELOPMENT PROPERTIES (per list revised 12/21/15)
ANNUAL STATUS REPORT – January 24, 2019**

(Recent activity indicated by bold italicized font)

1. Plaza Building (280-294 Broad Street)

Property purchased by Mohan Sachdev (12/2011); significant building repairs have been initiated; 2nd floor apartments being rehabbed; plans for reuse of theater and commercial space pending; second floor window replacement and HVAC work completed; TPZ reapproved proposed restaurant use and site plan for theater addition and added parking; 17 Elm St building demolished, 3,000 SF addition constructed, site work started and new electrical service installed; first floor retail space floor and ceilings gutted and replaced; storefronts reconstructed; **new floors poured in theater and basement; street front sidewalk and brick surface replaced; marque restoration underway**

2. Tobacco Valley Inn (Dunfey Lane and Bloomfield Avenue)

Building demolition and site clearance complete; listing with broker in place; investment deadline not met by 10/2015; owners began repaying demolition loan; prospective developer evaluating development options

3. Redevelopment Parcel (418-446 Windsor Avenue)

Land assembled; RFQ process undertaken, but unable to arrive at acceptable plan for redevelopment; next step to reconfirm Town's objectives; **included in Federal Opportunity Zone designation**

4. Udolf Property (156 Windsor Avenue)

Several prospective tenants have explored and then abandoned; owner repainted vacant building in response to complaint; demolition of building and soil remediation complete; **included in Federal Opportunity Zone designation**

5. Flamingo Inn (19, 27, 29, and 35 Windsor Avenue)

Property had been listed; serious retail prospect considered site but declined. Flamingo Inn related owners purchased 35 Windsor Ave. Site is now in single ownership. Renewed interest in retail redevelopment. **Hotel and adjoining building demolished; property owner has retained an engineering firm and is working on alternative site development plans; included in Federal Opportunity Zone designation**

6. Parcel north of 457 Windsor Ave (459-465 Windsor Avenue)
465 Windsor sold in 2011 to Brown and Powell
459 Windsor and 12 East Wolcott sold in 2005 to Mahon
12 East Wolcott sold in 2011 to 12 E Wolcott LLC
Developer was pursuing retail use of site, but that has stalled with poor market; **included in Federal Opportunity Zone designation**

7. Spillane property next to CITGO (581 Windsor Avenue)
Property listed for lease, some inquiries, limited uses in B-1 Zone may be an issue. Property now listed for lease or sale.

8. Former Scranton Chevrolet Site (125 Poquonock Avenue)
Concept plan for residential/retail redevelopment approved in 2010;
buyer/seller dispute put project on hold; delinquent taxes were paid;
owner deeded property in lieu of foreclosure; town with new owner's
cooperation has obtained environmental assessment grant of site; Phase I
and II assessments completed; Phase III assessment completed; **Remedial
Action Plan prepared.**

9. Larsens Hardware Property (144 Poquonock Avenue)
Property had been listed; proposal for purchase for redevelopment
rejected in 2010; not currently on the market

10. Combustion Engineering Site (2000 Day Hill Road)
Demolition of ABB buildings complete; Concept plan, new zoning
regulations and subdivision for mixed-use village approved by TPZ;
residential developer agreement is pending; Plan amendments and
resubdivision approved for Phase 1; **Great Pond form-based code
amendments approved; Phase 1 site transferred and construction of 230
apartment units has begun**

11. Former Printing Express Site (20-26 Poquonock Avenue) property
purchased by Mohan Sachdev (06/2013); residential units vacated; owner
contemplating redevelopment for new residential units; town with new
owner's cooperation obtained environmental assessment grant for the
site; Phase I and II assessments completed; Buildings demolished; Phase III
assessment completed; **Remedial Action Plan prepared.**

Priority Redevelopment Properties Policy

Town of Windsor, Connecticut
Priority Redevelopment Properties List and Policy
December, 2002

I. INTRODUCTION

The Town of Windsor has determined that there are certain vacant or underutilized sites in Windsor that need focused-attention from the Town government. A number of these sites are in Windsor Center and the Wilson neighborhood and are therefore crucial to the future of our community. Many of these sites play into the public's perception about the community.

There is a window of opportunity to attract investment to these sites. In addition, when opportunities arise, it is important to have programs in place so the Town can act quickly.

It is in the public interest to encourage the timely and appropriate redevelopment of these properties.

II. LIST ADOPTED

The Priority Redevelopment Properties List attached hereto as Attachment A is hereby adopted.

Inclusion of a property on this list does not confer any right to any incentive program. It does establish which properties are eligible to apply for certain programs including the Tax Increment Financing Policy. After a property is listed, each development proposal must be reviewed and approved according to the particular program requirements.

III. PROCEDURE FOR ANNUAL REVIEW, ADDITIONS AND DELETIONS

The following procedure will be followed to add to or delete from the Priority Redevelopment Properties List.

1. Annual Review. The Economic Development Commission shall review the adopted list annually and report to the Town Council its recommendations for additions or deletions from the list at the Council's first meeting in December.
2. Specific Requests. The Town Council, Economic Development Commission, Town Manager, any citizen or property owner may initiate a request to add or delete a property or properties at any time. Each such request shall be reviewed by the Economic Development Commission according to the criteria as set forth below. The Commission shall then forward its recommendation to the Town Council.
3. Town Council Final Determination. The Town Council shall make the final determination regarding all additions or deletions to the list.

IV. CRITERIA

The Town of Windsor will consider a property for inclusion on the Priority Redevelopment Properties List only if at least four (4) of the following criteria are met:

- 1) Visibility (location on a heavily traveled roadway and public's awareness of site)
- 2) Pending opportunities related to the site
- 3) Present blighting condition -- nuisance, environmental issues, poor access, problems of ownership
- 4) Potential multiplier effects
- 5) Level of difficulty to redevelop without assistance
- 6) Potential costs to the Town of not acting
- 7) Length of time on the market (more than 24 months)

Town Council
Resignations/Appointments/Reappointments
February 4, 2019

Resignations

None

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

None

Names submitted for consideration of appointment

None

**Town Council
Council Chambers
Windsor Town Hall
JANUARY 22, 2019
PUBLIC HEARING**

UNAPPROVED MINUTES

1) CALL TO ORDER

The Public Hearing was called to order at 7:27 p.m. by Mayor Trinks.

Present were: Mayor Donald Trinks, Councilor James Govoni, Councilor Black-Burke, Councilor Joseph McAuliffe, Councilor Richard O'Reilly, Councilor Michael Tustin and Councilor Kenneth Wilkos

Absent: Councilor Donald Jepsen and Deputy Mayor Jody Terranova

Mayor Trinks read aloud the notice of the public hearing to hear public comment on an ordinance entitled, "AN ORDINANCE APPROPRIATING \$225,000 FOR COSTS IN CONNECTION WITH PAVEMENT RESURFACING AT TOWN FACILITIES AND SCHOOLS; AND AUTHORIZING THE ISSUE OF \$225,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION."

2) PUBLIC COMMENT – None

3) ADJOURNMENT

Mayor Trinks declared the Public Hearing closed at 7:28 p.m.

Respectfully Submitted,

Erin Rand
Clerk of the Town Council

**TOWN COUNCIL
COUNCIL CHAMBERS
WINDSOR TOWN HALL
JANUARY 22, 2019
Regular Town Council Meeting
UNAPPROVED MINUTES**

1) CALL TO ORDER

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

Present: Mayor Donald Trinks, Deputy Mayor Jody Terranova, Councilor Nuchette Black-Burke, Councilor James Govoni, Councilor Donald Jepsen, Councilor Joseph McAuliffe, Councilor Richard O'Reilly, Councilor Michael Tustin and Councilor Kenneth Wilkos.

2) PRAYER

Councilor Black-Burke led the group in prayer.

3) PLEDGE OF ALLEGIANCE

Councilor Black-Burke led the group in the pledge of allegiance.

4) PROCLAMATIONS AND AWARDS – None

5) PUBLIC COMMUNICATIONS AND PETITIONS – None

6) REPORT OF APPOINTED BOARDS AND COMMISSION

a) Metropolitan District Commission (MDC)

John Avedisian, Commissioner, presented the following:

- The proposed integrated plan was approved by all involved towns except West Hartford. The plan will be sent to the Department of Energy and Environmental Protection (DEEP) for their approval.
- The Barkhamsted Reservoir is at 99% capacity with around 39 billion gallons of water.
- Negotiations are underway with the DEEP over an \$8,000,000 payment for water coming off of the Hartford dump. The MDC may have to settle for less. With the new governor there is a delay, but it will continue until resolved.
- MDC employment has been reduced from 702 to 489 people.
- The Niagara Bottling Plant used 7,000,584 gallons of water in November, about 245,000 gallons per day. In December, they used 10,000,000 gallons, up to about 357,000 per day. This is revenue for the MDC that does not include a discount.
- The sewer user ad valorem consulting group has completed their assessment. MDC is waiting for final results in order to decide whether to get away from the ad valorem system or not.

- The MDC budget has been approved. They are owed a \$2.5-\$3.5 million payment from Pratt & Whitney that will reduce the 15% ad valorem rate to 7%. When they settle on a payment from the DEEP, it is slated to go toward ad valorem and will reduce the amount even further.
- With the reduction of employees at the MDC, Mr. Avedisian invited members of the Council to visit the sewer plant because he is impressed with how it's being run. It is immaculate. The technical work is impressive and they would be happy to give tours.

7) TOWN MANAGER'S REPORT

Development of FY 20 Budget – First Public Hearing

A Public Hearing will be held on February 4, 2019 at 7:15 PM regarding the development of the FY 20 budget. Citizens are welcome to come voice their opinions and give their input during that time.

Income Tax Consulting for Seniors

Income tax consulting for seniors begins Monday, February 4, 2019 and will be held every Monday and Thursday through March 28 from 9:00 AM to 11:00 AM at the Windsor Senior Center (no consulting held on February 19). Seniors can get the advice they need to fill out their federal and state income tax returns from trained AARP volunteers. Bring your 1099 and W/2 forms together with a copy of last year's tax return. This is a free service, but appointments are necessary and available spots fill quickly. Make an appointment by calling 860-285-1992.

Assistance for Furloughed Federal Employees

Today the House and Senate passed, and Governor Lamont signed, bill [HB 5765](#) establishing a loan program and a local option provision for towns (at their choice) to establish a program to defer the due date of specific property taxes owed by affected federal employees.

Affected employee means a federal employee who during the shutdown is (A) a resident of this state, and (B) required to work as a federal employee without pay or furloughed as a federal employee without pay. The law authorizes municipalities to defer taxes due after December 22, 2018.

Here in Windsor, this would only apply to the supplemental motor vehicle bills which became due on January 1, 2019 since we bill annually for all other taxes.

In order to establish the program, the Town Council would need to take a formal vote.

October 1, 2018 Revaluation

Revaluation work began in March of 2018 with the mailing of residential and condominium data mailers. The purpose of the data mailer was to verify the accuracy of the information already in the assessment system. This process eliminated the need for an on-site visit and measurement of every property.

All sales from January 1, 2016 through September 2018, were field checked and information gathered to verify the sale amount and the physical condition of the property at the time of the sale. This process determined the market value changes needed for the revaluation.

Income and Expense forms were mailed to all rental properties. The information received was used to value the commercial, industrial and apartment properties as of October 1, 2018.

Consultants, Vision Governmental Services, assisted in analyzing the residential sales and valuing those properties.

The following are the % changes for the various property types:

Residential	+ 4.6%
Condominium	+11.4%
Multi Family	+11.7%
Apartments	+15.8%
Commercial/Industrial	+ 7.9%

Once all values were determined, a notice was mailed to each property owner showing the new market value. This notice was sent at the end of November and it allowed for a period of time for Informal Hearings if the owner requested one. The hearings, with assessment staff, were held in December and early January. 207 appointments, or 1.8% were completed and taxpayers were notified of the results.

A property owner may appeal their valuation to the Board of Assessment Appeals by submitting a formal request to the Tax Assessor by February 20, 2019. More information can be found at <https://townofwindsorct.com/assessor/> or by contacting the Assessor's office at 860-285-1816.

Town Manager Souza invited Larry Labarbera to speak about the recent revaluation. Mailers were sent out in March 2018 and there was a 70% return, which is very good. The mailers help to maintain accuracy and eliminate door to door data collection. Overall the revaluation resulted in a 6.3% increase in real property. Residential properties went up 5%, condominiums/multi-families went up 11%, apartments went up 15%, and commercial/industrial went up 8%. 207 people went through informal hearings, which is 1.8% of property owners. If citizens are unsatisfied with the results of those hearings, they can go to the Board of Assessments and Appeals, who will meet in March.

The 2018 Grand List is almost complete. Right now, the total Grand List Value is about \$3.1 billion. Real property went up 6.3%, as stated above. Personal dropped 0.32% and motor vehicles are up about 4%, which creates an overall grand list increase of about 5%.

Councilor Wilkos asked if any nearby towns have had revaluations recently and wished to compare them to Windsor. Mr. Labarbera replied that they have, but he is not aware of how they compare. Town Manager Souza responded that town staff could look into that as well as how it compares to last year.

Councilor Jepsen asked if other people's addresses/revaluations could be looked at in order to compare. Mr. Labarbera responded that yes, you can type in any address in the revaluation page on the town website and the information is all there.

Mayor Trinks asked Town Manager Souza what the process would be in order to offer support for government employees during the government shut down. Town Manager Souza said he

expected that if the Council wanted to move forward with adopting those provisions, town staff could publicize it through a variety of means.

Councilor Jepsen noted that the tax deadlines are due at the end of this month. He asked if the penalties could be retroactively waived come February. Town Manager Souza noted that he had just received notice of the signed bill and would have to look into it further.

8) COMMUNICATIONS FROM COUNCIL MEMBERS

Councilor O'Reilly stated that he appreciates Mayor Trinks comments and recommends that anyone affected by the government shut down reach out to the Town Council.

Councilor Wilkos – None

Councilor Black-Burke – None

Councilor Govoni – None

Councilor McAuliffe - None

Councilor Tustin – None

Deputy Mayor Terranova – None

Councilor Jepsen wished a belated happy birthday to Mayor Trinks' wife Barbara, the "First Lady of Windsor."

Mayor Trinks attended and spoke highly about the celebration of the previous day hosted by Archer Memorial AME church. He noted that the First Church Choir also came to participate. He finds it extraordinary how the faith-based communities in Windsor work together. He then wished a happy belated birthday to Councilor Jepsen.

9) REPORTS OF STANDING COMMITTEES

Personnel Committee – None

Health & Safety Committee – None

Finance Committee – Deputy Mayor Terranova reported that the Finance Committee will be meeting on Monday, February 11, 2019 to review the annual audit.

Special Projects Committee – None

Town Improvements Committee – Councilor McAuliffe reported that the committee met earlier that evening and it was well attended. The committee primarily spoke about the Millbrook project and will be meeting again on February 6, 2019 to finish the conversation and provide recommendations to the Town Council.

10) ORDINANCES – None

11) UNFINISHED BUSINESS

- a) Approve a bond ordinance entitled, "AN ORDINANCE APPROPRIATING \$225,000 FOR COSTS IN CONNECTION WITH PAVEMENT RESURFACING AT TOWN FACILITIES AND SCHOOLS; AND AUTHORIZING THE ISSUE OF \$225,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION."

RESOLVED by Councilor Jepsen, seconded by Deputy Mayor Terranova that the reading into the minutes of the text of the bond ordinance entitled, "AN ORDINANCE APPROPRIATING \$225,000 FOR COSTS IN CONNECTION WITH PAVEMENT RESURFACING AT TOWN FACILITIES AND SCHOOLS; AND AUTHORIZING THE ISSUE OF \$225,000 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 being made available to those persons attending this meeting; and that the full text of the ordinance be recorded with the minutes of this meeting.

Motion Passed 9-0-0

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to approve a bond ordinance entitled, "AN ORDINANCE APPROPRIATING \$225,000 FOR COSTS IN CONNECTION WITH PAVEMENT RESURFACING AT TOWN FACILITIES AND SCHOOLS; AND AUTHORIZING THE ISSUE OF \$225,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION."

Motion Passed 9-0-0

12) NEW BUSINESS

- a) Introduce an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS"

RESOLVED by Councilor Jepsen, seconded by Deputy Mayor Terranova that the reading into the minutes of the text of the bond ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS" is hereby waived, the full text of the ordinance having been distributed to each member of the Council and copies being made available to those persons attending this meeting; and that the full text of the ordinance be recorded with the minutes of this meeting.

Motion Passed 9-0-0

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to introduce an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS."

Jim Bourke, Finance Director, and Larry Labarbera, Town Assessor, presented the following:

The town's qualifying local income limits have been greater than the state's limit since being set in 2013. This year the state has notified towns that the qualifying income limit will increase to \$36,000 for single households and \$43,900 for married households. It is recommended that the local qualifying income limit be increased to \$49,500 to be above the State program so that local married households can qualify for both programs.

Councilor O'Reilly asked how the town knows who is eligible. Mr. Bourke replied that the assessor's office notifies individuals that are currently on the program every two years and the program is publicized for new applicants so that they can also apply.

Town Manager Souza added that the program is also publicized at the senior center, on WIN-TV, in the local magazine, and is also spread around by word of mouth.

Councilor O'Reilly asked if the government notifies the town. Mr. Labarbera responded that they do not and that individuals have to apply.

Councilor Jepsen asked if there was a way for the Council to look at how much money the program costs so they can consider this when looking at the budget. Town Manager Souza responded that town staff can put it on their calendar to notify the Council within a given time frame when they know what the program will cost, and if the Council wanted to skip a year, they would be able to.

Councilor O'Reilly asked for clarification from Councilor Jepsen. Councilor Jepsen responded that there could come a time when the current cost of the program, \$92,000, may be a lot higher and it would be helpful for the Council to be notified ahead of time.

Councilor Black-Burke asked about clarification regarding the income limits being made higher so more people can be eligible. Mr. Bourke and Mr. Labarbera indicated that was correct. Councilor Jepsen then noted that it also makes the program more expensive to the town.

Motion Passed 9-0-0

- b) Set a Public Hearing for February 4, 2019 at 7:15 PM to hear an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS."

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova that a Public Hearing be set for Monday, February 4, 2019 at 7:15 PM (prevailing time) in the Council Chambers of the Windsor Town Hall, to hear an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 5, ARTICLE XVII, PROPERTY TAX RELIEF FOR ELDERLY AND/OR DISABLED HOMEOWNERS" 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

- c) Approve amendments to Public Health Nurse position description

MOVED by Deputy Mayor Terranova, seconded by Councilor Jepsen that the job description for the position of Public Health Nurse be approved as presented.

Amelia Bliss, Human Relations Director, presented an overview of the changes to the job description, with the most significant changes being:

- Adding the essential duty of participating in public health emergency preparedness training and activities.
- Adding the academic nursing accreditation organization, the Commission on Collegiate Nursing Education (CCNE).
- Adding knowledge of Advisory Committee on Immunization Practices (ACIP) recommendations for vaccinations as a minimum requirement.
- Adding competencies and updating the physical demands and work environment sections.

Councilor Black-Burke asked about the change in minimum qualifications. Ms. Bliss stated that although they changed the language to say "required now", at the end of the posting it says "any equivalent combination of training and experience", so there is still flexibility there.

Councilor Govoni asked if it was the same salary range that the consultant went through and Ms. Bliss confirmed that it is.

Councilor Jepsen asked if it is anticipated to be a difficult position to fill. Mr. Michael Pepe, Director of Health Services, responded that he has heard from surrounding towns that there is a great talent pool for it.

Councilor Govoni noted that it is a unique position and is an asset to town employees and residents.

Councilor Black-Burke asked why "A significant portion of the job requires field work outside of the office setting" was red-lined and asked if it was added elsewhere. Ms. Bliss responded that similar language can be seen under the "work environment" section. Town Manager Souza noted that it is more implied throughout the posting rather than explicitly stated, so if the Council advises, it could be added back in. Councilor Black-Burke stated that she wants to make sure that the community involvement aspect is highlighted. Deputy Mayor Terranova then pointed out that the community interaction language is also included at the top of page three.

Motion Passed 9-0-0

- d) Approve appropriation of \$10,000 from the Capital Projects Fund for design services related to the replacement of a portion of the Clover Street School Roof

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova that \$10,000 be appropriated from the Capital Projects Fund, Assigned Fund Balance to fund the design and preparation of schematic drawings and specifications for the Clover Street School Partial Roof

replacement project; and that the project be referred to the Public Building Commission for oversight.

Bob Jarvis, Town Engineer and Director of Public Works, and Whit Przech, Building and Facilities Manager, presented an overview as follows:

A 7,000 square foot portion of the roof at Clover Street Elementary School is in need of being replaced. This section of roof was installed in 1995 and is no longer under the manufacturer's warranty. A third party professional inspection found water has saturated much of the roof insulation in a portion of the roof area. There are limited repair options except for full replacement. The estimated cost to design and prepare bid documents is \$10,000. The cost of construction is preliminarily estimated at \$150,000.

Councilor Wilkos asked why this portion of the roof was not fixed the last time a roofing project was completed at Clover Street school. Town Manager Souza replied that at that time, this area of the roof was not failing, but many other areas of the school were.

Councilor Tustin asked if there are any other buildings out there that we should be concerned about. Mr. Przech responded that about every five years, a roofing consultant does a complete assessment of all town buildings and schools and offers recommendations for repairs and replacement.

Town Manager Souza added that a portion of the gymnasium at Wolcott is leaking and the roof on the Chaffee house near the Palisado Green is also deteriorating. Both projects have been recommended to be moved up on the proposed project timelines.

Councilor Jepsen noted that he saw photos of the standing water and asked if mold is anticipated to be a problem. Mr. Przech responded that the roof decking is concrete and there is a sealed membrane applied to it so no air was getting to it and there is no mold.

Councilor Govoni recalled issues with the life span of the roofs when trees were planted too close to the buildings. There are current projects to remove trees too close to the buildings in order to save the life spans of the roofs.

Motion Passed 9-0-0

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to amend tonight's agenda so that item 12 (e) appears after item 16 (b).

Motion Passed 9-0-0

13) RESIGNATIONS AND APPOINTMENTS – None.

14) MINUTES OF PRECEEDING MEETINGS

- a) Minutes of the January 7, 2019 Public Hearing

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to approve the unapproved minutes of the January 7, 2019 Public Hearing as presented.

Motion Passed 9-0-0

- b) Minutes of the January 7, 2019 Regular Town Council meeting

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to approve the unapproved minutes of the January 7, 2019 Regular Town Council meeting as presented.

Motion Passed 9-0-0

15) PUBLIC COMMUNICATIONS AND PETITIONS – None.

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to enter into Executive Session at 8:34 p.m. for the purpose of:

- a) Strategy and negotiations with respect to pending claims and litigation (Fusco vs Town of Windsor)
- b) Strategy and negotiations with respect to pending claims and litigation (SCA Pharma vs Town of Windsor)

Councilor Jepsen recused himself from item 16 (a).

Motion Passed 9-0-0

16) EXECUTIVE SESSION

Present: Mayor Donald Trinks, Deputy Mayor Jody Terranova, Councilor Nuchette Black-Burke, Councilor James Govoni, Councilor Joseph McAuliffe, Councilor Richard O'Reilly, Councilor Michael Tustin and Councilor Kenneth Wilkos

Guests: Cori Lynn Webber, outside legal counsel; Kevin Deneen, Town Attorney

Staff: Peter Souza, Town Manager; Marty Maynard, Risk Manager; Larry Labarbera, Town Assessor

Marty Maynard and Cori-Lynn Webber left Executive Session at 8:40 p.m.

Larry Labarbera and Kevin Deneen entered Executive Session at 8:42 p.m.

MOVED by Deputy Mayor Terranova, seconded by Councilor Tustin to exit Executive Session at 9:05 p.m. and to re-enter the Regular Town Council session.

Motion Passed 8-0-0 (Councilor Jepsen recused)

12 e) Consideration of settlement in Town of Windsor vs Fusco (Town Manager)

MOVED by Deputy Mayor Terranova, seconded by Councilor Tustin to settle the case of Fusco versus Town of Windsor as discussed in Executive Session.

Motion Passed 8-0-0 (Councilor Jepsen recused)

17) ADJOURNMENT

MOVED by Councilor O'Reilly, seconded by Councilor Tustin to adjourn the meeting at 9:08 p.m.

Motion Passed 9-0-0

Respectfully Submitted,

Erin Rand
Clerk of the Council