



Council Agenda

**Council Chambers
Windsor Town Hall
December 17, 2018**



7:30 PM Regular Council Meeting

1. ROLL CALL
2. PRAYER – Councilor Tustin
3. PLEDGE OF ALLEGIANCE – Councilor Tustin
4. PROCLAMATIONS/AWARDS
5. PUBLIC COMMUNICATIONS AND PETITIONS
(Three minute limit per speaker)
6. REPORT OF APPOINTED BOARDS AND COMMISSIONS
 - a) Public Building Commission
 - b) Metropolitan District Commission
7. TOWN MANAGER'S REPORT
8. COMMUNICATIONS FROM COUNCIL MEMBERS
9. REPORTS OF STANDING COMMITTEES
10. ORDINANCES
11. UNFINISHED BUSINESS
 - a) *Approve a resolution supporting MDC's Integrated Plan (Town Manager)
12. NEW BUSINESS
 - a) *Presentation of the Mill Brook Open Space Report and Land Management Plan (Town Manager)
 - b) *Introduce a funding authorization related to an access easement and the preservation of agricultural land at 67 Rainbow Road (Town Manager)
 - c) *Set a Special Town Meeting for January 7, 2019 at 7:00 p.m. to approve an appropriation related to an access easement and the preservation of agricultural land at 67 Rainbow Road (Town Manager)



- d) *Approve an appropriation of \$30,000 from the Capital Project Fund for design of Public Works Facility Interior Renovation and Window Replacement project (Town Manager)
- e) *Approve an appropriation of \$20,000 from the Capital Project Fund for design of Sage Park Middle School Partial Roof Replacement project (Town Manager)
- f) *Introduce a bond ordinance in the amount of \$295,000 for Windsor High School Indoor Pool HVAC Replacement project (Town Manager)
- g) *Set a public hearing for January 7, 2019 at 7:20 p.m. on a bond ordinance in the amount of \$295,000 from the Capital Project Fund for Windsor High School Indoor Pool HVAC Replacement project (Town Manager)
- h) *Approve extension of FY 2018 Open Purchase Order (Town Manager)
- i) *Approve Town Council meeting dates for calendar year 2019 and January 2020 (Town Manager)
- j) *Approve 2019 schedule of Board/Commission Annual Reports to the Town Council (Town Manager)

13. *RESIGNATIONS AND APPOINTMENTS

14. MINUTES OF PRECEDING MEETINGS

- a) *Minutes of the December 3, 2018 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: December 17, 2018

To: Honorable Mayor and Members of the Town Council

Prepared By: Peter Souza, Town Manager 

Subject: Metropolitan District Commission Presentation

Background

The Metropolitan District Commission (MDC) provided the Town Council an update on the Clean Water project's long-term control plan and outlined their proposed 'Integrated Plan' during the Town Council's November 5, 2018 meeting. This item was then referred to the Finance Committee for further discussion.

Integrated Planning Overview (based on USEPA definition)

EPA, states and municipalities have achieved real progress in implementing the Clean Water Act (CWA) and protecting public health and the environment. However, today there are many factors stressing the implementation of CWA programs. Stressors include population growth, aging infrastructure, increasingly complex water quality issues, limited resources, and other economic challenges. Currently, EPA, states and municipalities often focus on each CWA requirement individually. This may not be the best way to address these stressors and may have the unintended consequence of constraining a municipality from addressing its most serious water quality issues first.

An integrated planning approach offers a voluntary opportunity for a municipality to propose to meet multiple CWA requirements. This would be accomplished by identifying efficiencies from separate wastewater and stormwater programs and sequencing investments so that the highest priority projects come first. This approach can also lead to more sustainable and comprehensive solutions, such as green infrastructure, that improve water quality and provide multiple benefits that enhance community vitality.

The integrated planning approach is not about changing existing regulatory or permitting standards or delaying necessary improvements. Rather, it is an option to help municipalities meet their CWA obligations while optimizing their infrastructure investments through the appropriate sequencing of work.

MDC's Position

The EPA overview (above) describes the position MDC believes we are currently in, with regard to costs associated with the maintenance of an aging utility infrastructure and the impact of these costs on our customers and member towns.

For MDC customers, an 'Integrated Plan' would allow consideration of all necessary infrastructure improvements while calculating the affordability and prioritization of these improvements within

the USEPA guidelines. Conversely, under the current requirements of the CWA, only the MDC's Clean Water Project work is permitted to be considered in affordability and prioritization calculations. That still leaves all other sewer work not related to the Clean Water project, and all water infrastructure work as well, potentially adding to the cost of necessary utility infrastructure improvements, costs which are ultimately passed on to our customers and member towns. These costs are very likely not affordable for member towns and MDC customers.

MDC representatives have presented how they believe utilizing the 'Integrated Plan' approach will help to provide a level of stabilization and predictability related to the member towns' annual ad valorem assessment, while achieving the objectives of the Clean Water Act and making needed reinvestments in the region's sewer infrastructure. The MDC's proposed "Integrated Plan" would shift from the annual ad valorem charge to the Clean Water project surcharge a portion of the long-term debt service costs associated with needed reinvestments in the system-wide sanitary sewer infrastructure. Therefore, essentially, the annual ad valorem assessment is projected to stabilize while the consumption based Clean Water project surcharge would overtime increase greater than originally forecast.

Next Steps

MDC plans to submit an updated proposed Long-Term Control Plan with an 'Integrated Plan' incorporated therein to the Connecticut Department of Energy and Environmental Protection by the end of December. The MDC has requested the eight individual member towns to consider approving a resolution supporting the plan submittal to DEEP.

Other Board Action

The Finance Committee met on November 26, 2018 to discuss MDC's proposed approach. The Committee did not make a formal recommendation.

Recommendations

If the Town Council is in agreement, the following resolution is presented for consideration:

“RESOLVED, that the Windsor Town Council expresses its support for the incorporation of the integrated planning concept into the next revised version of The Metropolitan District's Long-Term Control Plan, and requests the United States Environmental Protection Agency and the State of Connecticut Department of Energy and Environmental Protection to approve said plan.”


Attachments

[MDC Integrated Plan and Long-Term Control plan update](#) – please click link for presentation

Agenda Item Summary

Date: December 17, 2018

To: Honorable Mayor and Members of the Town Council

Prepared By: Peter Souza, Town Manager 

Subject: Mill Brook Open Space Report and Land Management Plan

Background

The volunteer Mill Brook Open Space Steering Committee and town staff will provide an overview of the committee's report and proposed land management plan for the 95 acre parcel. The report and plan was developed over the course of the summer and fall. The steering committee held two public open houses, or tours, of the property in addition to conducting an on-line survey to gather input and ideas from the community. The committee met nine times and held a final public information meeting on November 8th to review the draft plan.

Discussion/Analysis

The Mill Brook Open Space Steering Committee was charged with developing a recommended land management plan for the Mill Brook open space property. After a robust public input process, the committee developed the following recommended mission, vision, guiding principles and objectives/strategies. The full report, including an executive summary, is attached.

MISSION: To preserve and enhance the Mill Brook open space with diverse wildlife habitats, while connecting residents and visitors to nature through passive recreation and education.

VISION: The Mill Brook open space will become an open space park that complements existing parks and trails and is readily accessible for passive recreation and environmental education in harmony with the natural environment.

GUIDING PRINCIPLES

Land Management: Maintain a diverse open space that protects and enhances environmental resources, natural habitats, and features while providing passive recreational opportunities.

Trails: Provide a safe, accessible system of trails that offers diverse outdoor experiences within a variety of habitats and landscapes, accessing significant views and features, and connecting to Windsor Center and the surrounding neighborhoods.

Habitat: Foster a diversity of habitats composed of wildflower and grass meadows, successional forests, established forests, and wetlands to support a diversity of wildlife.

Activities: Provide outdoor educational opportunities and a range of year-round passive recreation activities such as walking, hiking, biking, picnicking, bird/wildlife watching, sledding, and cross-country skiing.

Building Reuse: Priority should be given to uses that are compatible with or enhance the use of the open space while maintaining public access.

The report also includes a number of suggested action steps under each of the guiding principles.

Financial Impact

The town's adopted Capital Improvements Program allocates \$400,000 in FY 19 borrowing for various improvements to the property and buildings. Below are preliminary cost estimates based on the recommended plan:

Trail Renovation and Development	\$ 135,000
Bridge Repairs and Renovation	\$ 95,000
Building Repairs (HVAC, Doors, Windows)	\$ 40,000
Storm Drainage Design and/or Materials	\$ 25,000
Fence and Gateway Improvements	\$ 20,000
Habitat Management Plan and Equipment	\$ 20,000
Contingency and Bond Issuance Cost	<u>\$ 65,000</u>
Preliminary Estimated Total	\$ 400,000

Other Board Action

None at this time.

Recommendations

The plan is presented at this time for Town Council review. If the Town Council is in agreement, it is recommended that the report/plan be accepted and referred to a Town Council committee for review and report back to the full council for consideration and approval.

Attachments

Mill Brook Open Space Report and Land Management Plan

Mill Brook Open Space Report and Land Management Plan

EXECUTIVE SUMMARY

The following is a summary of the findings of the Mill Brook Open Space Steering Committee charged with developing a recommended land management plan for the Mill Brook open space property. After numerous public meetings, two open houses and a community survey, the committee developed the following mission, vision, guiding principles and objectives/strategies.

MISSION

To preserve and enhance the Mill Brook open space with diverse wildlife habitats, while connecting residents and visitors to nature through passive recreation and education.

VISION

The Mill Brook open space will become an open space park that complements existing parks and trails and is readily accessible for passive recreation and environmental education in harmony with the natural environment.

GUIDING PRINCIPLES

Land Management

Maintain a diverse open space that protects and enhances environmental resources, natural habitats, and features while providing passive recreational opportunities.

- Preserve and enhance significant environmental features including wetlands, woodlands, meadows, and water features that support wildlife.
- Develop buffers to create separation from natural and urban areas.
- Balance the desire for public access with the preservation of environmentally sensitive areas.
- Maintain natural areas and open space for passive recreational opportunities.
- Develop land management programs that are economically feasible, provide access for the community, and are beneficial for wildlife.

Trails

Provide a safe, accessible system of trails that offers diverse outdoor experiences within a variety of habitats and landscapes, accessing significant views and features, and connecting to Windsor Center and the surrounding neighborhoods.

- Encourage recreation for all ages and abilities.
- Provide access for a range of passive recreation activities.
- Accommodate multiple uses and varied degrees of difficulty of the trail system.
- Control access to provide privacy and limit trespassing through abutting properties.
- Remove redundant and dead-end trails, creating larger contiguous habitats free from human intrusion.

Trails (continued)

- Develop trail maintenance programs that are economically feasible.
- Provide a variety of trail surfaces and experiences.
- Provide a pedestrian linkage to Windsor Center.
- Provide maps and way finding signs (if permitted by the conservation easement).
- Provide site furnishings such as benches, bike racks, dog waste stations, and trash containers.

Habitat

Foster a diversity of habitats composed of wildflower and grass meadows, successional forests, established forests, and wetlands to support a diversity of wildlife.

- Promote connectivity, biodiversity, and conservation of the Mill Brook open space habitats.
- Identify and conserve wildlife habitat including nesting sites, foraging areas, and migration corridors within the open space and the Mill Brook corridor.
- Protect critical areas and control access around the Mill Brook, ponds, and wetlands.
- Develop a system of trails that protect plant and animal habitats and provides large contiguous habitats.
- Foster native plant communities and remove or control the spread of invasive species where necessary.
- Develop annual and long-term maintenance regimes to accommodate breeding/nesting times and maintain the diversity of habitats.

Activities

Provide outdoor educational opportunities and a range of year-round passive recreation activities such as walking, hiking, biking, picnicking, bird/wildlife watching, sledding, and cross-country skiing.

- Where appropriate promote a variety of uses within the trail system.
- Provide opportunities for four seasons of activity.
- Provide a range of activities for residents and visitors of all ages and abilities.
- Use interpretative materials to educate residents and visitors on features such as native species and habitats.

Building Reuse

Priority should be given to uses that are compatible with or enhance the use of the open space while maintaining public access.

- Protect access to the open space from both Pigeon Hill Road and Mack Street.
- Building uses should be compatible with or enhance the use of the open space.
- Generate revenue to offset building and open space maintenance costs.
- Explore possible partnerships for non-profit uses that could provide stewardship.



Mill Brook Open Space Report and Land Management Plan

A decade ago, the Windsor Land Trust noted that three large contiguous parcels were for sale on Pigeon Hill Road and approached the town with the concept of creating a Mill Brook Open Space Corridor. Through transfers of development rights and purchases, the town and state acquired those and other parcels in the corridor totaling almost 80 acres of open space, much of it contiguous to the ten-acre Trent Drive Park. When plans to develop a portion of the golf course as condominiums fell through and the course closed with little prospect of reopening, the property was identified as desirable public open space in the 2015 Plan of Conservation and Development, due in part to its proximity to Windsor Center and location in the Mill Brook Corridor.

In 2016, The Trust for Public Land (TPL) was engaged to negotiate the purchase and help secure both funding and public support for the purchase. The town and TPL sought an Open Space and Watershed Land Acquisition grant for up to 60 percent of the negotiated \$2.1 million price and was awarded \$1,086,000. A special town meeting was held to purchase the property, with the balance of the funds coming from the Open Space Fund and General Fund Reserve, which was unanimously approved by over 100 residents in attendance.

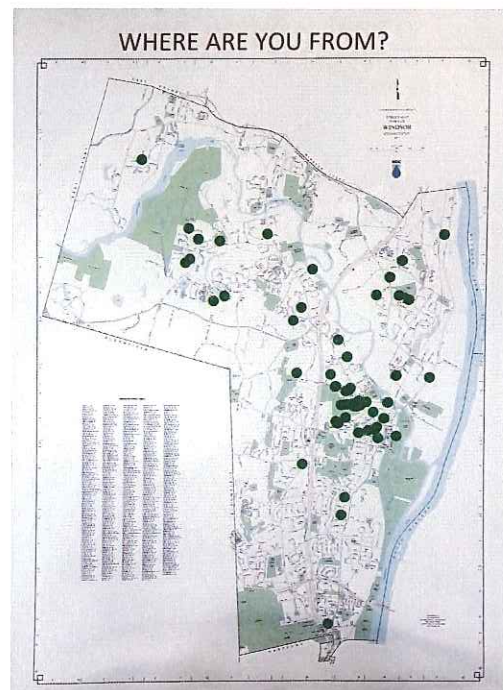
Public Participation

To guide the planning process following the purchase, the Town Council solicited interested citizens and commission members to serve on the Mill Brook Open Space Steering Committee, appointing Hilary Carpenter (at-large), Steven Fraysier (Inland Wetlands and Watercourses Commission), Margaret Harvey (Town Planning and Zoning Commission), Nigel Pepin (Conservation Commission), and Aaron Szotka (at-large) to serve on the committee. The steering committee held an initial site walk, nine meetings, and invited the public in attendance to participate in their deliberations, which culminated in the presentation of this report. The committee also held a public informational meeting on Nov 8th to present the preliminary plan.

Public Workshops

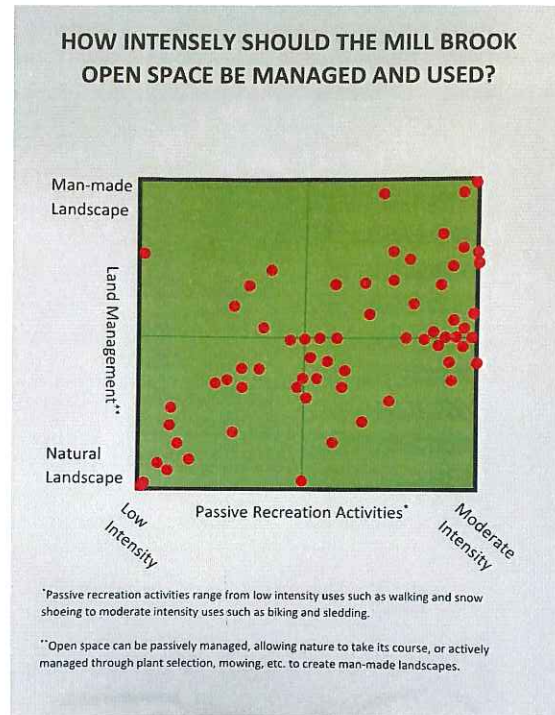
In addition to the committee meetings, the steering committee held two evening open houses at the property, attracting an estimated 90-100 residents to walk the property and participate in several workshop exercises designed to solicit feedback on the potential use and maintenance of the property, as well as the disposition and/or future use of the clubhouse and house at 72 Mack Street. Open house participants were asked to identify where they lived and the results reflected a strong contingent from the surrounding area as well as a number of residents coming from across Windsor, indicating much broader interest.

After explaining limitations on the use of the property and showing them examples of different trails and landscapes, attendees were asked to



simultaneously plot their preferences for the intensity of passive recreation use, ranging from walking and bird watching to sledding and disc golf, and the level of landscape management, ranging from letting nature take its course to a highly managed man-made landscape, on the X and Y-axes of a scatter diagram.

Applying a scale of zero to ten to each axis and calculating the mean and median scores, the collective preference for the level of passive use (a mean of 5.8 and median of 5.9) indicates that residents want a balance of uses beyond simply walking but not as intense as perhaps mountain biking and disc golf. Similarly, the desired level of landscape management (a mean of 4.3 and median of 4.4) indicate that the preferred level of management is a balance between a natural and manmade landscape, leaning towards natural.



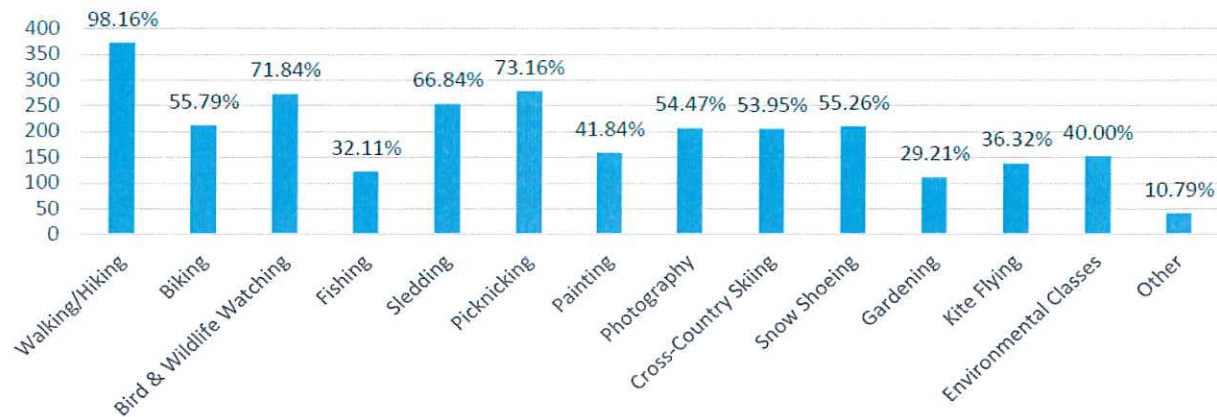
The two remaining exercises presented attendees with the open-ended question, “What do you think?” allowing them to write on a scripting pad or place a post-it note on a map of the property. These comments were combined with similar results from a community survey and presented in the appendix.

Public Survey

The steering committee also published an on-line community survey from August 31 to September 20, receiving 417 responses that confirmed many of the findings of the open houses, helping the steering committee focus their efforts. The full survey and its responses are provided in the appendix.

When asked to choose all of the passive uses that they thought were appropriate for the property, survey respondents gave the results illustrated below.

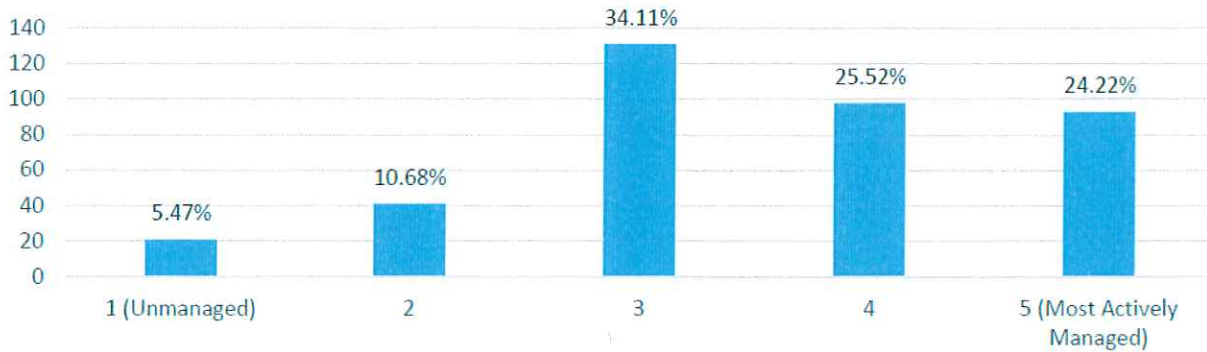
Q1 – Desired Passive Activities at Mill Brook Open Space



When asked to give their top three priorities, walking/hiking was the overwhelming consensus (77%) over biking (7%) and bird/wildlife watching (5%).

The desired level of landscape management from the survey leaned heavily towards an actively managed or manmade landscape compared to open house attendees, with nearly 50% leaning towards actively managed.

Q3 – Desired Level of Management



Fifty-seven percent of respondents agreed or strongly agreed there should be an area(s) managed as a commons, such as a lawn or green, and there was only mild interest in formal garden(s), such as an arboretum or rose garden.

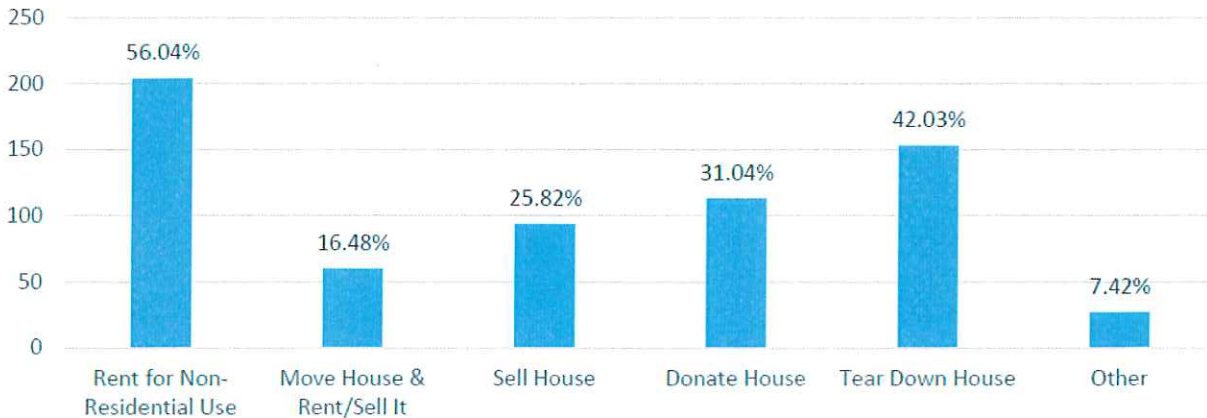
When asked about the disposition/future use of the former golf clubhouse, there was little support for either selling or tearing down the clubhouse as a whole, or in part. A town-owned or leased event venue is the most desirable use, followed by leasing or selling it for commercial use, such as a restaurant or garden center.

Q6 – Desired Clubhouse Use



The previous owner acquired 72 Mack Street to preserve a secondary road access to the golf course for future residential development. It was included in the open space purchase to provide pedestrian access from Windsor Center but the disposition of the small two-story colonial house and garage remains in question. When asked about the future disposition/use of this house, respondents preferred renting the house for non-residential use, followed by tearing it down or donating it to a charity.

Q9 – Preferred Mack Rd House Use



MISSION, VISION & GUIDING PRINCIPLES

The results of these open houses, community survey, and other public input were used to develop an overall mission and vision for the future of the Mill Brook open space and a create a set of guiding principles and action steps for transforming the former golf course.

MISSION

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VISION

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GUIDING PRINCIPLES

Land Management

Maintain a diverse open space that protects and enhances environmental resources, natural habitats, and features while providing passive recreational opportunities.

- Preserve and enhance significant environmental features including wetlands, woodlands, meadows, and water features that support wildlife.
- Develop buffers to create separation from natural and urban areas.
- Balance the desire for public access with the preservation of environmentally sensitive areas.
- Maintain natural areas and open space for passive recreational opportunities.
- Develop land management programs that are economically feasible, provide access for the community, and are beneficial for wildlife.

Areas of the parcel will be managed to varying degrees to provide diversity in the wildlife habitat and visitor experience, including informal lawns, meadows, succession forest, and perhaps community and/or formal gardens. Land management, trail locations, and wildlife habitat go hand in hand. In order to

balance public access and protecting/enhancing the environment, the steering committee examined a series of maps covering vegetative cover, wetlands, floodplain, topography, and aerial photography to identify trail locations and landscape management areas that best achieve the above objectives.

Areas identified as forest on the Land Management Areas map (see next page) are existing mature forests and adjacent fairways and greens that will be allowed to continue the process of forest succession (described below) that started when the golf course ceased operation and maintenance. They serve to provide habitat for existing forest and succession forest species and buffers against both I-91 and abutting residential neighbors. The committee tried to make these areas as large and contiguous as practical.

The second largest landscape management area is meadow, where the current process of forest succession will be arrested through brush hogging and infrequent mowing to maintain grassland and wildflower meadows. Again, the steering committee attempted to create as large and unbroken meadows as possible while maintaining a reasonable trail network. In several instances, the committee chose meadows as a means of preserving open vistas while avoiding the more intensive maintenance of informal lawn.

Informal lawns make up the third largest land management area, providing open vistas, the sense of an informal commons, and a varied user experience. Unlike meadows, informal lawns will be mowed more frequently, though not to the degree of a manicured lawn, like the town green. (1 x per ~ 21 days) Fertilizers, pesticides and other chemicals will not likely be used, allowing common lawn weeds to flourish between mowing.

Mill Brook areas identified on the Land Management Areas map refer to the riparian zone that includes and buffers the Mill Brook. This management area requires balancing the restoration and protection of bridge crossings and protecting a fragile ecosystem that is host to wetland and wetland dependent species that cannot survive elsewhere. Management will include stabilizing, and where necessary, armoring eroding slopes, by planting wetland and wet footed species to hold the soil in place and stone rip rap for the most impacted slopes. Riparian zones include several ponds as well, which will not receive maintenance beyond possible efforts to maintain public access to limited areas of shoreline and manage algae and invasive species in the most visible ponds.

Land Management Action Steps

Action	Lead	Priority
1. Develop multi-year maintenance operation plan.	Public Works	High
2. Develop a prioritized action plan to stabilize and maintain the Mill Brook.	Design Services / Public Works	High
3. Complete analysis of mowing option including town crews versus outsourcing.	Public Works	High

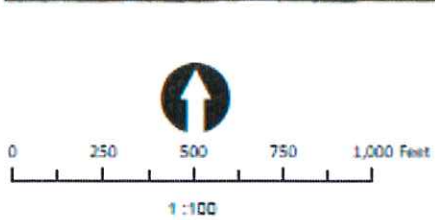
Habitat

Foster a diversity of habitats composed of wildflower and grass meadows, successional forests, established forests, and wetlands to support a diversity of wildlife.

- Identify and conserve wildlife habitat including nesting sites, foraging areas, and migration corridors within the open space and the Mill Brook corridor.
- Promote connectivity, biodiversity, and conservation of the Mill Brook open space habitats.
- Protect critical areas and control access around the Mill Brook, ponds, and wetlands.

MILL BROOK OPEN SPACE

Land Management Areas



Data: 2015 MDC Database



Habitat (continued)

- Develop a system of trails that protect plant and animal habitats and provides large contiguous habitats.
- Foster native plant communities and remove or control invasive species where necessary.
- Develop annual and long-term maintenance regimes to accommodate breeding/nesting times and maintain the diversity of habitats.

As a land use, golf courses are environmentally unfriendly, requiring intensive maintenance and application of lawn chemicals to maintain a groomed monoculture of grass lawns. In the eight years since the golf course closed and regular maintenance ceased, nature has begun to reclaim the fairways and greens as meadows and early succession forest with no intervention from man beyond neighbors mowing areas around the perimeter.

Unfortunately, nature has been indiscriminate in the plant species carried by animals, wind, and water to colonize the property and invasive species are present that can take advantage of this young landscape and outcompete native non-invasive species going forward. Bittersweet, Russian Olive, Purple Loosestrife, Japanese Knotweed, Phragmites, several species of Honeysuckle, and other invasive plants outcompete native non-invasive species through prolific seeding, suckering, and growth; as well as their ability to adapt to harsh conditions.

As part of creating and maintaining the meadows, riparian zone, succession forest, and established woodlands described under Land Management, we need to remove these invasive species if feasible or at least contain them over time. In doing so, we ensure that native species can create a diverse and healthy landscape that provides a wide variety of forage and habitat for the amphibians, birds, fish, mammals, reptiles and insect that will inhabit the different land management areas.

The easiest land management areas to manage from a habitat standpoint are the existing woodlands, which are a mature forest of hardwoods requiring minimal maintenance other than removal of fallen debris from trails and potentially hazardous limbs and trees. These will continue to host birds, mammals of all sizes, and various reptiles and amphibians.

Succession forest are areas that are in transition from meadows to mature forest and are typically colonized by pioneer plants, which are fast growing, easily dispersed trees and shrubs that are tolerant of harsh conditions such as poor soils, wet conditions, and full sunlight. Many of the pioneer species are invasive; best suited to cope with the relatively harsh conditions and will need to be managed through their removal or containment to avoid monocultures that serve a limited diversity of other species.



Succession Forest



Mature Forest

Beneficial, native, pioneer species provide the leaf litter, nutrients, and shade necessary to support the germination of larger species, which each in-turn shade and crowd out their predecessors. Succession forests are an important habitat for animal species that prefer neither the relative exposure of a meadow nor the bare forest floor of a mature forest.

Because these species will arrive with the transition from meadow and leave with the transition to mature forest, this habitat must be regenerated from time to time to prevent it from completing its succession to mature forest. Since the complete transition from meadow to mature forest can take many decades, different areas can be regenerated on a cyclical basis if there is to be a deliberate attempt to maintain this habitat. As this is an expensive and disruptive process, it will be up to future generations to decide whether to let nature run its course, and perhaps let some of the adjacent maintained meadows begin their transition to succession forest to accept the displaced wildlife.

Meadows consisting of tall grasses, wildflowers, and small shrubs provide forage and habitat for a wide variety of meadow-dependent animals and insects. If left wild, these meadows would soon begin the transition to succession forest and must be mowed annually to semiannually and reseeded from time to time to prevent monocultures of a particular plant species and the establishment of succession trees and shrubs, such as poplars and sumacs. Different meadow areas can be managed to serve different functions such as general habitat, wildflowers for hummingbirds, butterflies, bees and other pollinators, or grassland bird habitat. The (semi)annual mowing should be scheduled to accommodate mating seasons for the critical species, which we hope to attract and retain.



Wildflower Meadow



Grass Meadow

The riparian zones are the areas bordering the Mill Brook and ponds, and are host to a number of wetland and wetland-dependent species of plants and animals such as wet footed plants and amphibians. Riparian zones not only provide a unique habitat, they also provide several other important environmental services including filtering and storing stormwater and stabilizing stream banks.



Eroded Brook Riparian Zone



Pond Riparian Zone

Areas of the Mill Brook’s riparian zone are compromised by former lawns and erosion due to lack of stabilizing vegetation as well as the increasing volume and frequency of severe storms. Ideally, the most sensitive areas should be stabilized with wetland species seedlings planted into degradable fabric mats that hold the soil in place long enough for deep roots to establish and hold the soil. Water dependent trees above the top of the bank can further stabilize the banks by spreading their roots through the banks like rebar through reinforced concrete. The Department of Energy and Environmental Protection (DEEP) recognizes the value of these unique areas and has previously offered River Restoration Grants to support this type of restoration activity.

Where necessity requires, stone riprap can prevent damage to bridge abutments and severely eroded, sharp stream bends where the stream is being deflected sideways by a directly opposing bank. After removing Common Reeds, Phragmites, Purple Loosestrife and other invasive species and establishing a healthy mix of native riparian species, the water will run clearer and a larger diversity of wildlife will return to the banks of the Mill Brook.

Finally, there was a public interest in maintaining areas of informal lawn, preferably in the low, flat areas of the property south of the Mill Brook adjacent to Warham Street, east of the brook, and surrounding the clubhouse. From a habitat standpoint, there are not many species capable of using this landscape for habitat; but low growing plants such as Dandelion, Plantain, White Clover, and Wood Violets can withstand a more frequent mowing schedule to provide forage to bees and other pollinators between mowing. The insects and rodents inhabiting these lawns in-turn provide food for birds and larger mammals, such as hawks, swallows, bats, and coyotes.



Dormant Winter Informal Lawn



Periodically Mowed Informal Lawn

Habitat Action Steps

Action	Lead	Priority
1. Inventory and assess various habitats	Planning / Design Services	High
2. Evaluate the Mill Brook riparian zone and develop a prioritized action plan to stabilize and maintain the brook.	Planning / Design Services / Public Works	Medium

Trail System and Access

Provide a safe, accessible system of trails that offers diverse outdoor experiences within a variety of habitats and landscapes, accessing significant views and features, and connecting to Windsor Center and the surrounding neighborhoods.

As a former golf course, bituminous paved cart paths crisscross the property to serve 18 former tee boxes and greens, many of which are parallel and redundant. After years of neglect, the condition of these paths has deteriorated to varying degrees and in one case, has washed out completely due to bank erosion of the Mill Brook. The steering committee carefully considered a number of factors in determining which paths will remain, which will be removed, and where new connections will be added, including:

- providing pedestrian access from Windsor Center,
- preserving large contiguous landscapes and habitat areas,
- providing a variety of trail experiences ranging from relatively level to steep, and from open fields to shaded woods.
- providing physical and visual access to the brook and ponds,
- providing vistas
- eliminating redundant bridge crossings to avoid costly bridge repairs,
- cutting off trail stubs to remote tee boxes and greens,
- keeping trail shoulders clear of poison ivy and other noxious weeds,
- protecting the privacy of neighbors and/or discouraging trespassing through their properties.

The Land Management Areas map illustrates the resulting system of over 17,000 feet or 3.2 miles of existing and proposed trails as well as the removal of up to 8,000 feet of former cart paths.

Although subject to further study and refinement, the preferred method of restoring, removing and building new trails is to reclaim the entire cartway system. Existing cart paths to remain as trails will be milled and compacted in place to create a gravel-like, yet durable surface. Cart paths that are to be removed will be similarly milled and the surface and base materials will be carted to the boxed out locations of new trails, where they will be laid and compacted into trails matching the existing trail treatment. Conversely, the existing topsoil removed from the new boxed out trail locations will be carted to the removed trail locations to (re)establish the preferred landscape treatment (e.g. lawn, meadow, woods). The estimated cost of the above trail program would be approximately \$135,000.

There are currently six bridge crossings over the Mill Brook in various states of repair. Three are considered redundant and are recommended to be abandoned and removed if necessary. Of the remaining three bridges, only one is in usable condition, two will need new decks, and one will need significant repairs to its abutments. The cost of re-decking two of the bridges is \$38,000, and another \$38,000 is needed to repair the abutments. With a 25% contingency cost, the total cost of repairing the two bridges is \$95,000, bringing the total cost of trails and bridges to approximately \$230,000.

There would be two trailheads: one at the existing clubhouse parking lot, for anyone who wishes to drive to the facility and a pedestrian access at 72 Mack Street for residents of Windsor Center to walk in, which depending on the disposition of the house could also provide limited parking for handicap access only.

Trail System & Access Action Steps

Action	Lead	Priority
1. Pursue funding to develop 3.2 miles of trails.	Recreation & Leisure	High
2. Fund bridge design and rehabilitation.	Town Council	High
3. Evaluate alternative pedestrian access options at 72 Mack Street.	Planning / Design Services	High
4. Renovate and construct trails	Design Services / Public Works	High
5. Design and reconstruct Pigeon Hill Road Gateway or entrance.	Planning / Design Services / Public Works	Medium

Activities

Provide outdoor educational opportunities and a range of year-round passive recreation activities such as walking, hiking, biking, picnicking, bird/wildlife watching, sledding, and cross-country skiing.

- Where appropriate promote a variety of uses within the trail system.
- Provide opportunities for four seasons of activity.
- Provide a range of activities for residents and visitors of all ages and abilities.
- Use interpretative materials to educate residents and visitors on features such as native species and habitats.

A range of passive recreation activities, such as walking/hiking, sledding, picnicking, and bird/wildlife watching can be accommodated through varying land management approaches, without significantly compromising the environment.

Excluding 72 Mack Street as well as the former clubhouse, outbuildings, and two acres immediately surrounding them, the Open Space and Watershed Land Acquisition grant that paid almost \$1.1 million of the purchase price of the property comes with land use restrictions on the bulk of the property. A conservation easement will be placed upon the open space guaranteeing that it will forever be open space with nothing more than passive recreation activities and trails, prohibiting active sports facilities and possibly what some might consider passive activities, such as disc golf, if permanent physical improvements are required.

Passive recreation refers to recreational activities that require no physical improvements beyond trails and bridges and have no impact upon the land. The most obvious passive recreation activities are walking, hiking, jogging, bird/wildlife watching, and fishing; but may include biking, landscape photography/painting, and gardening during the warmer months and sledding, snow shoeing, cross country skiing, and ice skating during the winter.

The public input favors most of these activities with a preference for pedestrian activities, biking, and bird/wildlife watching. Given the relatively short 3.2 miles of trails, lack of topographical interest, highly erodible slopes, and potential damage to trails; mountain biking is neither desired nor likely to be popular. The 4-5 foot trail widths that formerly accommodated one-way golf cart traffic combined with the crushed stone surface are unsuitable as true multi-use paths, which are typically 10-12 feet of bituminous pavement. So biking, while permitted, should be limited to hybrid bikes operating on the paved trails in a controlled manner, such as a child on a small bike accompanying walking parents or an adult taking a leisurely tour around the property or commuting to work in the Day Hill Corporate Area.

Picnicking was also a popular suggestion for a possible use, either on the existing patio, in a new pavilion, or perhaps less formally at picnic sites surrounding the clubhouse. The conservation easement would limit physical picnic improvements to the two-acres in the vicinity of the clubhouse and the town would have to maintain the ownership and operation of the clubhouse to facilitate a pavilion that would not conflict with activities in the repurposed clubhouse. Picnicking on informal lawns would be possible, provided that trash is removed when finished.

Sledding, cross-country skiing, and snowshoeing can be easily accommodated when snow is present if participants own their own equipment, but ice-skating presents maintenance and safety challenges, due to the remoteness and unknown depth of the ponds. The hill descending from the clubhouse provides a sufficient unobstructed length of steep slope to be attractive for an informal sledding hill, requiring only a late mowing in the fall to clear a path and no physical improvements or supervision.

Building Reuse

Priority should be given to uses that are compatible with or enhance the use of the open space while maintaining public access.

- Protect access to the open space from both Pigeon Hill Road and Mack Street.
- Building uses should be compatible with or enhance the use of the open space.
- Generate revenue to offset building and open space maintenance costs.
- Explore possible partnerships for non-profit uses that could provide stewardship.

Clubhouse

The public consensus on the disposition of the clubhouse is to leave it intact in town ownership as a possible source of revenue to pay for the development and maintenance of the open space, which does not preclude other options. Possible approaches for reuse of the clubhouse include:

- town operated venue for various town / community programs,
- lease as event / meeting space,
- lease to a non-profit(s) and
- lease for commercial/restaurant use.

The latter option would likely preclude a picnic pavilion to the rear of the clubhouse to relieve pressure on similar town facilities.

The clubhouse and maintenance buildings are in reasonably good shape and the HVAC system serving half of the clubhouse needs to be replaced at a cost of \$25,000. Select doors and windows need to be replaced at the clubhouse at an estimated cost of \$12,000 to \$15,000.

72 Mack Street House

The property at 72 Mack Street provides the opportunity for pedestrian access from surrounding residential areas in and around Windsor Center. The property contains a well maintained, though functionally obsolescent home (only one full bathroom upstairs) as well as a garage and shed.

Potential reuse options include selling or leasing the property for residential use if a land swap or access and maintenance easements can be secured from the adjoining professional offices, allowing the privacy hedge against the west side of the house to remain intact after trail construction. Residential use would preclude the possibility of handicapped parking, which would serve the more gently sloped areas of the open space. A non-residential use, such as a professional office, would not present the same degree of privacy issues, but could preclude handicapped parking.

Another possibility is donating the house to the Windsor Independent Living Association (WILA), who maintains a client residence next door. WILA could use it as office space or move it to the substantial lawn area to the southeast, next to their existing home, allowing the installation of the trail, a new privacy hedge (if necessary), and the use of the exiting driveway and parking spaces for handicapped open space visitors.

Windsor Independent Living Association (WILA) is both a charitable cause and an abutter, making donating and/or relocating the house forward and adjacent to their existing client home a possibility that would not require significant transportation or aboveground utility issues.

When asked about the future disposition/use of this house, respondents preferred renting the house for non-residential use, followed by tearing it down or donating it to a charity.

Building Facilities Action Steps

Action	Lead	Priority
1. Fund partial replacement of HVAC system at clubhouse and maintenance garage.	Buildings & Facilities / Town Council	High
2. Fund partial replacement of doors and windows at clubhouse.	Buildings & Facilities / Town Council	High
3. Complete evaluation of options to reutilize the 72 Mack Street house.	Planning / Design Services	High
4. Develop Request for Proposal process for leasing of clubhouse building to compare cost benefit versus a town operated event venue.	Design Services / Buildings & Facilities	High
5. Repave clubhouse parking lot.	Design Services / Public Works	Medium
6. Replace privacy fencing along clubhouse property line.	Buildings & Facilities / Public Works	Medium

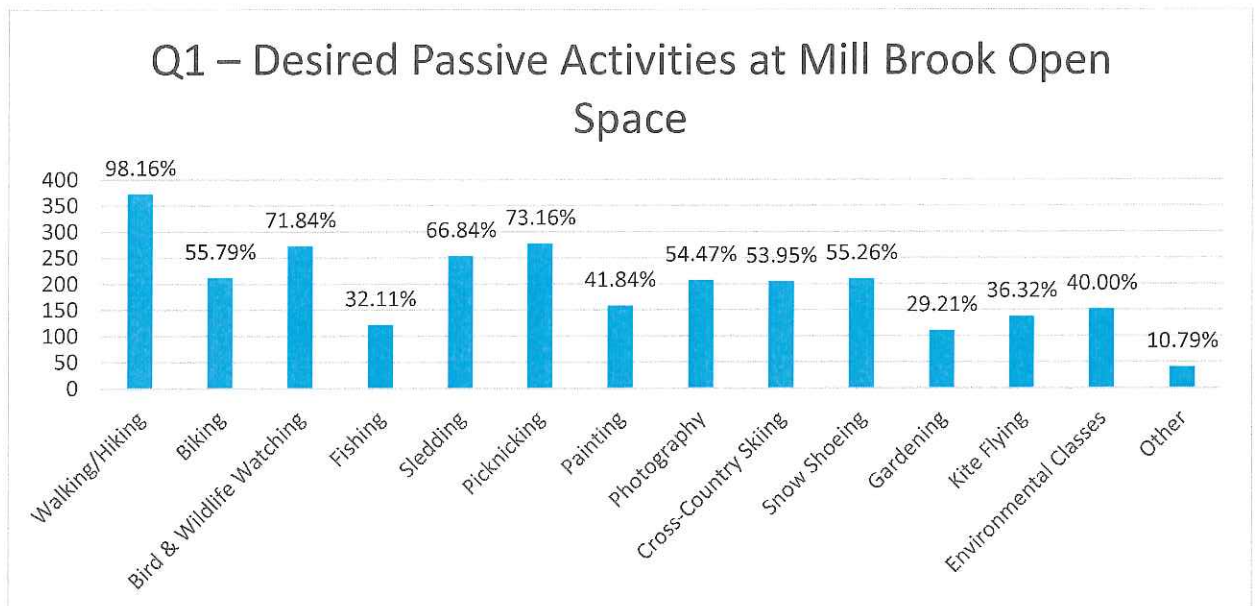
Appendix

Community Survey and Open House / Workshop Results

There were 417 total respondents. The margin of error is calculated to be 5% at a 95% confidence interval.

1. Open space grant restrictions limit the use of the property to passive recreation activities that require minimal physical improvements. Which of the following passive recreational uses would you like to see on the property? (Check all that apply)

- Walking/Running/Hiking
- Biking
- Bird & Wildlife Watching
- Fishing
- Sledding
- Picnicking
- Painting
- Photography
- Cross-Country Skiing
- Snow Shoeing
- Gardening
- Kite Flying
- Environmental Classes
- Other: _____

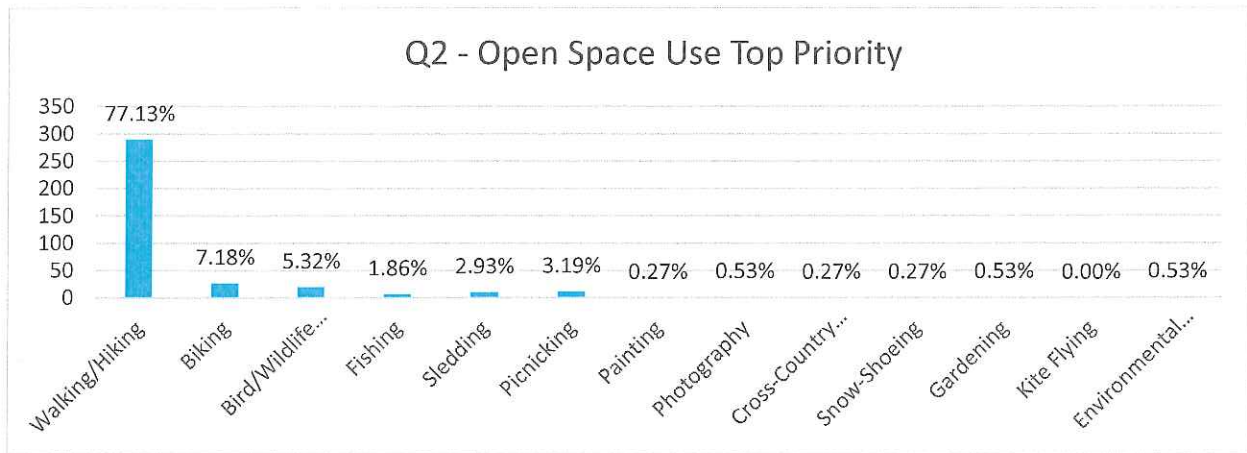


2. Of the uses selected above, which do you consider to be your three highest priorities?

Highest Priority: _____

Second Highest: _____

Third Highest: _____



3. If left unmanaged except for trails, the former golf course will revert to a wild forest of native and invasive species spread by wind and wild animals. On a scale from 1-5, with 1 being "unmanaged" and 5 being "most actively managed", at what level do you believe the town should manage this space to control invasive species during this transition to forest?

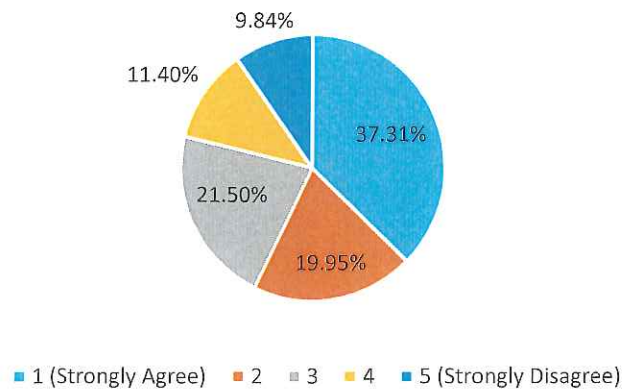
(Unmanaged) 1 | 2 | 3 | 4 | 5 (Most Actively Managed)



4. Would you like an area(s) to be managed as common space, such as a lawn or green?

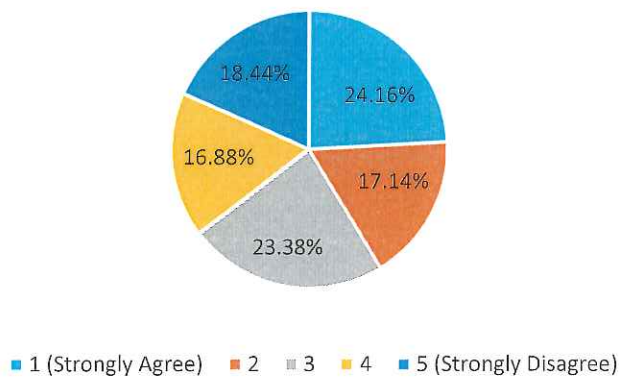
(Strongly Agree) 1 | 2 | 3 | 4 | 5 (Strongly Disagree)

Q4 – Common Space Desired?



5. Would you like an area(s) to be managed as formal gardens (e.g., an arboretum, rose garden, etc.)?
 (Strongly Agree) 1 | 2 | 3 | 4 | 5 (Strongly Disagree)

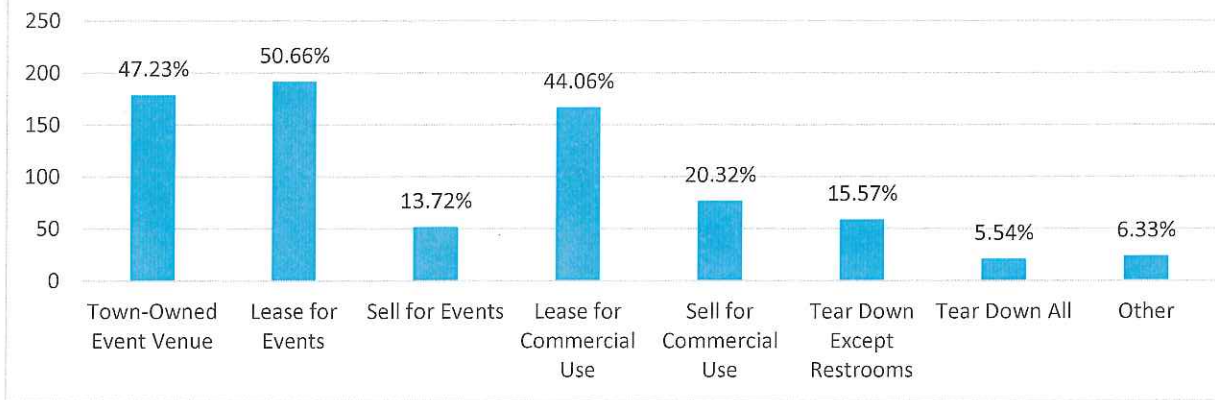
Q5 – Formal Gardens Desired?



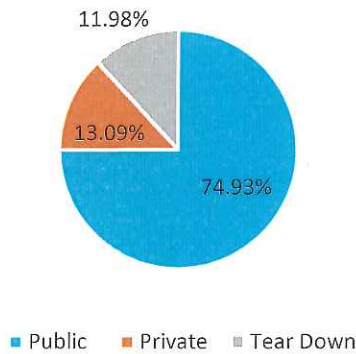
6. The acquisition of the golf course included the former clubhouse, parking lot, maintenance buildings, and about two acres of surrounding land without use restrictions. The building is structurally sound but in need of repairs and upgrades. Which of the following uses/actions for this area would you prefer? (Check all that apply)

- A town-owned & operated event venue for meetings, weddings, reunions, etc.
- Lease clubhouse for event venue for meetings, weddings, reunions, etc.
- Sell the clubhouse as a privately-owned event venue for meetings, weddings, reunions, etc.
- Lease the clubhouse as a restaurant or for other light commercial use.
- Sell the clubhouse as privately-owned restaurant.
- Tear down the clubhouse except for public restrooms.
- Tear down the entire clubhouse.
- Other: _____

Q6 – Desired Clubhouse Use

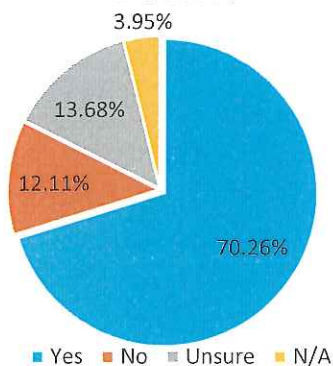


Q6 - Public vs. Private Ownership of the Clubhouse



7. If the clubhouse was torn down entirely or torn down, except for public restrooms, would you like to have a picnic pavilion constructed on that site to meet growing demand on similar town facilities?
 Yes | No | Unsure | Not Applicable

Q7 - Picnic Pavilion Desired if Clubhouse is Torn Down?

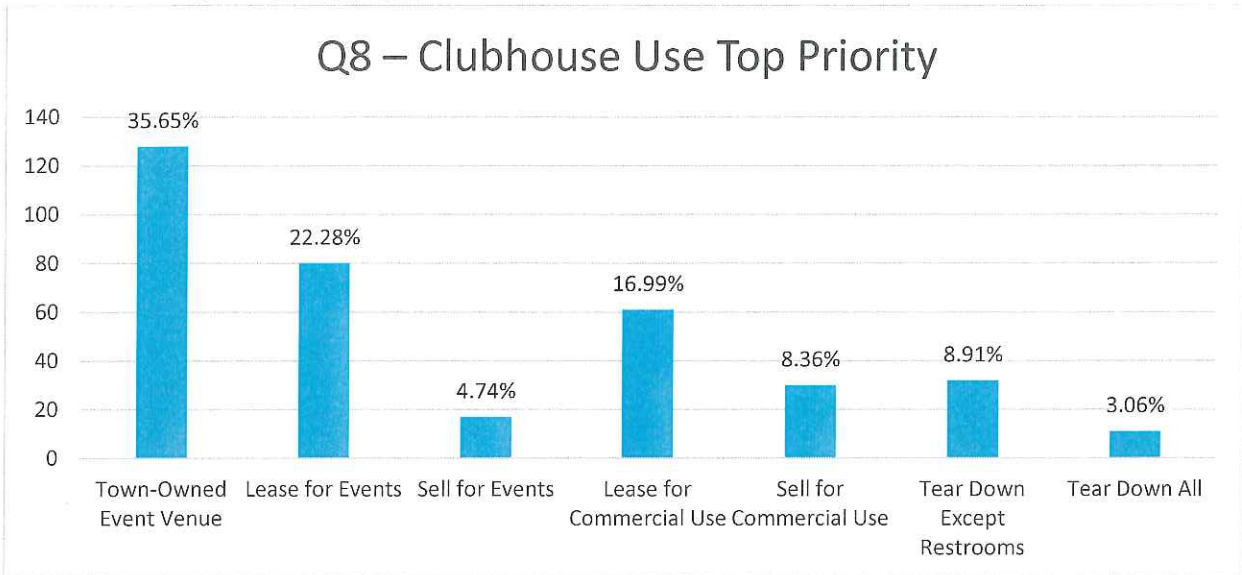


8. Of the uses you selected in question 6, which do you consider to be your three highest priorities?

Highest Priority: _____

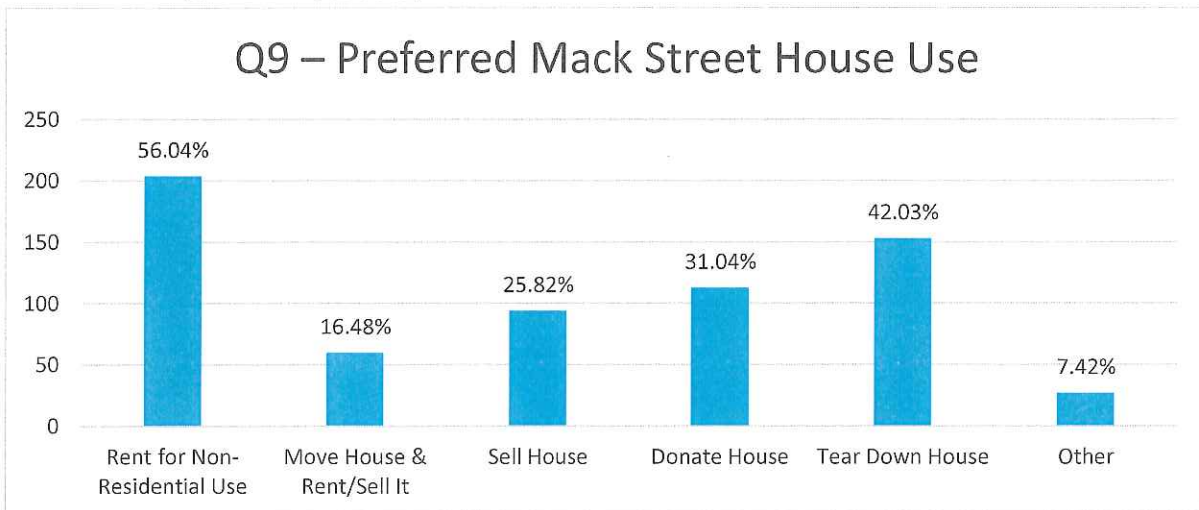
Second Highest: _____

Third Highest: _____



9. The acquisition of the golf course included a house and yard at 72 Mack Street, intended for access to the open space from Windsor Center, free of use restrictions. The house is in usable condition but blocks pedestrian access without compromising residential privacy. Which of the following uses/actions for this area would you prefer? (Check all that apply)

- Construct the public access and rent the house for non-residential uses such as professional offices to offset the cost of maintenance.
- Move the house to another part of the property, construct the public access and privacy screening, and rent or sell the house.
- Construct the public access and sell the house for residential use.
- Donate the house to someone willing to move it to another nearby property and construct the public access.
- Tear down the house and construct the public access.
- Other: _____

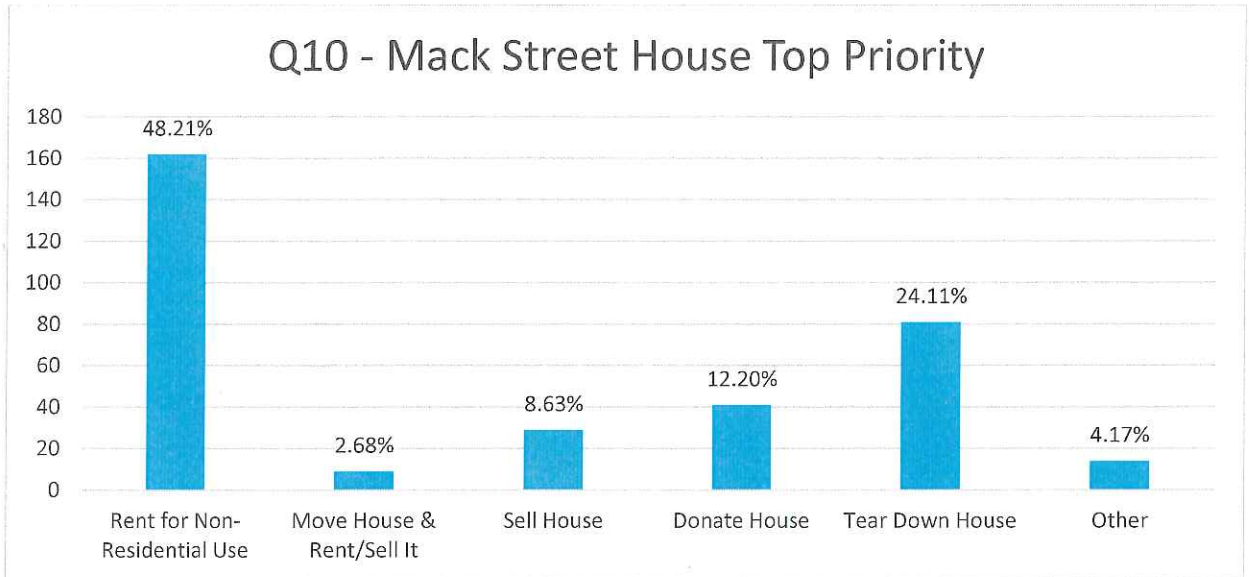


10. Of the uses you selected above, which do you consider to be your highest three priorities?

Highest Priority: _____

Second Highest: _____

Third Highest: _____



11. Do you have any additional comments?

Responses have been combined with workshop comments, summarized, and categorized.

Preferred Use of Open Space

- Hiking/Walking (6)
- Picnicking (5)
- No picnic pavilion

Preferred Use of Open Space (continued)

- Sledding/snowboarding (5)
- Disc Golf (4)
- Cross Country skiing (4)
- Occasional outdoor concerts (4)
- Biking/separate bike trails (3)
- No biking/mountain biking (3)
- Bike path connecting Mack Street to Pigeon Hill Road for through bikers (2)
- Ice skating (3)
- No motorized vehicles (3)
- Boy Scout camping/camping (2)
- Keep nine holes of golf (2)
- Dog park (2)
- Open off leash dog area
- Keep dogs on leashes

- Snow shoeing
- Environmental education
- Fireworks
- Library programs
- Pavilion to rent out for private parties (revenue)
- Gazebo
- No hunting
- Impose strict adherence to non impacting uses
- Incorporate art along trails and partner with Windsor Art Center
- Make at least one mountain bike trail
- No community gardens

Maintenance of Open Space

- Keep invasive, overgrown, and dangerous plants under control (5)
- Clean up/mill existing walkways (4)
- Prefer natural landscape (3)
- Maintain like Northwest Park (2)
- Minimally groomed trails/no pavement (2)
- Add new trails
- Fix bridges (2)
- Leave it natural/open (2)
- Rose Garden (2), plums too
- Mow some sections 6x/year – mow almost all area 1x/year to keep the space open (2)
- Develop brook for trout (2) - catch & release only
- Scout projects to help maintain (2)
- Limit trespassing over abutting properties/fences (2)
- Consider how to make it accessible by all abilities – parking is near hilly section and no parking near flat area
- Make it like Wickham Park (East Hartford)
- Keep mix of meadows and forested areas

Maintenance of Open Space (continued)

- Trim trees
- Plant more trees
- Maintain vistas through selective mowing/vegetation management
- Bush hog/mow every 2 years – do not remove trees
- Mow grass at end of Warham Street on regular basis
- Level some areas out
- Grassland bird/mammal habitat
- Butterfly garden to attract pollinators
- Overgrown shrubbery abutting Scherer Ridge property
- Minimize maintenance costs
- Protect wildlife, natural environs and water sources
- Pond closest to I-91 should be used as detention pond to filter runoff
- Use volunteers
- Need fish ladders
- Add bluebird houses
- Fix fence along east side of parking lot

Use of Buildings

Clubhouse

- Restaurant/diner (6)
- Use clubhouse for parties/weddings/events (4)
- No event venue/late night noise (2)
- Never a banquet facility (noise, etc. for neighborhood)
- Brewery / Brew Pub (4)
- Nothing to do with alcohol / no brewery
- Kitchen available for rent
- Community center
- Adjunct senior center
- Youth Center
- Art Center
- Tables/chairs on the deck
- Rent out buildings
- Sell it for commercial use
- Winter farmer's market
- Keep nine holes of golf
- Do not sell
- Do not tear down
- Need consistent revenue stream
- No restaurant use after 10:00
- Ice cream shop
- Rent to Audubon Society

Use of Buildings (continued)

72 Mack Street

- Coffee house
- Rent out house for non-residential use (3)
- Tear it down and construct access
- Use for educational purposes related to the open space (2)
- Do not sell
- Donate to charity (2)
- Best location for public access
- Bicycle and emergency access only
- Teen Center
- Non-profit event space
- Sell the property
- Need consistent revenue stream


Miscellaneous Comments

- Will there be a monitoring committee to deal with complaints?
- Be sure the location is widely publicized and the way to get to Mill Brook is known by all - promotion
- Provide maps for all the trails (3)
- Will there be hours of operation?
- No vehicle parking at Warham Street
- Why no access from Warham Street?
- Town-wide contest to name the park
- Allocate sufficient funds to maintain open space
- Move the highway
- Provide scout service projects (3)
- Provide better bicycle access from west side of I-91
- Minimal signs
- Do not duplicate Northwest Park
- Engage organizations to adopt/maintain/use areas of the open space (e.g. garden club) (2)
- Parking and bathrooms needed at both ends

Agenda Item Summary

Date: December 17, 2018

To: Honorable Mayor and Members of the Town Council

Prepared By: Peter Souza, Town Manager 

Subject: 67 Rainbow Road Access Easement and Appropriation

Background

For most of our 385 year history, Windsor has been an agricultural community. At its agricultural peak, Windsor was the center of the shade-grown tobacco industry in the Connecticut River Valley. In more recent decades, although the iconic tobacco sheds and shade tents of the shade-grown tobacco industry are giving way to residential and industrial development and food production, the agricultural land uses remain a significant part of the town's character.

Approximately 3,000 acres or 16 percent of Windsor's land area is being used for agricultural related purposes. Preserving agricultural land helps to maintain local food capacity, economic diversity, as well as historic and community character.

The town's Plan of Conservation and Development sets forth a number of policy goals and objectives relating to farmland preservation and gaining access to the various waterways in town. The town currently has the opportunity to move forward on both of these policy objectives through acquiring an easement along a portion of the Farmington River and multi-party effort to preserve 61 acres of farmland, in perpetuity, near the intersection of Rainbow Road and Poquonock Avenue.

Discussion/Analysis

Over a number of years, The Trust for Public Lands (TPL), a national land preservation organization, has worked with town staff and the Windsor Land Trust to identify opportunities to preserve open space land as well as agricultural properties with prime soils. Specifically, TPL has worked closely with the Brown family to facilitate preservation of part of their agricultural land holdings in town. TPL has secured funding from both public and private sources to preserve in perpetuity approximately 61 acres of agricultural land off of Rainbow Road near the intersection of Poquonock Avenue (see attached map.) The preservation method, or tool, is known as the Purchase of Development Rights. Through this tool, the landowner retains ownership but the land is not allowed to be developed for non-agricultural uses.

The town has negotiated a 30' wide easement along approximately 600 feet of the Farmington River for future use as a path or trail way. The Open Space Preservation Plan, within the town's Plan of Conservation and Development, identifies this parcel as desirable open space with prime agricultural soils.

Along with an access easement in favor of the town, a permanent easement in favor of the United States Department of Agriculture would be placed on the remainder of the property, which would prohibit development of the land for non-agricultural uses. The landowner would be allowed to continue operating agricultural-related businesses such as a farm stand and the iconic Brown's Harvest. The United States Department of Agriculture grant to purchase the development rights requires a local contribution to the project. The Town's purchase of the access easement for future use will help satisfy this local contribution requirement.

In order to complete the access easement, the Town Council is asked to approve and recommend the easement in the town's favor as well as an appropriation of \$65,000 from the Open Space Fund to a Special Town Meeting. It is recommended that a Special Town Meeting be called for January 7, 2019 at 7:00 p.m.

Financial Impact

The recommended funding source for the \$65,000 appropriation is the town's Open Space Fund, which presently has an available balance of \$414,000.

Other Board Action

The Town Planning and Zoning Commission will review the easement per CGS 8-24 in January.

Recommendations

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

Item 12 b

“RESOLVED, that a public access easement with H. F. BROWN, INCORPORATED, also known as H.F. BROWN, INC., at 67 Rainbow Road be approved as depicted on a certain map or plan entitled “Property Survey Prepared for H F Brown, Inc. 67 & 90 Rainbow Road, 1911 Poquonock Ave. Windsor, Connecticut Scale: 1” = 100’ Date: XXXXX Sheet 1 of 1 Denno Land Surveying & Consulting, LLC 2 Tunxis Road, Ste 214, Tariffville, CT 06081”; and in consideration of an appropriation of \$65,000 from the Open Space Fund be authorized and approved; and furthermore the Town Manager is authorized to sign, execute and record documents needed for said easement.”

Item 12 c

“MOVE to set a Special Town Meeting for January 7, 2019 at 7:00 p.m. to consider approving a public access easement and appropriation related to 67 Rainbow Road.”

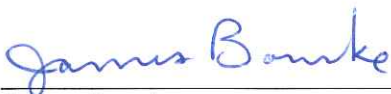
Attachments

Map

Draft Easement

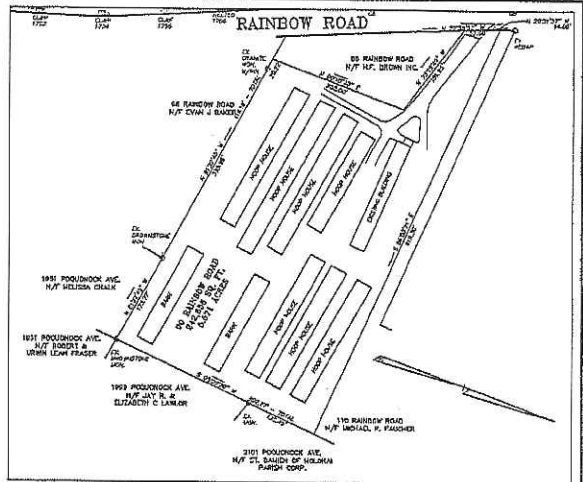
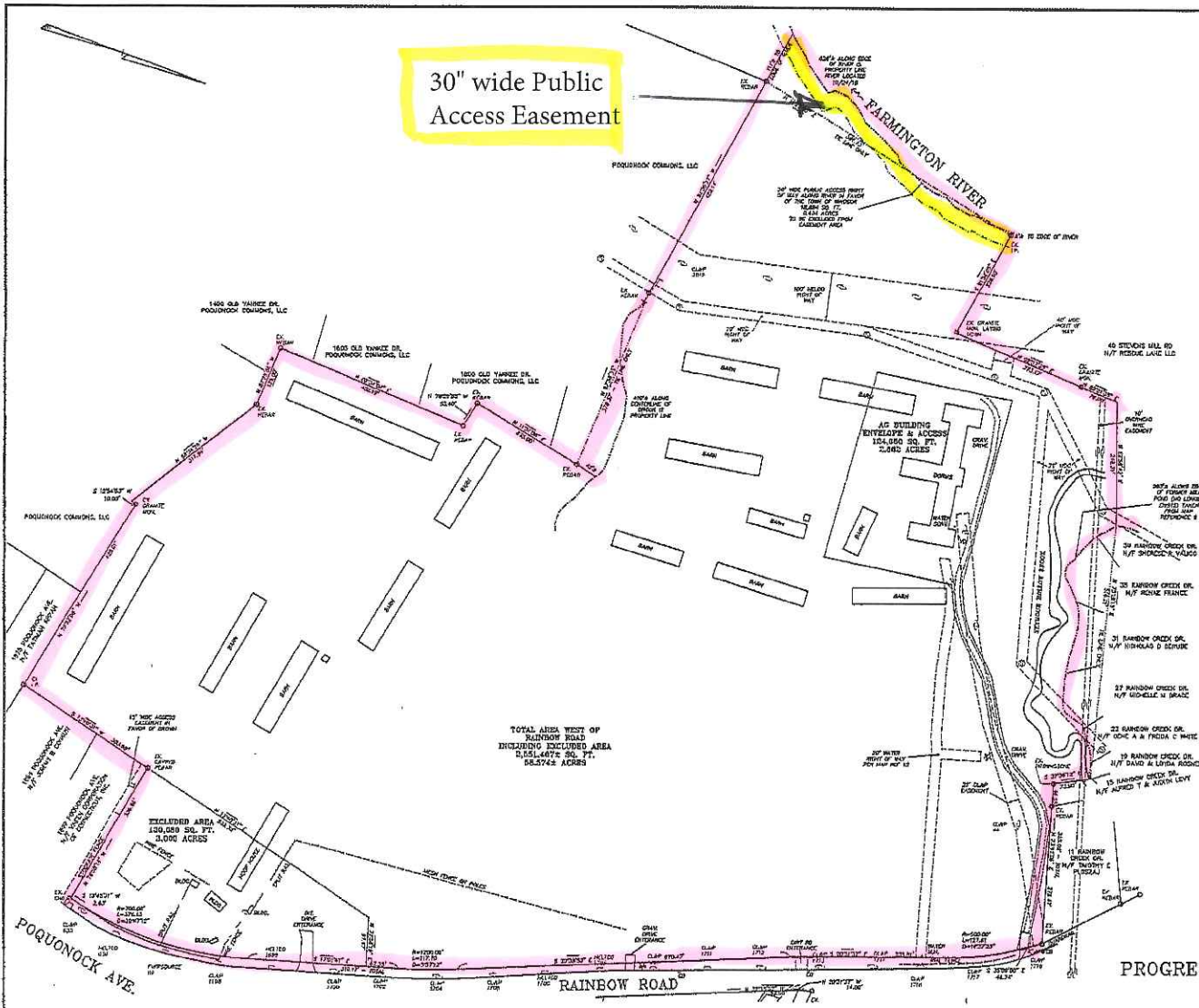
Certification

I hereby certify that there is \$65,000 in the Open Space Fund balance to fund the above appropriation.



James Bourke
Finance Director

30" wide Public Access Easement

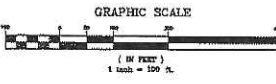


- SURVEY NOTES:**
- THIS SURVEY AND PLAN HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-20B-1 THRU 20-20B-29 OF THE REGULATIONS OF CONNECTICUT STATE RESOURCES ADMINISTRATION FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS WELL AS SPECIFIC REQUIREMENTS OF THE COMMUNITY OF WINDSOR, CONNECTICUT.
 - THE TYPE OF SURVEY PERFORMED IS A PROPERTY SURVEY.
 - BOUNDARY DETERMINATION CATEGORY-ORIGINAL SURVEY BASED ON A FIRST SURVEY.
 - THIS PLAN CONFORMS TO HORIZONTAL ACCURACY CLASSES A-2, ELEVATION BASED UPON NAVD 83.
- MAP REFERENCES:**
1. 1897 LINDEN PROPERTY OF H. F. BROWN, INC. POQUONOCK AVENUE & 87 RAINBOW ROAD WINDSOR, CONNECTICUT SCALE 1 IN = 100 FT. JANUARY 13, 2010 BY LALLY AND ASSOCIATES, INC. WINDSOR, CT.
 2. "PROPERTY OF HAROLD W. & LOIS A. BROWNERS 1875 POQUONOCK AVENUE, WINDSOR, CONNECTICUT SCALE 1/4" = 40 FT. MARCH 19, 2012 BY LALLY AND ASSOCIATES, INC. WINDSOR, CT."
 3. "DEED PLAN PREPARED FOR SAINT JOSEPH'S CHURCH (ST. JOSEPH'S CATHEDRAL) RAINBOW ROAD, WINDSOR, CT. SCALE 1/4" = 40 FT. NOV. 17, 1987 BY LALLY AND ASSOCIATES, INC. WINDSOR, CONNECTICUT."
 4. "SUBDIVISION PLAN PROPERTY OF BRAN A. & MARGARET GARDNER AND LAY & ELIZABETH LAMOR 1715 RAINBOW ROAD - WINDSOR, CT. SCALE 1/4" = 40 FT. DECEMBER 27, 1954 BY LALLY AND ASSOCIATES WINDSOR, CONN. REVISED THROUGH 3-20-83."
 5. "PROPERTY LINDEN PROPERTY OF H. F. BROWN, INC. ON RAINBOW ROAD WINDSOR, CONNECTICUT SCALE 1/4" = 40 FT. NOVEMBER 7, 2001 BY LALLY AND ASSOCIATES, INC. WINDSOR, CONNECTICUT."
 6. "MAP SHOWING EASEMENT AREA TO BE GRANTED TO THE CONNECTICUT LIGHT AND POWER COMPANY ACROSS THE PROPERTY OF H.F. BROWN, INC. RAINBOW ROAD WINDSOR, CONNECTICUT SCALE 1/4" = 40 FT. DATED MARCH 20, 1948 BY LALLY AND ASSOCIATES WINDSOR, CONN. REVISED THROUGH 3-20-83."
 7. "PROPERTY OF JOHN BOURQUE HOUSE NO. 1283 POQUONOCK AVE. WINDSOR, CONN. SCALE 1/4" = 40 FT. DATE: APRIL, 1951 W. L. ALFORD CIVIL ENGINEER WINDSOR, CONN. REVISED THROUGH OUTSIDE 1989."
 8. "SUBDIVISION PLAN RAINBOW CREEK PREPARED FOR SAGEHART DEVELOPMENT CORP. RAINBOW ROAD - WINDSOR, CONNECTICUT SCALE 1/4" = 40 FT. DECEMBER 7, 1983 BY LALLY AND ASSOCIATES, INC. WINDSOR, CT. REVISED THROUGH 4/15/13."
 9. "PLAN SHOWING RIGHT-OF-WAY AND ACCESS EASEMENT IN PRIVATE LOTS TO THE METROPOLITAN CENTER FROM THE RAINBOW ROAD TO OUTFALL IN FARMINGTON RIVER WINDSOR SCALE 1/4" = 40 FT. OCTOBER 1, 1998 SHEET 1 OF THE METROPOLITAN DISTRICT HARBOR, CONNECTICUT ENGINEERING AND PLANNING."
 10. "THE HARBOR ELECTRIC LIGHT CO. MAP SHOWING RIGHT OF WAY ACROSS THE PROPERTY OF HAROLD F. BROWN POQUONOCK AVE., TOWN OF WINDSOR, CONN. SCALE 1/4" = 100 FEET APRIL 1949."
 11. "THE METROPOLITAN DISTRICT ENGINEERING AND PLANNING HARBOR, CONNECTICUT RIGHT-OF-WAY & ASSESSMENT PLAN FOR PROPOSED RAINBOW TRUCK CORNER NO. 3 IN PRIVATE LOTS WINDSOR SCALE 1/4" = 100' JUNE 28, 1984 SHEET NO. 17911 SHEET 3 OF 4."
 12. "SUBDIVISION PLAN PREPARED FOR H.F. BROWN, INC. RAINBOW ROAD WINDSOR, CONNECTICUT SCALE 1/4" = 40 FT. DATE FEBRUARY 1, 1948 BY LALLY AND ASSOCIATES WINDSOR, CONN."

PROGRESS PRINT

UTILITY STANDOFF
UNDERGROUND UTILITY STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN OBTAINED IN PART FROM RECORDS MAINTAINED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES FROM PLANS, TESTIMONY AND FROM OTHER SOURCE. THESE LOCATIONS MUST BE CONFIRMED AS APPROPRIATE IN THE FIELD. ADDITIONALLY, OTHER SUCH INFORMATION MAY BE OBTAINED FROM THE OFFICE OF RECORDS OF WHICH ARE UNKNOWN TO THIS SURVEYOR. THE FIELD LOCATIONS AND DATA OF EXISTENCE OF WHICH ARE UNKNOWN TO THIS SURVEYOR WILL BE SHOWN AS UNDETERMINED. ALL SAID INFORMATION MUST BE FIELD CHECKED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.

90 RAINBOW ROAD



REVISIONS: TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.		PROPERTY SURVEY PREPARED FOR H F BROWN, INC. 67 & 90 RAINBOW ROAD, 1911 POQUONOCK AVE. WINDSOR, CONNECTICUT	
100 MILL LINDEN RD. WINDSOR, CT. 06095 DEWIND LAND SURVEYING & CONSULTING, LLC 2 TURNER RD. STE. 214 TARIFFVILLE, CT 06083	SCALE 1" = 100'	DATE XXXXXX	SHEET NO. 1 OF 1

PUBLIC ACCESS EASEMENT AGREEMENT

THIS PUBLIC ACCESS EASEMENT AGREEMENT (this "Easement Agreement") is made this ___ day of _____, 2019, by **H. F. BROWN, INCORPORATED, also known as H.F. BROWN, INC.**, a Connecticut company with an office in Windsor, Connecticut (together with its successors and assigns, "Grantor") for the benefit of the Town of Windsor, a body politic ("Grantee").

Subject to all covenants, restrictions, easements and other matters of record, Grantor does hereby grant unto Grantee, for the benefit of the Grantee, a non-exclusive, perpetual easement on and across that area shown as "30' PUBLIC ACCESS RIGHT OF WAY ALONG RIVER IN FAVOR OF THE TOWN OF WINDSOR 18,884 SQ. FT. 0.434 ACRES TO BE EXCLUDED FROM EASEMENT AREA" (the "Easement Area") on that certain map or plan entitled "Property Survey Prepared for H F Brown, Inc. 67 & 90 Rainbow Road, 1911 Poquonock Ave Windsor, Connecticut Scale: 1" = 100' Date: XXXXX Sheet 1 of 1 Denno Land Surveying & Consulting, LLC 2 Tunxis Road, Ste 213, Tariffville, CT 06081", which is or is to be recorded in the Land Records of the Town of Windsor in Book ___, Page ___, which is presently owned in fee by Grantor, for pedestrian access and egress along the Farmington River.

This Easement Agreement confers no right unto Grantee to access lands owned by Grantor that are located outside of the Easement Area. Except to the extent otherwise agreed by Grantee in writing, Grantor will not construct, erect or maintain any barriers that would preclude or materially deprive Grantee of the benefit of its easement rights hereunder. Within said Easement, the Grantee shall have the right to construct a multi-use trail, path or other public access way. Upon construction of any trail, path or other public access way, the Grantee shall provide appropriate signage and/or other fences or barriers indicating that no access is permitted to the remaining land of the Grantor.

It is the intention of Grantor hereto that the rights and easements herein established that benefit or burden certain property described herein shall be appurtenant to such property, running with such property and being binding upon the owner(s) of such property and their successors, tenants, assigns, successors-in-title, and mortgagees.

[Remainder of Page Left Blank – Signatures on Next Page]

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first written above.

GRANTOR:

Witnesses

H.F. BROWN INCORPORATED, also known as
H.F. BROWN, INC.

Print Name:

By: _____

Print Name:

STATE OF CONNECTICUT)

) ss:

COUNTY OF HARTFORD)

On this the ____ day of _____, 2018, before me, the undersigned notary public, personally appeared _____, who acknowledged himself/herself to be _____, duly authorized to act on behalf of H.F. BROWN, INCORPORATED, also known as H.F. BROWN, INC. personally known to me or satisfactorily provided to be the person whose name is signed on the preceding document and acknowledged to me that he signed it voluntarily for its stated purpose.

IN WITNESS WHEREOF, I hereunto set my hand.

Notary Public


My Commission expires:

Agenda Item Summary

Date: December 17, 2018

To: Honorable Mayor and Members of the Town Council

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

Reviewed By: Peter Souza, Town Manager 

Subject: DPW Restrooms, Office Areas, Meeting Room Renovations, and Window Replacement – Request for Funding for Design Services

Background

The DPW building located on 99 Day Hill Road was built in 1977. Since that time, the only major renovation projects to the building was the 2009 roof replacement and upgrades to the building exhaust systems in the mechanics garage. Capital projects had been deferred in the past due to considerations of selling the property relocating and DPW.

Discussion/Analysis

The existing restrooms, administrative and common areas are four decades old. They are outdated and restrooms need to be renovated to ADA compliancy. The administrative and meeting room windows are leaking, allowing water to seep into the walls creating deterioration and mold damage.

The design services required for upgrading these areas will entail code compliant restrooms and new windows in the office, hallway, and meeting room areas. The project design will include possible demolition and renovation of walls in these areas correcting water and mold damage. The common areas are also proposed to be upgraded and functionality improved.

The approved Capital Improvements Program allocates design funding in FY 19 and construction funding in FY 20. Solicitation of design proposals has been completed and funds in the amount of \$30,000 are requested. These funds will cover the costs for design services and hazardous material testing. The preliminary project cost estimate for renovations is \$209,000.

Financial Impact

The estimated cost for design services and hazardous materials testing for the project is \$30,000. It is requested that the Capital Projects Fund, Assigned Fund balance be the funding source.

Other Board Action

The Town Council is also requested to refer this project to the Public Building Commission for oversight.

Recommendations

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

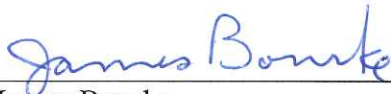
MOVE, that \$30,000 be appropriated from the Capital Projects Fund, Assigned Fund balance for design of the Public Works Facility Restroom and Interior Renovation and Window Replacement project; and the project be referred to the Public Building Commission for oversight.

Attachments

None

Certification

I hereby certify that there is \$30,000 in the Capital Projects Fund, Assigned Fund balance to fund the above appropriation.




James Bourke
Finance Director

Agenda Item Summary

Date: December 17, 2018

To: Honorable Mayor and Members of the Town Council

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

Reviewed By: Peter Souza, Town Manager 

Subject: Partial Roof Replacement at Sage Park Middle School – Request for Funding for Design Services

Background

The approved Capital Improvements Program allocates design funding in FY 19 for a partial roof replacement project at Sage Park School. At this time it is respectfully requested that funding from the Capital Projects Fund be approved for project design to commence.

Discussion/Analysis

The Sage Park School roof is a total of 148,000 square feet. A total of 88,000 sq. ft. of roofing was replaced in 1995 and 1999. The remaining 60,000 sq. ft. of roof was not replaced at those times since the sections were part of a new addition to the school in 1994. There is a need to design a replacement for the 60,000 square foot section as well as options for restoration of part(s) of the 88,000 sq. ft. portion.

The approved Capital Improvements Program allocates design funding in FY 19 and construction funding in FY 20. The preliminary project cost estimate is \$2.142M. Solicitation of design proposals has been completed and funds in the amount of \$20,000 are requested. These funds will cover the costs for design services and hazardous material testing.

The overall project is potentially eligible for a partial reimbursement grant from the State of Connecticut. Once design is underway the plan is to prepare a grant application to the State of Connecticut. Additional actions by the Board of Education and the Town Council will be needed at a later date to formally submit a full grant application to the state.

Financial Impact

It is requested that the Capital Projects Fund, Assigned Fund balance be the funding source for the design services.

Other Board Action

The Public Building Commission has reviewed the design proposals. The Town Council is requested to authorize the preparation of plans and specifications and to refer the project to the Public Building Commission for oversight.

Recommendations

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

“MOVE that \$20,000 be appropriated from the Capital Projects Fund, Assigned Fund Balance to fund the design and preparation of schematic drawings and specifications for the Sage Park Middle School Partial Roof Replacement project; and the project be referred to the Public Building Commission for oversight.”

Attachments

None

Certification

I hereby certify that there is \$20,000 in the Capital Projects Fund, Assigned Fund balance to fund the above appropriation.




James Bourke
Finance Director

Agenda Item Summary

Date: December 17, 2018

To: Honorable Mayor and Members of the Town Council

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

Reviewed By: Peter Souza, Town Manager 

Subject: Replacement of WHS Indoor Pool HVAC Unit

Background

This existing heating, ventilation and air conditioning unit that serves the Windsor High School indoor pool was installed in 2001 during the High School renovation project. The unit is reaching the end of its life cycle and is in need of replacement.

Discussion/Analysis

This project is in the adopted Capital Improvements Program (CIP) for the current fiscal year. This unit operates 24/7 and the refrigeration systems generate abundant heat, which is also used to heat the pool water, saving energy and operating costs.

This project is in the Capital Improvements Program (CIP) for the current fiscal year with an estimate of \$335,000. The project has been bid and the requested funding authorization is in the amount of \$295,000 including contingency, commissioning and bond issuance costs.

Project construction, if approved, is scheduled to take place in the summer of 2019 and is anticipated to take three to four weeks.

Financial Impact

This project is in the Capital Improvements Program (CIP) for the current fiscal year with an original cost estimate of \$335,000. Total project costs are now estimated at \$295,000 including contingency, commissioning and bond issuance costs.

Construction	\$ 255,000
Bonding	5,000
Contingency, Commissioning	<u>35,000</u>
Total	\$ 295,000

The average annual debt service on a \$295,000 bond issue, based on a 15 year term at a 3.70% interest rate is \$25,500.

Other Board Action

The Public Building Commission (PBC) would be assigned to oversee and manage this project, should funding be approved.

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 bond ordinance entitled, ‘AN ORDINANCE APPROPRIATING \$295,000 FOR COSTS IN CONNECTION WITH THE WINDSOR HIGH SCHOOL INDOOR POOL HVAC REPLACEMENT PROJECT AND AUTHORIZING THE ISSUE OF \$295,000 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.”

2) Introduction of the Bond Ordinance

“MOVE to introduce a bond ordinance entitled, ‘AN ORDINANCE APPROPRIATING \$295,000 FOR COSTS IN CONNECTION WITH THE WINDSOR HIGH SCHOOL INDOOR POOL HVAC REPLACEMENT PROJECT AND AUTHORIZING THE ISSUE OF \$295,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION.’

3) Schedule a Public Hearing

“RESOLVED, that a Public Hearing be held at the Windsor Town Hall on January 7, 2019 at 7:20 p.m. (prevailing time) on the following ordinance entitled, “AN ORDINANCE APPROPRIATING \$295,000 FOR COSTS IN CONNECTION WITH THE WINDSOR HIGH SCHOOL INDOOR POOL HVAC REPLACEMENT PROJECT AND AUTHORIZING THE ISSUE OF \$295,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION.”

And

“FURTHER RESOLVED, that the Town Clerk is authorized and directed to post and publish notice of said Public Hearing.”

Attachments

Bond Ordinance

AN ORDINANCE APPROPRIATING \$295,000 FOR COSTS IN CONNECTION WITH THE WINDSOR HIGH SCHOOL INDOOR POOL HVAC REPLACEMENT PROJECT AND AUTHORIZING THE ISSUE OF \$295,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION

BE IT HEREBY ORDAINED,

Section 1. That the Town of Windsor appropriate TWO HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$295,000), for costs in connection with the Windsor High School indoor pool HVAC replacement project, including the removal of the existing unit and equipment, acquisition of the new unit and related materials and equipment, installation, connection to existing electric, piping and control systems, testing, and other related improvements. The appropriation may be spent for design, construction and installation costs, equipment, materials, engineering, inspection and consultant fees, 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 Engineer 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. No funds shall be expended pursuant to this appropriation unless such portion of the project has been approved by the Public Building Commission.

Section 2. That the Town issue bonds or notes in an amount not to exceed TWO HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$295,000) 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 TWO HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$295,000). 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: December 17, 2018

To: Honorable Mayor and Members of the Town Council

Prepared by: Jim Bourke, Finance Director

Reviewed by: Peter Souza, Town Manager 

Subject: FY 18 Outstanding Year-End General Fund Encumbrances

Background

On October 15, 2018, the Town Council reviewed and reapproved through December 17, 2018 an FY 18 outstanding year-end General Fund encumbrance for installation of a fiber optic connection at 330 Windsor Avenue's Community Center.

Discussion/Analysis

The October 2018 re-approval or extension of the open purchase order for installation of the fiber optic connection at 330 Windsor Avenue's Community Center was in anticipation of the vendor completing the contracted work and invoicing the town prior to December 17th. The contractor has installed the fiber line into the building, but has not yet billed the town. The vendor has told staff the invoice should be sent to the town in early January. Therefore, the Town Council is requested to re-approve the purchase order until February 4, 2019.

Town of Windsor FY 18 Year-End General Fund Open Purchase Orders As of December 17, 2018				
Department/Account	P.O. #	Vendor Name	Product / Service Description	Open Amount
<i>Police - Uniformed Patrol</i>				
Other Capital Equipment	18277	Fiber Technologies Networks, LLC	330 Windsor Avenue Building Fiber Connection	\$22,000
General Fund Total				<u>\$22,000</u>

Other Board Action

None

Recommendations

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

“MOVE that the open FY 18 General Fund purchase order No. 18277 in the amount of \$22,000 be re-approved and carried forward until February 4, 2019.”

Attachment

None

Proposed 2019-2020 Town Council Meeting Schedule

The following chart contains the proposed dates for regular Town Council meetings for the 2019 calendar year and for January 2020. All meetings will be held in the **Town Council Chambers** at the Town Hall, will commence at **7:30 P.M.**, will be televised on Windsor Government Television and will be available via video streaming on the town's website.

Day	Date
Monday	January 7, 2019
Tuesday	January 22, 2019 (January 21 - Martin Luther King Day)
Monday	February 4, 2019
Tuesday	February 19, 2019 (February 18 - President's Day)
Monday	March 4, 2019
Monday	March 18, 2019
Monday	• April 1, 2019
Monday	May 6, 2019
Monday	May 20, 2019
Monday	June 3, 2019
Monday	June 17, 2019
Monday	• July 1, 2019
Monday	• August 5, 2019
Tuesday	September 3, 2019 (September 2 - Labor Day)
Monday	September 16, 2019
Monday	October 7, 2019
Monday	October 21, 2019
Monday	November 4, 2019
Monday	November 18, 2019
Monday	December 2, 2019
Monday	December 16, 2019
Monday	January 6, 2020
Tuesday	January 21, 2020 (January 20 - Martin Luther King Day)

- April, July, and August -- only one regular Council meeting is scheduled.

MEMORANDUM

Date: December 17, 2018
 To: Honorable Mayor and Members of the Town Council
 From: Peter Souza, Town Manager
 Re: Proposed 2019 Schedule of Board/Commission Annual Reports to the Town Council

The following chart contains the proposed dates for Board and Commission annual reports at regular Town Council meetings for the 2019 calendar year.

Date of Council Meeting	Board/Commission
Tuesday, January 22, 2019	Metropolitan District Commission (January 21 - Martin Luther King Day)
Monday, March 4, 2019	Board of Ethics
Monday, March 18, 2019	Commission on Aging & Persons with Disabilities Metropolitan District Commission
Monday, April 1, 2019	Conservation Commission
Monday, May 6, 2019	Economic Development Commission Board of Assessment Appeals
Monday, May 20, 2019	Fair Rent Commission
Monday, June 3, 2019	Historic District Commission
Monday, June 17, 2019	Housing Code Board of Appeals
Monday, July 1, 2019	Human Relations Commission Metropolitan District Commission
Monday, August 5, 2019	Inland Wetlands & Watercourses Commission
Tuesday, September 3, 2019	Insurance Commission (September 2 - Labor Day)
Monday, September 16, 2019	Library Advisory Board
Monday, October 7, 2019	Town Planning & Zoning Commission
Monday, October 21, 2019	Wilson/Deerfield Advisory Committee Metropolitan District Commission
Monday, November 4, 2019	Windsor Housing Authority
Monday, November 18, 2019	Youth Commission
Monday, December 2, 2019	Zoning Board of Appeals
Monday, December 16, 2019	Metropolitan District Commission

Town Council
Resignations/Appointments/Reappointments
December 17, 2018

Resignations

None

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

None

Names submitted for consideration of appointment

A. One Democratic Alternate Member

Commission on Aging & Persons with Disabilities

Two Year Term to expire November 30, 2020 or until a successor is appointed

(Linda Rickard)

“MOVE to REAPPOINT Linda Rickard as a Democratic Alternate member to the Commission on Aging & Persons with Disabilities for a two year term to expire November 30, 2020 or until a successor is appointed.”

B. One Democratic Member (resident)

Historic District Commission

Five Year Term to expire October 13, 2023 or until a successor is appointed

(Elizabeth Dupont-Diehl)

“MOVE to REAPPOINT Elizabeth Dupont-Diehl as a Democratic member (resident) to the Historic District Commission for a five year term to expire October 13, 2023 or until a successor is appointed.”

Names submitted for consideration of appointment

C. One Republican Member

Housing Code Board of Appeals

Five Year Term to expire October 31, 2023 or until a successor is appointed

(Theresa Tillett)

“MOVE to REAPPOINT Theresa Tillett as a Republican member to the Housing Code Board of Appeals for a five year term to expire October 31, 2023 or until a successor is appointed.”

**TOWN COUNCIL
COUNCIL CHAMBERS
WINDSOR TOWN HALL
DECEMBER 3, 2018
Regular Town Council Meeting
UNAPPROVED MINUTES**

1) CALL TO ORDER

Mayor Trinks called the meeting to order at 7:31 p.m.

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

Absent: Councilor Richard O'Reilly

2) PRAYER

Deputy Mayor Terranova offered a moment of silence in memory of President George H.W. Bush who passed away on November 30, 2018.

3) PLEDGE OF ALLEGIANCE

Deputy Terranova led the group in the pledge of allegiance.

4) PROCLAMATIONS AND AWARDS

5) PUBLIC COMMUNICATIONS AND PETITIONS

George Slate, 74 Ethan Drive, stressed that based on his two years in public accounting, (one of them with the accounting firm Deloitte Haskins & Sells) he could not imagine Windsor's auditors, RSM, giving the town anything but a non-qualified opinion for the fiscal year ending on June 30, 2018 since the town never received any approval from the voters on well over \$100 million of expenditures. He also noted that the Council has been running deficit budgets for the past 10-12 years.

Jeremy Lawson, 264 Pigeon Hill Road, addressed the Council regarding sanctuary cities. He acknowledged the April 3, 2017 resolution naming Windsor a diverse and welcoming committee but noted that sanctuary cities such as New London have much more robust legislation regarding undocumented individuals and much has happened since Windsor's resolution was implemented. Some examples include the rescission of Deferred Action for Childhood Arrivals (DACA) and the zero-tolerance policy (also referred to as the child separation policy). He feels that having the proclamation is not enough compared to having a robust ordinance that defines rights and the responsibilities of town employees in regard to these matters. He also spoke about constraints placed on members of the Human Relations Commission and recounted when the commission tried to form a vigil with First Church in response to the child separation policy and was restricted from doing so as it was seen as a political stance. He feels the child separation policy is a moral issue and not a political one.

He asked the Council to look at legislation as a facts-based analysis and not what is politically convenient.

6) REPORT OF APPOINTED BOARDS AND COMMISSION

a) Board of Education (BOE)

Maryam Khan, Secretary, presented the following:

- The Windsor BOE was recognized at the CT Association of Boards of Education convention for a board leadership award. A photo was taken of the board with Commissioner Dianna Wentzell. A plaque was presented to the board and it is displayed in the BOE room.
- Internal and external task forces on school climate will be presenting to the BOE tomorrow evening at 6:30 p.m. in the L.P. Wilson board room.
- School administration is working diligently to prepare the 2019-2020 school budget. David Furie, Finance Chair, will be considering budget assumptions at the meeting tomorrow night.
- 2009 Windsor High School graduate, Kymberli Joye has made it into the finals of The Voice. A watch party is being held tonight at the Windsor High School auditorium. Her family will be in attendance.

b) Zoning Board of Appeals

Joe Breen, Chair, presented the following:

- This year the board considered 16 variance applications. Fourteen were approved, two were denied, and one appeal will be heard on December 19.
- The board is currently comprised of two republicans, two democrats, one independent and one unaffiliated. There is a vacancy for an alternate.
- Mr. Breen thanked town staff for doing an excellent job preparing applications and for providing constructive feedback, especially Lori Hartmann and Robert Ruzzo.

7) TOWN MANAGER'S REPORT

Public Flu Vaccination Clinic Saturday December 8, 2018

Just a quick reminder that the Windsor Health Department will be offering a vaccination clinic to the public on Saturday, December 8 at the Windsor Town Hall, 275 Broad Street, from 9:00 AM – 12:30 PM for anyone ages 5 years and up. A consent form can be found on the Town of Windsor's Health Department web site at <https://townofwindsorct.com/health/public-flu-vaccination-clinic-saturday-december-8th-2018/> for you to complete and bring with you to the clinic. For questions, please call the Health Department at 860-285-1824.

Loomis Chaffee Emergency Safety Drill

Loomis Chaffee will be conducting an emergency safety drill on Tuesday, December 4 at approximately 11:30 AM. The drill will last for 10 to 15 minutes. During a portion of this time period, the Loomis Chaffee campus warning siren will be tested.

Thanksgiving Turkey Distribution

I'd like to thank the Windsor Food & Fuel Bank, Foodshare, Social Services staff and volunteers for providing and distributing 208 turkeys to individuals and families in need this past Thanksgiving. Also included was a local grocery store gift card to help them purchase the fixings of their choosing.

Wreaths Across America

Windsor's American Legion Post #59 and Carmon Community Funeral Homes of Windsor will host a *Wreaths Across America* wreath-laying ceremony on Saturday, December 15 at 12:00 noon at the Windsor Veteran's Memorial Cemetery on East Street. All are invited to attend this special event which is part of a national program to remember and honor our military veterans.

Carol Sing & Torchlight Parade

This year's Carol Sing and Torchlight Parade, brought to you by First Town Downtown, with the support of the Windsor Volunteer Fire Department and Windsor Federal Savings, will be held on Saturday, December 8th on the Windsor town green starting at 6:00 PM. The carol sing will be led by Nekita Waller, Windsor High School Graduate and State Troubadour.

After the singing comes the parade! At 6:30 PM, the Torchlight parade of more than 20 vehicles and marchers will begin on Remington Road and progress through the town center with all its lights, music and fanciful decorations!

Following the parade, enjoy refreshments donated by Geissler's and Dunkin Donuts and visit with Santa Claus.

For more information about the Carol Sing or Torchlight Parade or other First Town Downtown programs, please call 860-247-8982 or go to <https://www.firsttowndowntown.org/>.

8) COMMUNICATIONS FROM COUNCIL MEMBERS

Councilor O'Reilly – Absent.

Councilor Wilkos invited citizens to the Torchlight Parade this Saturday, December 8 at 6:30 PM. Mr. Wilkos thanked Scott Hoffman, owner of Ace Hardware, for helping to organize and bringing the event back and called it a wonderful family event.

Councilor Black-Burke invited citizens to attend a benefit concert hosted by Archer Memorial Church on Saturday, December 15 at 6:00 PM and advised calling the church for more information at 860-688-5225. She also said that she is sending all of her votes and wishes to Kymberli Joye, our hometown finalist on The Voice.

Councilor Govoni – None.

Councilor McAuliffe – None.

Councilor Tustin – None.

Deputy Mayor Terranova wished a Happy Chanukah to Jewish friends and neighbors.

Councilor Jepsen – None.

Mayor Trinks thanked citizens for their helpful and caring response to a local homeless couple. Firefighters rescued the couple from where they were camping out in the woods when rushing water surrounded them. After they were rescued from the water, one of the firefighters paid for them to stay in a hotel and more donations have come in to help them stay there for a while. Mayor Trinks commended the kindness of the Windsor community. Two Windsor businesses have hired the couple to work and they have also received assistance from the Windsor Food and Fuel Bank and Social Services.

9) REPORTS OF STANDING COMMITTEES

Personnel Committee – Councilor Tustin reported that there will be a meeting Tuesday, December 11 at 5:30 PM.

Health & Safety Committee – None.

Finance Committee – Deputy Mayor Terranova reported that the committee met last Monday and discussed MDC's integrated plan proposal. Tim Fitzgerald from the MDC was in attendance to answer questions. The committee asked for more information and expects that there will be additional discussions during the full Council's next December meeting. Revaluation was discussed and everything has gone up between 5-11%. Hearings are now in effect. The Fiscal Year 2020 parameters, calendar and format were also discussed and will be addressed during tonight's agenda.

Special Projects Committee – None.

Town Improvements Committee – None.

10) ORDINANCES- None.

11) UNFINISHED BUSINESS- None.

12) NEW BUSINESS

- a) Approve an appropriation of \$400,000 from the General Fund Unassigned Fund Balance to fund the School Safety and Security project

MOVED by Deputy Mayor Terranova, seconded by Councilor Jepsen that \$400,000 be appropriated from the General Fund Unassigned Fund Balance for the 2019 School Safety and Security project.

Town Manager Souza invited Superintendent Cooke and Danielle Batchelder, Director of Business Services, to give an overview of the project.

Superintendent Cooke stated that the school district is proposing a variety of projects to improve and enhance security at several facilities that could be eligible for a 52% reimbursement via state grants. The total project cost is estimated to be \$400,000 with a potential reimbursement of \$208,000. The work includes installing additional surveillance

cameras and monitors, interior identification and directional signage, upgrading public address systems, reconfiguring the high school's main entrance and lobby, and installing bollards at building entrances to prohibit entry of vehicles.

Mayor Trinks asked about the project timeline. His initial thought was to send this to the Health and Safety Committee to flush out the details to discuss how the work interacts with the new public safety complex and radio system. He asked how the grant process would work in relation to funding approval. Superintendent Cooke noted that the grant is due by the end of the day tomorrow, December 4. Ms. Batchelder explained that they will receive reimbursement as the projects are completed, which technically could extend to June 30, 2021. She anticipates that the projects requested will be completed by the end of Summer 2019.

Mayor Trinks then noted that the short timeline does not allow for the project to be referred to a committee since it needs to be submitted by tomorrow. Ms. Batchelder confirmed that a decision would need to be made tonight in order to meet the grant's deadline.

Councilor Govoni asked if the cameras would be interfaced with the new safety complex so they could be monitored there as well. Ms. Batchelder stated that they have this capability now and further discussion needs to take place as far as how the new system would work and who would be monitoring it. Councilor Govoni added that from a public safety standpoint, he would like to see it linked to the police department.

Councilor McAuliffe asked if there is a plan to connect the new system to the new safety complex. Town Manager Souza answered that as the safety complex planning continues, these details will be considered.

Councilor Tustin asked if the reimbursement would go back to the General Fund. Town Manager Souza confirmed that it would.

Councilor Jepsen thought this request came on quickly considering that it is for \$400,000. While he believes that the Council wants to support school safety, he wondered if there were other approaches considered or overlooked, such as the prior discussions relating to the new public safety complex.

Councilor Govoni stated he supports the project now that he found out the security system could be interfaced with the police department. However, he noted that from the Council's standpoint, there have been a lot of recent expenses such as revaluation, referendum, MDC rate increases, and other various expenditures. He said that every penny counts right now. He believes school security is most certainly worth risking the \$200,000.

Councilor Wilkos noted that the Council has only known about the project for a few days while the district has known about it for a few months. Councilor Wilkos asked if the grant was guaranteed. Superintendent Cooke said that it was not. Councilor Wilkos considered the project a \$400,000 withdrawal if the grant was not guaranteed. Superintendent Cooke clarified that they would only proceed with the work if the grant was approved so the town would only be liable for 48% of the cost.

Councilor Jepsen asked if the Council could amend the motion to use language that would only release the funds upon grant approval. Town Manager Souza and Ms. Batchelder agreed that it would be acceptable and that this particular grant does not require specific language for approval.

Mayor Trinks stated that he is comfortable with using the motion as is.

Councilor Govoni asked about security upgrades and procedures already in place. Superintendent Cooke and Ms. Batchelder spoke about some projects they have already been implemented including fire doors, cameras, shatterproof glass on all first-floor windows, tinted windows instead of blinds so that people can see out, single-push deadbolt locks, and a safe spot for students to go to in each classroom. They also spoke about working closely with the Windsor Police and feel that the best safety tactic is to contact police where the response time is four minutes or less. Exterior windows have been numbered so police know where to go from outside of the building. A fob is available for every police cruiser so that whichever cruiser is closest always has the ability to get into the schools.

Councilor Tustin responded that he fully supports school safety but next time would like to have more time and information.

Councilor Black-Burke thanked Superintendent Cooke and Ms. Batchelder for proposing the project. Councilor Black-Burke acknowledged that these grants come up and often times you have a tight window to write it up. She applauded them for being concerned about school safety. She is in agreement that you have to move quickly when grants appear in order to be at the table for the conversation.

Motion Passed 8-0-0 (Councilor O'Reilly absent)

- b) Consideration of the Memorandum of Agreement between the Windsor Board of Education and Windsor Education Association

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to reject the Memorandum of Agreement between the Windsor Board of Education and the Windsor Education Association.

Town Manager Souza noted that the motion is intentionally worded to reject the motion as required by state law. A "no" vote will signal approval of the agreement.

Dr. Terrell Hill, Assistant Superintendent for Human Resources, presented the Windsor Education Association (WEA) contract and thanked Board of Education members and Councilor Jepsen for their efforts during negotiations.

Dr. Hill spoke briefly about changes being made due to Janus v. American Federation of State, County, and Municipal Employees (a Supreme Court ruling that found the application of public sector union fees to non-members to be a violation of the First Amendment.) The WEA has always been provided access to its members but with this new Supreme Court ruling, wanted to have this access memorialized in the contract, therefore it has been added.

Other highlights of the negotiated agreement include:

- Covers three years from 7/1/19-6/30/22
- Increased reimbursement rates for continuing education courses
- Increases in employee health insurance costs
- Stipend increases
- General wage increases

The projected net financial impact of wage and benefit changes is \$808,800 for FY 2020, \$944,000 for FY 2021, and \$1,037,000 for FY 2019.

Councilor Jepsen stated that it was a wonderful experience to be a part of the process. He noted that the district didn't freeze any steps this time around. He appreciated the increase in stipends and stated that there was a lot of discussion about how stipends are measured. He specifically mentioned how the women's and men's swim coaches had been paid differently and how these changes will bring it into the 21st century. He believes they came to a good contract overall and he is happy to vote against the motion to reject it.

Motion Failed 0-8-0 (Councilor O'Reilly absent)

- c) Approve Fiscal Year 2020 Budget Parameters

MOVED by Deputy Mayor Terranova, seconded by Councilor Jepsen that the FY 2020 budget assumptions and parameters be approved as presented.

Deputy Mayor Terranova explained that state aid revenue has been uncertain in recent years so they will remain level. Expenditures like employee retiree insurance and retirement plan contributions increased about the same percentage as last year. The cost for electricity, gas, and diesel are also projected to increase. The big increases will be coming from MDC. Last year the ad valorem rates increased 10%. This year there will increase 17%, which amounts to about \$720,000. Fire hydrant maintenance through the MDC is also increasing about 25% or by \$25,000.

Town Manager Souza noted that the MDC is voting on their budget a week from tonight and the 17% increase may be reduced. We will know more in the next 1-2 weeks. Overall there is an expected 3.3% expenditure increase and a 2.7% budget increase.

Councilor Govoni asked if the MDC's \$720,000 increase includes the school system. Town Manager Souza replied that the town and schools each have water use as a part of their own budgets. Councilor Govoni asked if we are allowed to opt out of the tax break for businesses in the Bradley airport development zone if the state is not reimbursing the money as anticipated. Town Manager Souza responded that we cannot, but the businesses are still paying 20% and may be incentivized to expand or build with the break.

Motion Passed 8-0-0 (Councilor O'Reilly absent)

- d) Approve Fiscal Year 2020 Budget Calendar

MOVED by Deputy Mayor Terranova, seconded by Councilor Jepsen that the FY 2020 budget calendar be approved as presented.

Deputy Mayor Terranova noted that the first public hearing will be on February 4. The Town Manager's proposed budget will be available at the end of March, budget meetings will begin on April 1, and the final vote is anticipated to take place on April 24.

Councilor Govoni asked if the presentations by each department could be condensed to focus on what the main changes will be for the year. Deputy Mayor Terranova recommended talking about it during the next item.

Motion Passed 8-0-0 (Councilor O'Reilly absent)

- e) Approve Fiscal Year 2020 Budget Format

MOVED by Deputy Mayor Terranova, seconded by Councilor Jepsen that the FY 2020 budget format remain the same as the format for FY 2019.

Councilor Govoni again asked if the presentations by each department could be condensed to focus on what the main changes will be for the year. Town Manager Souza stated that they would take the direction of the Council, but noted that it is an opportunity for the general public and Council to hear about the wide variety of town services and the associated costs. He recommended continuing the conversation in January.

Motion Passed 8-0-0 (Councilor O'Reilly absent)

13) RESIGNATIONS AND APPOINTMENTS

14) MINUTES OF PRECEEDING MEETINGS

- a) Minutes of the November 19, 2018 Regular Town Council meeting

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to approve the unapproved minutes of the November 19, 2018 Regular Town Council meeting as presented.

Deputy Mayor Terranova wished to update language in item 12 (e) to clarify that the \$2,500 awarded to the Town Manager was a bonus, not an increase in compensation.

Motion Passed 8-0-0 (Councilor O'Reilly absent)

15) PUBLIC COMMUNICATIONS AND PETITIONS

George Slate, 74 Ethan Drive, expressed concern over how Other Post Employment Benefits (OPEB) are being funded and stated that over the last 10-12 years, the town has been running deficit budgets. He spoke about intergenerational inequity and felt that the town is kicking the can down the road. While there is no easy answer, he asked the Council to focus on OPEB funds, hoping they will pay at least the current costs for OPEB.

Jeremy Lawson, 264 Pigeon Hill Road, read language passed in a resolution on April 3, 2017 regarding being a diverse and welcoming community, particularly regarding undocumented individuals. He noted that other municipalities have much longer, clearer language about what happens when these policies are violated. He stated that he is proud to live in a community that would have this resolution, but asked the Council if they feel that there has been no change in federal immigration practices since it was passed and if they feel there is a need for more robust protections and further examination of the issue.

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to exit the regular Town Council session and to enter Executive Session at 8:51 p.m. to discuss a site, lease, sale or purchase of real estate.

Motion Passed 8-0-0 (Councilor O'Reilly absent)

16) EXECUTIVE SESSION

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

Staff: Town Manager, Peter Souza; Town Attorney, Kevin Deneen; Honor Lawler from Trust of Public Lands

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to exit Executive Session at 9:25 p.m. and to re-enter the regular Town Council session.

Motion Passed 8-0-0 (Councilor O'Reilly absent)

17) ADJOURNMENT

MOVED by Councilor Jepsen, seconded by Deputy Mayor Terranova to adjourn the meeting at 9:26 p.m.

Motion Passed 8-0-0 (Councilor O'Reilly absent)

Respectfully Submitted,

Erin Rand
Clerk of the Council