TOWN OF FARMINGTON, CT.
OFFICE OF THE TOWN MANAGER
REGULAR TOWN COUNCIL MEETING

DATE: August 14, 2007
(Council Members are asked to call the Town Manager’s office if they are unable to attend the meeting.)
TIME: 7:00 P.M.
PLACE: COUNCIL CHAMBERS

AGENDA

A. Call to Order.
B. Pledge of Allegiance.
C. Presentations and Recognitions.
1. David A. Adler – Eagle Scout Award
2. Michael J. Adler – Eagle Scout Award
D. Public Hearing - None
E. New Items.
F. Public Comments - Anyone from the audience who wishes to address the Town Council may do so at this time.
G. Reading of Minutes.
1. July 10, 2007 Regular Town Council Meeting

H. Reading of Communications and Written Appeals.
1. Lower Farmington River & Salmon Brook Wild & Scenic Study – correspondence
2. James V. Rio, Chief of Police – correspondence
3. Representative Demetrios Giannaros – correspondence
4. Kristen Blore – resident correspondence
5. Kate Emery – resident correspondence
6. Arnab Roy – resident correspondence
7. Bill Corvo – resident correspondence
8. Tom and Sonia Mason – resident correspondence
9. John D. Rubino – resident correspondence

I. Report of Committees.
1. UCONN Committees
2. Land Acquisition Committee
3. Strategic Plan Implementation Committee
4. Strategic Plan Implementation Goal #4 Committee
5. Elderly Tax Relief Sub-Committee (attachment)
6. Ethics Sub-Committee
7. Tunxis Mead Park and River Access Committee

J. Report of the Council Chair and Liaisons
1. Chair Report – Fairview Drive and Orchard Road correspondence to neighborhood
2. Board of Education Liaison Report
3. Unionville Village Improvement Association Liaison Report
4. Town Plan and Zoning Liaison Report
5. Water Pollution Control Authority Report
7. Any Other Liaison Reports

K. Report of Town Manager – Charles House Property, Certificate of Achievement, Gas Tanker Spill Brickyard Road, Hartford Business Journal Article, Erickson Retirement Communities

L. Appointments.
1. Building Code Board of Appeals (Morrisey) (R)
2. Building Code Board of Appeals (DiPietro) (D)
3. Conservation Commission (Hickey) (R)
4. Conservation Commission (Hannon) (D)
5. Economic Development Commission (Apuzzo) (R)
6. Economic Development Commission (Bonk) (R)
7. Economic Development Commission (Kleinman) (D)
8. Economic Development Commission (Howard) (R)
9. Historic District Commission (Whitaker) (R)
10. Housing Authority (Sasso) (R)
11. Human Relations Commission (Elling) (D)
12. Human Relations Commission (Mambrino) (R)
13. Human Relations Commission (Chakraborty) (R)
14. Water Pollution Control Authority (Thompson) (R)
15. North Central Regional Mental Health Board, Inc. (Wienke) (R)
16. Plainville Area Cable TV Advisory Council (Erickson) (R)
17. Plainville Area Cable TV Advisory Council (Skoglund) (R)
18. Plainville Area Cable TV Advisory Council (Simpson) (D)
19. Plainville Area Cable TV Advisory Council (Wolf) (R)

M. Old Business. None

N. New Business.
1. To Approve the 2007 Plan of Conservation and Development.

2. To Authorize the Town Manager to Sign and Enter into a Lease Agreement entitled “Option and Lease Agreement” Between the Town of Farmington and Cellco Partnership.

3. To Amend the Agreements Concerning the Assignment of Tax and Sewer Liens between the Town of Farmington, Jordan Properties, LLC and 19 Perry
Street, LLC.

4. To Accept a Donation from the Farmington Chamber of Commerce for “Welcome to Farmington” Signs.

5. That the Taxes Due on October 1, 2006 Grand List for Lot 2A Meadow Road and 7 Coppermine Road be Abated.

6. That the Taxes Due on the October 1, 2006 Grand List for 11 Farmstead Lane be Abated.

7. To Approve the Property Tax Refunds.

8. To Appropriate Transfers in the General Fund Budget.

9. To Approve the 2007-2008 Town Manager Goals.

O. Executive Session - Land Acquisition

P. Adjournment.
PROCLAMATION

Whereas, the Boy Scouts of America help train the youth of our community with skills which serve them well in the future, and

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

Whereas, one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas, David M. Adler from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas, David M. Adler’s project involved conducting a buffet dinner and collection of toys for the Connecticut Children’s Medical Center, and

Whereas, David worked with the Administrative Assistant of the Connecticut Children’s Medical Center and was able to coordinate the donation of needed materials and volunteer labor, and

Whereas, as a result of David’s work, the lives of the patients of the Connecticut Children’s Medical Center will be enriched and enhanced.

Now, therefore, be it resolved, that on behalf of the Farmington Town Council, I hereby extend to Eagle Scout David M. Adler our best wishes and we hereby proclaim August 15, 2007 as David M. Adler Day in Farmington.

Dated at Farmington, Connecticut this 14th day of August 2007.

_________________________
Michael Clark
Chair, Farmington Town Council
PROCLAMATION

Whereas, the Boy Scouts of America help train the youth of our community with skills which serve them well in the future, and

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

Whereas, one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas, Michael J. Adler from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas, Michael J. Adler’s project involved the design and construction of an interactive rock display case for Farmington High School, and

Whereas, Michael J. Adler worked with Dr. Laura Butterfield and was able to coordinate the donation of needed materials and volunteer labor, and

Whereas, as a result of Michael’s work, the lives of the students of the Farmington High School will be enriched and enhanced.

Now, therefore, be it resolved, that on behalf of the Farmington Town Council, I hereby extend to Eagle Scout Michael J. Adler our best wishes and we hereby proclaim August 16, 2007 as Michael J. Adler Day in Farmington.

Dated at Farmington, Connecticut this 14th day of August 2007.

_________________________
Michael Clark
Chair, Farmington Town Council
MOTION: Agenda Item K-1

Report of the Town Manager
- Charles House Property, Certificate of Achievement, Gas Tanker Spill Brickyard Road, Hartford Business Journal Article, Erickson Retirement Communities

Charles House Property
On Monday July 23, 2007 Housewright Development Inc. and 19 Perry Street LLC appeared before the Town Plan and Zoning Commission seeking a modification to condition number 11 of their zoning approval. This modification would allow them to post a performance bond with the Town of Farmington to permit construction of the approved 91-unit housing development before the entire site is remediated. This bond would guarantee clean up of the full site while allowing the new residential housing units to be built and occupied. Condition 11 currently does not permit the new housing development to receive certificates of occupancy until the entire site is clean.

A representative of 19 Perry Street LLC told the Commission that the clean up is ongoing and that the existing building is now essentially free of hazardous material and is close to being ready for demolition. They also stated that they are in serious negotiations with the Connecticut Unionville Water Company about the purchase of the remainder of the property. The proceeds of this sale would be used to pay for a large portion of the remediation work. 19 Perry Street expects that these negotiations would take about three months to conclude. It could take another two summers for the entire site to be remediated. For that reason 19 Perry Street is requesting a change in the conditions of approval thus allowing them to post a bond for the remediation work and allowing the developer to begin construction. The TPZ has not acted on the modification and will be discussing this again at a TPZ meeting in September.

For your information the Town Attorney has notified me, that 19 Perry Street has transferred the three acres of open space to the Town of Farmington per the agreement with the Town of Farmington. Jeff Ollendorf, Town Planner will be at the meeting to answer any specific questions.

Certificate of Achievement
The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the Town of Farmington by the Government Finance Officers Associations of the United States and Canada for the 15th year. The Certificate of Achievement, which was awarded for the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2006, is the highest form of recognition in the area of governmental accounting and financial reporting. Congratulations should go to Joseph Swetcky and his staff for this outstanding achievement.

Gas Tanker Spill Brickyard Road
For your information the remediation for the gas tanker spill on Brickyard Road is complete. The trailer has been removed and work will begin in the near future to restore the area. Environmental Services will be performing the restoration of the area.

Hartford Business Journal Article
Attached is an article from the Hartford Business Journal dated July 30, 2007 touting Farmington with the highest occupancy rate for retail space in the area.

MOTION: Agenda Item K-1
Report of the Town Manager (continued)

Erickson Retirement Communities
Attorney Reeve, who represents Erickson Retirement Communities, offered to fund the cost of a fiscal impact analysis and demographic study. Even though the Town Plan and Zoning Commission has not approved the Community, he felt that it would be beneficial to the Town Council as well as residents of Farmington to have this information. I would only recommend this if the Town engaged a Consultant of its choice and Erickson fully funded the study. In speaking with Jeff Ollendorf, Town Planner he recommends that the Town solicit a proposal from the firm of Tischler-Bise who are experts in Fiscal and Economic Impact Analysis. I am looking for direction from the Town Council if this is something you wish me to pursue.
MOTION: Agenda Item L-1

That _____________ be appointed to the Building Code Board of Appeals for a five-year term beginning immediately and ending September 30, 2012. (Morrissey) (R)

MOTION: Agenda Item L-2

That _____________ be appointed to the Building Code Board of Appeals for a five-year term beginning immediately and ending September 30, 2012. (DiPietro) (D)

MOTION: Agenda Item L-3

That _____________ be appointed to the Conservation Commission for a five-year term beginning immediately and ending September 30, 2012. (Hickey) (R)

MOTION: Agenda Item L-4

That _____________ be appointed to the Conservation Commission for a five-year term beginning immediately and ending September 30, 2012. (Hannon) (D)

MOTION: Agenda Item L-5

That _____________ be appointed to the Economic Development Commission for a two-year term beginning immediately and ending September 30, 2009. (Apuzzo) (R)

MOTION: Agenda Item L-6

That _____________ be appointed to the Economic Development Commission for a two-year term beginning immediately and ending September 30, 2009. (Bonk) (R)

MOTION: Agenda Item L-7

That _____________ be appointed to the Economic Development Commission for a two-year term beginning immediately and ending September 30, 2009. (Kleinman) (D)

MOTION: Agenda Item L-8

That _____________ be appointed to the Economic Development Commission for a two-year term beginning immediately and ending September 30, 2009. (Howard) (R)

MOTION: Agenda Item L-9
That _____________ be appointed to the Historic District Commission for a five-year term beginning immediately and ending September 30, 2012. (Whitaker) (R)

MOTION: Agenda Item L-10

That _____________ be appointed to the Housing Authority for a five-year term beginning immediately and ending September 30, 2012. (Sasso) (R)

MOTION: Agenda Item L-11

That _____________ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2009. (Elling) (D)

MOTION: Agenda Item L-12

That _____________ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2009. (Mambrino) (R)

MOTION: Agenda Item L-13

That _____________ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2009. (Chakraborty) (R)

MOTION: Agenda Item L-14

That _____________ be appointed to the Water Pollution Control Authority for a five-year term beginning immediately and ending September 30, 2012. (Thompson) (R)

MOTION: Agenda Item L-15

That _____________ be appointed to the North Central Regional Mental Health Board, Inc. for a two-year term beginning immediately and ending September 30, 2009. (Wienke) (R)

MOTION: Agenda Item L-16

That _____________ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2009. (Erickson) (R)

MOTION: Agenda Item L-17
That _____________ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2009. (Skoglund) (R)

MOTION: Agenda Item L-18

That _____________ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2009. (Simpson) (D)

MOTION: Agenda Item L-19

That _____________ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2009. (Wolf) (R)
MOTION: Agenda Item N-1

To Approve the 2007 Plan of Conservation and Development as Presented and Revised.

NOTE: Following the endorsement of the Town Council the Plan would be referred to the regional planning agency (CRCOG) for comment. The Town Plan and Zoning Commission would then hold a public hearing as part of a process for final adoption of the Plan.

The changes made to the Plan to date reflect the various comments made by Town Council members at a meeting in May.

Jeff Ollendorf will be available at the meeting to answer any questions that the Town Council may have.

Attachment
MOTION: Agenda Item N-2

To Authorize the Town Manager, on Behalf of the Town of Farmington, to Sign and Enter into a Lease Agreement Entitled "Option and Lease Agreement" Between the Town of Farmington and Celco Partnership d/b/a Verizon Wireless for Lease of 10,000 Square Feet of Area Along with Non-Exclusive Right of Ingress and Egress for the Purpose of Constructing, Operating and Maintaining a Cellular Tower and Supporting Equipment as Described In and Under the Terms of Such Agreement for Property Located at 199 Town Farm Road.

NOTE: The proposed lease area is 10,000 square feet and is located toward the rear portion of the property in the vicinity of several existing farm buildings (A sketch of the easement area is attached to the lease agreement). The tower to be constructed in the lease area will be approximately 130 feet in height and camouflaged to look like an evergreen tree. It is expected that one to three carriers will locate their antennas on this tower. The design of this monopine tower has been accepted by the State of Vermont.

At a meeting of the Town Plan and Zoning Commission held on July 23, 2007, it was unanimously voted to approve the 8-24 referral to lease the land located at 199 Town Farm Road for a communications tower.

A one-time payment to the Town of $1,900 will be made once the lease is executed. This payment is made to the Town whether they build the tower or not. Once the tower is built, the Town will receive a minimum payment of $22,800 per year plus there is a 3% increase a year. If other providers locate on this tower, the Town will receive 20% of the rental payment that is made to Verizon.

Jeff Ollendorf will be at the meeting to answer any questions.
MOTION: Agenda Item N-3

That the Farmington Town Council moves that the Agreement of Assignment of Municipal Tax Liens and Agreement of Assignment of Municipal Sewer Liens, both dated August 17, 2006 be amended to remove the inclusion of Parcel B as described in Schedule A of each such agreement and that the Town Manager be authorized to execute any document necessary to effectuate such amendments.

And,

That the basis of this motion is that Dane and Juile Salzarulo of 14 Perry Street have asked to purchase this 6,517 square foot parcel from 19 Perry Street LLC to add to their existing residential lot. The conveyance of Parcel B to Mr. and Mrs. Salzarulo will allow them to maintain it for the benefit of themselves and the entire Perry Street neighborhood.

Further,

The removal of Parcel B from the above referenced agreements does not impact the effectiveness of those agreements or the security previously provided to the Town of Farmington.

Attachment(s)
MOTION:

To Accept Seven “Welcome to Farmington” Signs from the Farmington Chamber of Commerce.

NOTE: The Farmington Chamber of Commerce would like to donate seven “Welcome to Farmington Signs” that will be placed at various locations entering the Town. The oval signs that will be cut into a rectangular panel will have white routed letters and routed boarder cut into a blue painted panel. The posts and back of the signs will be painted white. The proposed locations of the sites are as follows:

1. Rt. 6 East from Bristol into Farmington (Scott Swamp Rd.)
2. Rt. 177 North from Plainville into Farmington (Plainville Ave.)
3. Rt. 177 South from Avon into Unionville (Lovely St.)
4. Rt. 10 North from Plainville (Main St.)
5. Rt. 167 South from Avon into Unionville (West Avon Rd.)
6. Fienneman Road from New Britain into Farmington
7. ALTERNATE: Town Farm Road from Avon into Farmington

The Town Plan and Zoning Commission approved the signs at its July 17, 2007 meeting. Town staff will install the signs and be responsible for the future maintenance of the signs. I am recommending this donation, which is another example of a private/public partnership.

If approved, I will send a letter to Mr. Ed Gales, Chamber of Commerce thanking the Chamber for its generous donation.

Attachment
MOTION: Agenda Item N-5

That the Taxes Due on the October 1, 2006 Grand List for the Following Properties and Amounts be Abated in Accordance with Section 12-81(4) of the Connecticut General Statutes:

<table>
<thead>
<tr>
<th>Property</th>
<th>Tax</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 2A Meadow Road</td>
<td>$3,195.22</td>
<td>Acquired by Town</td>
</tr>
<tr>
<td>7 Coppermine Road</td>
<td>$872.83</td>
<td>Acquired by Town</td>
</tr>
</tbody>
</table>

NOTE: During July 2007, the Town acquired the two above referenced parcels of property as part of the Town’s open space acquisition program. These parcels have property taxes due and payable on the 2006 Grand List. Since the Town has acquired them, the properties are now considered exempt from taxation, and therefore the Town Council should abate the currently outstanding taxes. Notification of the abatement will be made to the Tax Collector who will remove the properties from the collectible list.
MOTION: Agenda Item N-6

That the Taxes in the Amount of $412.35 due on the 10/1/2006 Grand List for Lot 11, Farmstead Lane, Which Property is Currently Owned by the Farmington Land Trust be Abated.

NOTE: Attached is a memorandum from the Tax Assessor indicating that a parcel of property known as Lot 11 Farmstead Lane was acquired by the Farmington Land Trust at the end of June 2007. Property owned by the Farmington Land Trust is considered “to be held in trust for public purposes…” and is therefore exempt from property taxation under Section 12-81(5) of the Connecticut General Statutes.

Currently there is a tax bill from the 2006 Grand List due on this property in the amount of $412.35. The Tax Assessor is recommending that this tax be abated in accordance with the State Statute. I concur with her recommendation.

Attachment
MOTION:

To Approve the Following Property Tax Refunds:

<table>
<thead>
<tr>
<th>NAME</th>
<th>REASON</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Action Vending Inc.</td>
<td>Assessor's Adjustment</td>
<td>$ 81.14</td>
</tr>
<tr>
<td>2. Lindy Alender</td>
<td>Assessor's Adjustment</td>
<td>$ 29.06</td>
</tr>
<tr>
<td>3. American Leasing Corporation</td>
<td>Assessor's Adjustment</td>
<td>$ 54.31</td>
</tr>
<tr>
<td>4. Donald J. Angell</td>
<td>Assessor's Adjustment</td>
<td>$ 32.23</td>
</tr>
<tr>
<td>5. Janice Ashmont</td>
<td>Assessor's Correction</td>
<td>$ 24.03</td>
</tr>
<tr>
<td>6. Tyson Belanger</td>
<td>Assessor's Adjustment</td>
<td>$ 30.13</td>
</tr>
<tr>
<td>7. Courtney Bond</td>
<td>Assessor's Correction</td>
<td>$ 249.37</td>
</tr>
<tr>
<td>8. Helen Jean Bozak</td>
<td>Assessor's Adjustment</td>
<td>$ 46.19</td>
</tr>
<tr>
<td>10. Richard Carlson</td>
<td>Assessor's Adjustment</td>
<td>$ 50.96</td>
</tr>
<tr>
<td>11. Chris Carlyle</td>
<td>Assessor's Adjustment</td>
<td>$ 19.61</td>
</tr>
<tr>
<td>12. John Corso</td>
<td>Assessor's Adjustment</td>
<td>$ 61.64</td>
</tr>
<tr>
<td>13. Norman or Denise Cote</td>
<td>Assessor's Adjustment</td>
<td>$ 59.38</td>
</tr>
<tr>
<td>14. Anthony Dagostino</td>
<td>Assessor's Adjustment</td>
<td>$  6.23</td>
</tr>
<tr>
<td>15. Irving or Nan Dahlstrom</td>
<td>Assessor's Adjustment</td>
<td>$ 13.13</td>
</tr>
<tr>
<td>16. Loren A. Disney</td>
<td>Assessor's Adjustment</td>
<td>$ 11.08</td>
</tr>
<tr>
<td>17. Kevin B. Fox</td>
<td>Assessor's Adjustment</td>
<td>$ 63.01</td>
</tr>
<tr>
<td>18. GMAC</td>
<td>Assessor's Adjustment</td>
<td>$ 474.19</td>
</tr>
<tr>
<td>19. Russell or Constance Greenlaw</td>
<td>Assessor's Adjustment</td>
<td>$  7.30</td>
</tr>
<tr>
<td>20. William D. Hill</td>
<td>Assessor's Adjustment</td>
<td>$ 229.27</td>
</tr>
<tr>
<td>21. Honda Lease Trust</td>
<td>Assessor's Adjustment</td>
<td>$ 46.77</td>
</tr>
<tr>
<td>22. Arpad or Rozalia Kastal</td>
<td>Assessor's Adjustment</td>
<td>$ 326.19</td>
</tr>
<tr>
<td>23. Krystyna Kleczkowski</td>
<td>Assessor's Adjustment</td>
<td>$ 40.48</td>
</tr>
<tr>
<td>24. Jeanette LaFreniere</td>
<td>Erroneous Payment</td>
<td>$ 543.00</td>
</tr>
<tr>
<td>25. Jennifer Magee</td>
<td>Assessor's Adjustment</td>
<td>$  57.53</td>
</tr>
<tr>
<td>26. Henry and Maria Mahier</td>
<td>Assessor's Adjustment</td>
<td>$ 163.57</td>
</tr>
<tr>
<td>27. Marlin Leasing</td>
<td>Assessor's Correction</td>
<td>$ 26.75</td>
</tr>
<tr>
<td>29. Miss Porter's School Inc.</td>
<td>Erroneous Payment</td>
<td>$ 189.75</td>
</tr>
<tr>
<td>30. Michael or Mary Murrhy</td>
<td>Assessor's Adjustment</td>
<td>$  11.59</td>
</tr>
<tr>
<td>31. Nissan Infiniti</td>
<td>Assessor's Adjustment</td>
<td>$ 642.01</td>
</tr>
<tr>
<td>32. Martha or Luis Nunes</td>
<td>Assessor's Adjustment</td>
<td>$  15.36</td>
</tr>
<tr>
<td>33. Vincent Pacileo</td>
<td>Assessor's Adjustment</td>
<td>$  25.95</td>
</tr>
<tr>
<td>34. Rocas Enterprises LLC</td>
<td>Assessor's Adjustment</td>
<td>$  24.66</td>
</tr>
<tr>
<td>35. Patchanee Rungruanganunt</td>
<td>Erroneous Payment</td>
<td>$2,316.82</td>
</tr>
<tr>
<td>36. Saab Leasing Co.</td>
<td>Assessor's Adjustment</td>
<td>$ 166.71</td>
</tr>
<tr>
<td>37. Madelyn Sarrantonio</td>
<td>Assessor's Adjustment</td>
<td>$  31.60</td>
</tr>
<tr>
<td>38. Edward Sutkowski</td>
<td>Assessor's Adjustment</td>
<td>$  12.84</td>
</tr>
<tr>
<td>39. Unionville Auto Body Inc.</td>
<td>Assessor's Correction</td>
<td>$ 285.72</td>
</tr>
</tbody>
</table>

TOTAL:                                      $ 6,628.57

* payment in error
MOTION: Agenda Item N-8

That the Following Attached Appropriation Transfers be Made to and From the Accounts Listed on the Attached FY2006/2007 General Fund Budget.

Attachment
MOTION: Agenda Item N-9

To Approve the Attached Town Manager 2007-2008 Town Manager Goals.

NOTE:

Attachments
MOTION: 

Agenda Item O

Executive Session- To Discuss Matters Concerning the Sale or Acquisition of Real Property.

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

That attendance in the Executive Session shall be limited to:

Members of the Town Council
Town Manager

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