Town of Farmington, CT
Office of the Town Manager
Regular Town Council Meeting

Date: February 12, 2019
(Council Members should call the Town Manager's Office if unable to attend.)

Time: 7:00 p.m.

Place: Council Chambers

Agenda

A. Call to Order

B. Pledge of Allegiance

C. Public Hearing
   1. To amend Chapter 118 "Housing Standards" of the Farmington Town Code.

D. Presentations and Recognitions
   1. State Legislators – Update on legislative priorities and state budget
   2. Presentation - Town of Farmington Audit FY Ending June 30, 2018 Blum Shapiro & Company, P.C. (attachment)

E. New Items

F. Public Comments

G. Reading of the Minutes
   1. January 8, 2019 Regular Town Council Meeting
   2. January 22, 2019 Special Town Council Meeting

H. Reading of Communications and Written Appeals
   1. Correspondence from Kathy Eagen to Farmington's Legislative Delegation
   2. Thank You letter from John O'Connor

I. Report of the Committees
   1. UCONN Health Committee
   2. Land Acquisition Committee
   3. Green Efforts Committee
   4. Farmington Village Center Committee
   5. Auditor Ad Hoc Committee

J. Report of the Council Chair and Liaisons
   1. Chair
   2. Board of Education Liaison
   3. Chamber of Commerce

4. Economic Development Commission Liaison
5. Farmington Historic District Commission
6. Housing Authority
7. Human Relations Commission
8. Library Board
9. Town Plan and Zoning Liaison
10. Unionville Historic District Commission
11. Unionville Village Improvement Association Liaison
12. Water Pollution Control Authority
13. Other Liaisons

K. Report of the Town Manager —Infrastructure Report Presentation, Communication Report Presentation, Brownfield Municipal Grant Update, Farmington Community Chest Donation, 2019 Budget Schedule, HEARTSafe Designation

L. Appointments
1. Building Code Board of Appeals (Hammerberg)
2. Conservation and Inland Wetlands Commission (St. James) – **Alternate**
3. Economic Development Commission (Russell)
4. Plainville Area Cable TV Advisory Council
5. Plainville Area Cable TV Advisory Council (Bernier)
6. Plainville Area Cable TV Advisory Council (Markuszka)
7. Tourism Central Regional District
8. Unionville Historic District & Properties Commission (Martin) – **Alternate**
9. Water Pollution Control Authority (Charette)
10. Water Pollution Control Authority (Thompson)
11. Justice of the Peace (Rajan)
12. Justice of the Peace (Noe)
13. Justice of the Peace (Landry)

M. Old Business
1. To approve the 2019 Blighted Building List.

N. New Business

1. To amend Chapter 118 "Housing Standards" of the Farmington Town Code.

2. To disband the Farmington High School Survey Committee and the Facility & Financial Committee and thank them for their hard work.

3. To approve the Board of Education Statement of Needs for the Farmington High School Renovation Project.

4. To Award Bid # 280, the acquisition of One (1) New, Unused Pumper Engine to Firematic Supply Company, Inc. of Rocky Hill, CT, acting as agent for

Pierce Manufacturing, Inc. of Appleton, Wisconsin at a contract price of $678,178.00.

5. To Award Bid # 283, "Town Hall Parking Lot Reconstruction Project" to Clover Construction Company of Bristol, CT at a contract cost of $368,785.

6. To schedule a Special Town Council Meeting (if needed) on Friday April 26, 2019 in the Town Hall Council Chambers at 4:00 p.m. to approve the Town Council's 2019-2020 Second Recommended Budget.

7. To set a public hearing on March 12, 2019 at 7:00 p.m. in the Town Hall Council Chambers on the Town Manager's 2019-2020 Recommended Budget.

8. To correct the ending date of Richard Berlandy's term as an alternate for the Conservation and Inland Wetlands Commission to September 30, 2021.

9. To approve property tax refunds.

O. Executive Session
   1. Land Acquisition

P. Adjournment

LEGAL NOTICE
TOWN OF FARMINGTON
PUBLIC HEARING

A Public Hearing will be held on Tuesday, February 12, 2019 at 7:05 p.m. in the Town Hall Council Chambers to amend Chapter 118 "Housing Code" of the Farmington Town Code.

Dated at Farmington Connecticut this 1st day of February 2019.

Kathleen A. Eagen
Town Manager

THE TOWN OF FARMINGTON

INCORPORATED 1645

TOWN HALL
1 MONTEITH DRIVE
FARMINGTON, CONNECTICUT 06032-1053

INFORMATION ((860) 675-2300
FAX (860) 675-7140

January 9, 2019

Representative Derek Slap
Legislative Office Building, Room 4036
Hartford, CT 06106

Representative Mike Demicco
Legislative Office Building, Room 3201
Hartford, CT 06106

Dear Representative Slap & Representative Demicco:

The Farmington Valley Collaborative is a voluntary association of Towns including Avon, Barkhamsted, Burlington, Canton, East Granby, Farmington, Granby and Simsbury. We are writing to alert you to our serious concerns regarding the use of tobacco, nicotine and e-cigarette/vaping products by adolescents and young adults. While, these products pose health risks to all residents, individuals under the age of twenty-one are particularly vulnerable.

Tobacco use continues to be the leading cause of preventable death in the nation and is a known cause of cancer, heart disease and respiratory diseases.[i] Additionally, nicotine, a component of traditional tobacco products and e-cigarettes, is highly addictive and often serves as a gateway to other drugs, especially for youth, an age group that is particularly susceptible to nicotine's addictive qualities. While high taxes on tobacco products, existing smoke-free laws, and comprehensive tobacco cessation programs have proven to reduce tobacco use and save lives, we feel that further action should be taken to prevent youth and adolescent access, and addiction, to tobacco, nicotine and e-cigarette products.[ii]

It is our understanding that the General Assembly considered taking action on this important public health issue during the 2018 legislative session via Raised Bill No. 164, "An Act Raising the Legal Age to Purchase Tobacco to Twenty-one," which proposed raising the minimum legal age (MLA) to purchase tobacco, nicotine, and e-cigarette products. Unfortunately, as you may know, no action was taken on R.B. 164 during the 2018 session and in response, several Connecticut municipalities, including members of the Farmington Valley Collaborative, began exploring the possibility of adopting local legislation that would raise the MLA for these products within the borders of the municipality in an effort to combat youth tobacco and e-cigarette use locally.

While protecting the health and safety of our residents is a critical function of a municipality, the adoption of comprehensive statewide legislation such as R.B. 164, rather than a patchwork of local ordinances, is essential to ensuring the health of all Connecticut youth, regardless of the Town in which they live. Further, as a practical matter, in a time when state government constantly requests that municipalities regionalize and establish practices that prevent unnecessary duplications of effort, the state should take the lead in addressing this matter and prevent 169 communities from spending the time, effort, and money to individually legislate this issue.

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We were encouraged to see the article in the December 27, 2018 edition of the Hartford Courant entitled "State anti-vaping measures eyed" which indicated that several members of the General Assembly are interested in addressing the issue of underage use of tobacco and e-cigarette/vaping products.[iii] In addition to reconsidering the 2018 proposal to raise the MLA for all tobacco, nicotine and e-cigarette products to age twenty-one, we understand that legislators are also considering proposals that would ban the use of flavorings in e-cigarettes, levy a new tax on e-cigarette products, and/or regulate the internet sale of e-cigarettes.

While each of these proposals should be given due consideration by the General Assembly, the Collaborative urges the legislature to prioritize legislation to raise the MLA, as the initial age of tobacco use is critical to the likelihood of continued use and addiction. The U.S. Department of Health and Human Services (DHHS) reports that approximately 95 percent of adult smokers began smoking before the age of twenty-one.[iv] Alternatively, adults who have not tried smoking by their early twenties will most likely never smoke. Even cigarette manufacturers agree with these statistics. In 1982, a researcher from R.J. Reynolds Tobacco Company reported that *"If a man has never smoked by age 18, the odds are three-to-one he never will. By age 24, the odds are twenty-to-one."*[v]

Additionally, delaying legal access to tobacco products will not only protect youth aged 18-21, it will also help to keep these products out of our schools, as high school students who have reached the MLA often serve as a social source of tobacco for their underage classmates.[vi] This is especially important as DHHS reports that about 75 percent of adult smokers first try smoking before the age of 18.[vii]

While data on the long-term benefits of legislation limiting youth and young adult access to tobacco and e-cigarette products, particularly raising the MLA, are limited, the movement to increase the minimum drinking age to twenty-one in the 1980s offers us an understanding of the likely public health benefits that a raised MLA can offer. In particular, raising the minimum drinking age has been associated with reduced alcohol consumption among youth and young adults, and has resulted in fewer alcohol-related crashes among this age group.[viii]

In comparison, it is likely that raising the MLA will significantly reduce the number of young people who begin smoking at all; reduce deaths related to smoking; and improve the overall health of the adolescent and youth population.[ix] These hypotheses are reflected in data available from states and cities that have already implemented legislation to raise the MLA, such as California, New York City and Chicago.[x]

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As the 2019 legislative session begins, the Farmington Valley Collaborative urges the members of the General Assembly to continue to study and consider each of these proposals, particularly the proposal to raise the MLA, with the goal of adopting comprehensive legislation aimed at preventing adolescents and young adults from accessing these dangerous products in the short term, and improving overall public health over the long term.

Please do not hesitate to contact us with questions.

Sincerely,

Kathleen A. Eagen
Town Manager
Town of Farmington

Nancy W. Nickerson
Chair, Town Council
Town of Farmington

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[i] U.S. Department of Health and Human Services. *The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General.* Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.

[ii] Increasing the Minimum Legal Sale Age for Tobacco Products to 21. (n.d.). Retrieved January 2, 2019, from https://www.tobaccofreekids.org/assets/factsheets/0376.pdf

[iii] Lurye, R. (2018, December 27). Lawmakers eye anti-vaping measures like flavor ban, e-cigarette tax - Hartford Courant.

[iv] U.S. Department of Health and Human Services. Substance Abuse and Mental Health Services Administration. Center of Behavioral Health Statistics and Quality. National Survey on Drug Use and Health, 2014.

[v] RJ Reynolds, "Estimated Change in Industry Trend Following Federal Excise Tax Increase," September 10, 1982, Bates Number 513318387/8390.

[vi] Institute of Medicine (now the National Academy of Medicine), *Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products,* Washington, DC: The National Academies Press, 2015.

[vii] U.S. Department of Health and Human Services, 2014.

[viii] Wagenaar, AC and Toomey, TL, "Effects of Minimum Drinking Age Laws: Review and Analyses of the Literature from 1960 to 2000," *J Stud Alcohol,* Supplement No. 14: 206-225, 2002; Hedlund, JH, Ulmer, RG, and Preusser, DF, "Determine Why There are Fewer Young Alcohol-Impaired Drivers, DOT HS 809 348, Final Report," U.S. Department of Transportation, National Highway Traffic Safety Administration, September 2001.

[ix] Institute of Medicine, 2015.

[x] Increasing the Minimum Legal Sale Age for Tobacco Products to 21

D-2

Dear Nancy and all the Town Council Members,

It has been a pleasure working with the town. I miss you all.

Thank you for the big check.

Sincerely,

JM

P.S. Thank you Nancy for your Card.

THANK YOU

MOTION: Agenda Item K

Report of the Town Manager— Infrastructure Report Presentation, Communication Report Presentation, Brownfield Municipal Grant Update, Farmington Community Chest Donation, 2019 Budget Schedule, HEARTSafe Designation

Infrastructure Report Presentation
A report and presentation will be provided at the Town Council meeting.

Communication Report Presentation
A presentation will be given at the Town Council meeting.

Brownfield Municipal Grant Update
Rose Ponte and I had a very positive meeting with Deputy Commissioner of the Department of Economic Development (DECD), David Kooris, on January 17, 2019. He explained that the last round of the Brownfield's Grant program did not have sufficient funding to address all the applications received. Farmington was not awarded a grant during this round of funding.

The biggest takeaway from the meeting is that David Kooris understands how to navigate the State's system. He stated he will be able to assist the Town in setting up the necessary meetings with State agencies to further investigate whether to purchase the Parson's property. I am hopeful that he will be able to assist us.

Farmington Community Chest Donation
The Farmington Community Chest donated $6,650 to the Town of Farmington Fire Department. These funds will go towards two thermal imaging cameras. The support of additional monies for additional cameras will be revisited by the Community Chest at a later date in 2019. This grant will enable the Town to provide 6 cameras as opposed to the original 3.

These thermal imaging cameras are an integral part of our firefighter's ability to complete essential job tasks at the scene of an incident. These cameras assist in searching for a trapped victim in a fire when visibility is zero, searching for hidden fire in structures and monitoring the stability of a hazardous materials scene, just to name a few examples. Thermal imaging cameras allow our firefighters the ability to better perform their job tasks safely and efficiently. The service provided to the community is enhanced with these valuable pieces of equipment providing for quicker mitigation of an incident or the ability to make an expeditious rescue at the scene of a fire.

The Town of Farmington has written a letter to the Community Chest thanking them for their generous donation.

2019 Budget Schedule
Below is the 2019 Town Council meeting schedule for the upcoming budget meetings, workshops, Annual Town Meetings and Referendums.

Public Hearings, Annual Town Meetings & Referendums:

February 26, 2019	Capital Budget Presentation
March 12, 2019	Public Hearing on Town Manager's Recommended Budget
April 1, 2019	Public Hearing on Town Council's Proposed Budget
April 15, 2019	First Annual Town Meeting
April 25, 2019	First Budget Referendum
April 29, 2019	Second Annual Town Meeting (if needed)
May 9, 2019	Second Referendum (if needed)

Budget Workshop Sessions:

Wednesday, March 13	4:00 p.m. to 9:00 p.m.
Thursday, March 14	4:00 p.m. to 9:00 p.m.
Saturday, March 16	9:00 a.m. to 12:00 p.m.
Monday, March 18	4:00 p.m. to 9:00 p.m. (if needed)
Tuesday, March 19	4:00 p.m. to 9:00 p.m. (if needed)
Friday, April 26	4:00 p.m. to 9:00 p.m. (Only if first Referendum fails)

HEARTSafe Designation

The Town of Farmington recently met the renewal requirements for the HEARTSafe Community designation for another 3 years set by the Office of Emergency Medical Services and the American Heart Association. A HEARTSafe community is one that has documented the "Chain of Survival" links to address cardiac emergencies for its citizens. These links include early access to emergency care, early CPR, early defibrillation, and early advanced care. Through the dedicated work of our Firefighter/EMTs, businesses and citizens we have maintained our designation and continue to be HEARTSafe.

The Town of Farmington Fire Department will be providing quarterly Community CPR Training Courses at the Farmington Community & Senior Center for 2019 to continue to educate the public on these life-saving techniques. This course teaches CPR and relief of choking in adults, children and infants. Use of an AED (Automated External Defibrillator) is also included in the training, and participants receive a student manual for ongoing reference. Community CPR is designed for members of the general public who would like to learn basic CPR, including families with children or elderly relatives, community groups, and those who do not need a course completion card. This course is at no cost as we know how important these critical skills are in an emergency. Members of the public are able to register for the classes through the Town of Farmington website.

The Town of Farmington Fire Department trained 87 residents on CPR in 2018. There are also 50 AEDs throughout the community in both Town buildings and private businesses providing added support in maintaining the HEARTSafe Community.

MOTION: Agenda Item L-1

That _____ be appointed to the Building Code Board of Appeals for the balance of a five-year term beginning immediately and ending September 30, 2021. (Hammerberg)

MOTION: Agenda Item L-2

That _____ be appointed to the Conservation and Inland Wetlands Commission as an **alternate** for the balance of a four-year term beginning immediately and ending September 30, 2019. (St. James)

MOTION: Agenda Item L-3

That _____ be appointed to the Economic Development Commission for the balance of a two-year term beginning immediately and ending September 30, 2020. (Russell)

MOTION: Agenda Item L-4

That _____ be appointed to the Plainville Area Cable TV Advisory Council for the balance of a two-year term beginning immediately and ending June 30, 2020.

MOTION: Agenda Item L-5

That _____ be appointed to the Plainville Area Cable TV Advisory Council for the balance of a two-year term beginning immediately and ending June 30, 2020. (Bernier)

MOTION: Agenda Item L-6

That _____ be appointed to the Plainville Area Cable TV Advisory Council for the balance of a two-year term beginning immediately and ending June 30, 2020. (Markuszka)

MOTION: Agenda Item L-7
That _____ be appointed to Tourism Central Regional District for the balance of a three-year term beginning immediately and ending June 30, 2020.

MOTION: Agenda Item L-8

That _____ be appointed to the Unionville Historic District & Properties Commission as an **alternate** member for the balance of a three-year term beginning immediately and ending September 30, 2021. (Martin)

MOTION: Agenda Item L-9

That _____ be appointed to the Water Pollution Control Authority for the balance of a five-year term beginning immediately and ending September 30, 2023. (Charette)

MOTION: Agenda Item L-10

That _____ be appointed to the Water Pollution Control Authority for the balance of a five-year term beginning immediately and ending September 30, 2022. (Thompson)

MOTION: Agenda Item L-11

That _____ be appointed as Justice of the Peace for the balance of a 4-year term beginning immediately and ending January 4, 2021. (Rajan)

MOTION: Agenda Item L-12

That _____ be appointed as Justice of the Peace for the balance of a 4-year term beginning immediately and ending January 4, 2021. (Noe)

MOTION: Agenda Item L-13

That _____ be appointed as Justice of the Peace for the balance of a 4-year term beginning immediately and ending January 4, 2021. (Landry)

MOTION: Agenda Item M-1

To approve the following 2019 Blighted Building list:

14 Blueridge Drive
23 Lakeview Drive
56 Lake Garda Drive

NOTE: Under the provisions of The Code of the Town of Farmington Chapter 88 "Buildings, Blighted," the Town Council has 75 days from the date of submission to approve, disapprove, or modify the list.

14 Blueridge Drive

- Town had sent an initial letter on July 7, 2017 requesting the owner address the blight issues.
- Owner submitted a schedule for repairs on August 3, 2017, indicating most of the exterior work will be completed by the end of 2017.
- Letter sent December 18, 2017 indicating the property would be sent to the Town Council for inclusion on the 2018 Blighted Building List. Property was not added, in lieu of owner submitting a revised construction schedule approved by the Town.
- Employer had submitted a request dated January 4, 2018, for a 90-day extension due to workload and weather.
- Owner submitted a revised schedule on February 20, 2018, indicating the garage would be completed and most tools and supplies and would be moved to the garage area. Schedule also stated most of the exterior repairs would be completed by the end of July 2018.
- Letter sent to owner March 28, 2018 if no significant improvements and/or progress is made in the next few weeks, the property will be reevaluated for inclusion to the Blighted Building List.
- Letter sent to owner May 1, 2018 indicating after no significant improvements, property will be revaluated by the Town Council.
- Property reviewed at May 8, 2018 Town Council Meeting and property was not added to the Blighted Building List.
- Letter sent to owner June 8, 2018 after onsite meeting, stating some progress has been made and confirm the owner requested a 2-month extension (August 6th) to make significant progress on the cleanup of the property, and continue with construction schedule received February 20, 2018.
- Letter sent to owner August 8, 2018 progress is being made, and cleanup shall be completed by September 8, 2018.
- Owner had submitted a revised schedule on September 17, 2018, indicating repair of garage and commencing to move items to the garage in November 2018 and completing move of items to the garage by the end of the 1st week of December 2018 and removal of dumpster by the end of December 2018.

Work on exterior of the building would commence in Jan/Feb/March 2019 and completed by April/May 2019.

- No apparent work has continued to date, and the owner does not appear to be adhering to the latest construction schedule.
- Recommend the property be added to the Blighted Building List.

23 Lakeview Drive

- Property continues to meet Blighted Building Ordinance requirements.
- Property has been on the Blighted Building List since January 14, 2009.
- Property has a total of $26,800 in unpaid Blighted Building Liens.
- Property has a total of $26,100 in unpaid citations from September 9, 2013 to May 12, 2014. Fines have not resulted in liens under advice of the Town Attorney.
- Legal action currently pending.
- Town has ceased fining the property owner during the legal process.
- Recommend the property remain on the Blighted Building List.

56 Lake Garda Drive

- Property is vacant and the Bank has taken over maintenance of the property.
- Paint is peeling from the exterior of the home and there is a large amount of junk around the property.
- Numerous emails and letters sent to the Bank with no response.
- Recommend the property remain on the Blighted Building List.

NOTE: Two properties have been added from the list since Town Council took action on the last Blighted Building List in 2018 and one has been removed. The home at 14 Blueridge has been added to the list because the owner has not been able to adhere to their rehabilitation schedule, and the property at 56 Lake Garda has become recently vacant this year. The property at 15 Walnut has been removed from the list due to the owner currently working on obtaining final permits to demo the building.

MOTION: Agenda Item N-1

To amend Chapter 118 "Housing Standards" of the Farmington Town Code.

NOTE: Over the last year a committee comprised of the Housing Authority, Health Department, and Public Works met to discuss Chapter 118 "Housing Code" of Farmington's Town Code. The committee discussed language to clean up the code as well as noted areas where the State General Statutes and Public Health Code would be more relevant and applicable as the standards.

In addition to the changes made by the committee, language regarding overgrowth of vegetation, grass, and debris on personal property has been added as Article X - Property Conditions.

I have attached a redlined copy of the proposed changes to the ordinance for your review.

Town Staff will be available at the meeting to answer questions.

/Attachment

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 118
Housing Standards

[HISTORY: Adopted by the Town Council of the Town of Farmington 5-28-1963 by Ord. No. 45. Amendments noted where applicable.]

GENERAL REFERENCES

Housing agencies — See Ch. **31**.

Building Code — See Ch. **83**, Art. **II**.

Blighted buildings — See Ch. **88**.

Citation hearing procedure — See Ch. **91**.

Sanitation — See Ch. **152**.

Garbage disposal — See Ch. **165**, Art. **I**.

Zoning regulations — See Ch. **197**.

Article I
General Provisions

§ 118-1 **Purpose.**
The purpose of this Housing Code is to ensure safe, sanitary and decent housing within the Town of Farmington, thereby fulfilling the Town's responsibility for providing for the health, safety and welfare of its inhabitants. The Housing Code, together with the Zoning Regulations, ~~and~~ the Building Code, and Connecticut Public Health Code are basic elements of a comprehensive program for protecting residential neighborhoods.

§ 118-2 **Scope.**
The Housing Code establishes minimum standards for the condition and facilities of rental dwellings or other dwelling structures. It requires, among other things, a kitchen sink, a complete bathroom unit, hot and cold running water and either central-heating or space-heating equipment of a prescribed capacity. It includes minimum standards in electrical service, window space and ventilation and the general upkeep and structural condition of the dwelling. It prescribes responsibilities of owners and occupants for maintaining the premises in a clean and sanitary condition.

§ 118-3 **Administration.**
[Amended 7-28-1992]

The Farmington Valley Health District ~~Department of Health~~ and/or Public Works Department -shall administer the Housing Code. The ~~District~~ applicable department is authorized to inspect all rental dwelling or other dwelling structures and to order any repairs or additional facilities necessary to meet code standards. ~~He~~ The applicable department is authorized to condemn dwellings that are unfit for human habitation and, in that situation, the owner of the condemned building must comply with the minimum standards or cease using said building for dwelling purposes. An appeal from a decision of the

FVHD or Public Works Department -may be taken to the Code Enforcement Committee.

§ 118-4 **Definitions and word usage.**

A. The following definitions shall apply in the interpretation and enforcement of this chapter:

BASEMENT

A portion of a building located partly underground but having less than 1/2 of its clear floor-to-ceiling height below the average grade of the adjoining ground.

BUILDING OFFICIAL

The legally designated Building Official of the Town of Farmington or his designated assistant.

CELLAR

A portion of a building located partly or wholly underground and having 1/2 or more than 1/2 of its clear floor-to-ceiling height below the average grade of the adjoining ground.

DWELLING

Any building which is used or intended to be used, in whole or in part, for living or sleeping by human occupants, provided that temporary housing, as hereinafter defined, shall not be regarded as a dwelling. The term specifically refers to owner occupied.

DWELLING UNIT

Any room or group of rooms located within a dwelling and forming a single habitable unit, with facilities which are used or intended to be used for living, sleeping, cooking and eating.

EXTERMINATION

The control and elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food, by poisoning, spraying, fumigating or trapping or by any other recognized and legal pest elimination methods approved by the FVHD and the State Department of Health Services.

[Amended 7-28-1992]

FARMINGTON VALLEY DISTRICT DEPARTMENT OF HEALTH (FARMINGTON VALLEY HEALTH DEPARTMENT OR FVHD)

The legally designated health authority of the Town of Farmington.

[Amended 7-28-1992]

FIRE MARSHAL

The legally designated Fire Marshal of the Town of Farmington or his designated assistant.

GARBAGE

The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

HABITABLE ROOM

A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, hallways, closets, recreation rooms (but not excluding living rooms), private workshops or hobby rooms and

storage spaces.

INFESTATION

The presence, within or around a dwelling, of any insects, rodents or other pests.

MULTIPLE DWELLING

Any dwelling containing more than two dwelling units.

OCCUPANT

Any person living, sleeping, cooking or eating in or having actual possession of a dwelling unit or rooming unit.

OPERATOR

Any person who has charge, care or control of a building or part thereof in which dwelling units or rooming units are let.

OWNER

Any person who, alone or jointly or severally with others:

(1) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or

(2) Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter and of rules and regulations adopted pursuant thereto to the same extent as if he were the owner.

PERSON

Includes any individual, firm, corporation, association or partnership.

PLUMBING

Includes all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage-disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

RENTAL DWELLING

Any building which is used or intended to be used, in whole or in part, for living or sleeping by human occupants, provided that temporary housing, as hereinafter defined, shall not be regarded as a dwelling. This term specifically refers to tenant occupied units.

ROOMING HOUSE

Any dwelling, or that part of any dwelling, containing one or more rooming units in which space is let by the owner or operator to more than three persons who are not the husband or wife, son or daughter, mother or father or sister or brother of the owner or operator, provided that hospitals, homes for the aged and other institutions licensed by the State Department of Health Services shall not be regarded as rooming houses or as subject to the provisions of this chapter.

[Amended 7-28-1992]

ROOMING UNIT

Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes.

RUBBISH

Combustible and noncombustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coke or other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust or other items as specified by the FVHD.

SUPPLIED

Paid for, furnished or provided by or under the control of the owner or operator.

TEMPORARY HOUSING

Any tent, trailer or similar structure which is used for human shelter.

TOWN ENGINEER

The legally designated Town Engineer of the Town of Farmington or his designated assistant.

B. Meaning of certain words. Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," and "premises" are used in this chapter, they shall be construed as though they were followed by the words "or any part thereof." Whenever the masculine pronoun is used it shall also mean the feminine pronoun.

Article II
Enforcement

§ 118-5 **Inspections.**

The FVHD and/or Public Works Department is hereby authorized and directed to make inspections to determine the condition of rental dwellings, dwelling units, rooming units and premises located within this Town of Farmington in order that he may perform its duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections, the FVHD and/or Public Works Department is hereby authorized to enter, examine and survey, at all reasonable times, all dwellings, dwelling units, rooming units and premises based on a registered complaint and/or concern. The owner or occupant of every rental dwelling, dwelling unit and rooming unit or the person in charge thereof shall give the FVHD free access to such rental dwelling, dwelling unit or rooming unit and its premises, at all reasonable times, for the purpose of such inspection, examination and survey. Each occupant of a rental dwelling or dwelling unit shall give the owner thereof or his agent or employee access to any part of such dwelling or dwelling unit or its premises, at all reasonable times, for the purpose of making such repairs and/or alterations as are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant to the provisions of this chapter.

§ 118-6 **Code Enforcement Committee.**

There is hereby created a Code Enforcement Committee, which shall consist of the Building Official, who shall serve as Chairman, the Fire Marshal, who shall serve as Secretary, and the Town Engineer, Town Social Worker and Farmington Valley Health District. Said Committee shall be responsible for coordinating the code enforcement program of the Town, with particular reference to the urban renewal and general planning objectives established by the Town of Farmington. Any member of the Committee may designate an official of his department to represent him at meetings of the Committee.

§ 118-7 **Notice of violation.**
Whenever the FVHD and/or Public Works Department -determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter, it shall give notice of such alleged violation to the person or persons responsible therefor, as hereinafter provided. Such notice shall:

A. Be in writing.

B. Include a statement of the reason why it is being issued.

C. Allow a reasonable time for the performance or any act it requires.

D. Be served upon the owner or his agent or the occupant, as the case may require, provided that such notice shall be deemed to be properly served upon such owner or agent or upon such occupant:

(1) If a copy thereof is served upon him personally or if a copy thereof is sent by certified mail to his last known address;

(2) If a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice; or

(3) If he is served with such notice by any other method authorized or required under the laws of this state.

E. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter and with rules and regulations adopted pursuant thereto.

§ 118-8 **Hearing.**
A. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this chapter may request and shall be granted a hearing on the matter before the Code Enforcement Committee created in § **118-6** of this chapter, provided that such person shall file in the office of the Chairman of the Code Enforcement Committee (Building Official) a written petition requesting such hearing and setting forth a brief statement of the grounds for such within ~~20~~ 10 days after the day the notice was served. Upon receipt of such petition, the Chairman of the Code Enforcement Committee shall set a time and place for such hearing and shall give the petitioner five days' written notice thereof.

B. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified, extended or withdrawn or a variance granted.

C. The hearing shall be commenced not later than 60 days after the day on which the petition was filed, provided that, upon application of the petitioner, said Committee may postpone the date of the hearing for a reasonable time beyond such sixty-day period if in its judgment the petitioner has submitted a good and sufficient reason for such postponement, but in no event shall said hearing be postponed longer than 60 additional days.

§ 118-9 **Extension or variance.**
Such hearing shall be had before the entire membership of the Code Enforcement Committee. Said Committee, by a majority vote, shall sustain, modify or withdraw the notice. It may also grant an extension or variance in accordance with the following conditions:

A. The time for performance of any act required by the notice may be extended for not more than 18 months, subject to appropriate conditions and where the Committee makes specific findings of fact based on evidence relating to the particular case:

(1) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of any provisions of this chapter; and

(2) That such extension is in harmony with the general purpose and intent of this chapter in securing the public health, safety and general welfare.

B. A variance may be granted in a specific case and from a specific provision of this chapter, subject to appropriate conditions and where the Committee makes specific findings of fact based on evidence relating to the particular case:

(1) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provision;

(2) That the effect of the application of the provisions would be arbitrary in the specific case;

(3) That an extension would not constitute an appropriate remedy for these practical difficulties, unnecessary hardships or arbitrary effect; and **[Amended 7-28-1992]**

(4) That such variance is in harmony with the general purpose and intent of this chapter in securing the public health, safety and general welfare.

§ 118-10 **Orders.**
If the notice is sustained, modified or extended, it shall become an order as so sustained, modified or extended. Any notice served pursuant to § **118-7** of this chapter shall automatically become an order if a written petition for a hearing is not filed in the office of the Chairman of the Code Enforcement Committee within ~~20~~ 10 days after such notice is served.

§ 118-11 **Records; appeals.**
The proceedings at such hearings, including the findings and decision of the Code Enforcement Committee, shall be summarized, reduced to writing and entered as a matter of public record in the office of the Town Manager and open to reasonable public inspection. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by a decision of the Code Enforcement Committee may seek relief therefrom in any court of competent jurisdiction within 15 days from the date of the sending of notice of the decision of the Code Enforcement Committee, in accordance with the provisions of the General Statutes of Connecticut as they relate to the taking of appeals from Zoning Commissions and Zoning Boards of Appeals.

Article III
Minimum Standards for Basic Equipment and Facilities

§ 118-12 **Compliance required.**
No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements.

§ 118-13 **Kitchen.**
[Amended 7-28-1992]

Every dwelling unit shall contain a room or space for the storage, preparation and cooking of food, which shall include space for a stove or other cooking facilities and space for dry food storage and space for refrigerated food storage and shall include a kitchen sink installed. The sink shall be in good working condition and properly connected to a hot and cold running water system under pressure and shall be installed and maintained in a manner prescribed by ordinances, rules and regulations of the Town of Farmington.

§ 118-14 **Bathroom.**
Every dwelling unit shall be equipped with a complete bathroom fixture group consisting of a flush water closet, lavatory basin and bathtub or shower in good working condition and installed and maintained in a manner prescribed by ordinances, rules and regulations of the Town of Farmington. Said fixture group

shall be properly connected to an approved sewer system and to an approved hot and cold running water system under pressure, except that the flush water closet shall be connected to an approved sewer system and to an approved cold running water system under pressure. The flush water closet, lavatory basin and bathtub or shower need not be installed in the same room, but said room or rooms shall afford privacy to a person within said room or rooms.

§ 118-15 **Garbage and rubbish storage and disposal.**
Every dwelling unit shall be supplied with adequate rubbish storage facilities and with adequate garbage disposal facilities or garbage storage containers whose type and location are approved by the FVHD. It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a multiple dwelling. In all other cases it shall be the responsibility of the occupants to furnish such facilities or containers.

§ 118-16 **Water-heating facilities.**
The water-heating facilities necessary to provide the hot water required under §§ **118-13**, **118-14**, **118-52** and **118-59** shall be properly installed and connected to the hot-water lines required under those sections, shall be maintained in safe and good working condition and shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory, basin, bathtub or shower at a temperature of not less than ~~120º~~ 115F. Such supplied water-heating facilities shall be capable of meeting the requirements of this section when the dwelling, dwelling unit, rooming house or rooming unit heating facilities required under the provisions of § **118-23** are not in operation.

§ 118-17 **Means of egress.**
Every dwelling unit shall have safe, unobstructed means of egress leading to safe and open space at ground level as required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.

Article IV
Minimum Standards for Light, Ventilation and Heating

§ 118-18 **Compliance required.**
No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements.

§ 118-19 **Minimum total window area.**
Every habitable room shall have at least one window facing directly to the outdoors. The minimum aggregate glass area of windows for habitable rooms shall be not less than 1/10 of the floor area of the room served by them. Whenever walls or other portions of structures face the window of any habitable room and such light-obstructing structures are located less than three feet from the window and extend to a level above that of the ceiling of the room, such window shall not be included as contributing to the required minimum total window area.

§ 118-20 **Openable window area.**
Every habitable room shall have at least one window which can easily be opened or such other device as will adequately ventilate the room. The total of the openable window area in every habitable room shall be equal to at least 45% of the minimum aggregate glass area of the window as required in § **118-19**, except where there is supplied some other device affording adequate ventilation and approved by the ~~FVHD.~~ Public Works Department.

§ 118-21 Bathrooms and water closet compartments.

Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in §§ **118-19** and **118-20**, except where the bathroom or water closet compartment is adequately ventilated by a ventilation system which is kept in continuous or automatic operation and approved by the FVHD.

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§ 118-22 **Electrical service.**
Every dwelling unit and all public and common areas shall be supplied with electric service, outlets and fixtures which shall be properly installed, shall be maintained in good and safe working condition and shall be connected to the source of electric power in a manner prescribed by the ordinances, rules and regulations of the Town of Farmington. The capacity of such services and the number of outlets and fixtures shall be as follows:

A. Every habitable room shall have an electric service and outlets and/or fixtures capable of providing at least three watts per square foot of floor area.

B. Every habitable room shall have at least one floor- or wall-type electric convenience outlet for each 60 square feet or fraction thereof of floor area, and in no case less than two such outlets.

C. Every water closet compartment, bathroom, laundry room, furnace room and public hall shall contain at least one supplied ceiling- or wall-type electric light fixture.

§ 118-23 **Heating facilities.**
Every dwelling or dwelling unit shall be supplied with heating facilities which are properly installed, are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments located therein to a temperature of at least ~~70º~~ 65º F., at a distance three feet above floor level, when the outdoor temperature is below 0º F. Either central- or space-heating facilities may be used, but must meet the following requirements:

A. Every central-heating unit and/or central hot-water-heating unit shall:

(1) Have every heat duct, steam pipe and/or hot-water pipe free of leaks and functioning properly to provide an adequate amount of heat and/or hot water to the intended place of delivery.

(2) Be provided with seals between sections of hot-air furnaces to prevent the escape of noxious gases into heat ducts.

(3) If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner.

(4) Be provided with automatic or safety devices and be installed and operated in the manner required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.

B. Every space-heating unit and/or unit hot-water facility shall:

(1) Not use gasoline as fuel.

(2) Not be of the portable type if using solid, liquid or gaseous fuel.

(3) If employing a flame, be connected to a flue or vent in the manner required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.

(4) If employing solid or liquid fuels, have a fire-resistant panel beneath it.

(5) Be located at least two feet away from any wall or be equipped in an approved manner with insulation sufficient to prevent the overhanging of any wall.

(6) If employing gaseous fuel, be equipped with other than a rubber tube or armored rubber tube connector.

(7) If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner.

(8) Be installed and operated in the manner required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.

§ 118-24 **Lighting in common areas.**
Every common hallway and stairway in every multiple dwelling shall be adequately lighted with lighting facilities sufficient to provide a light intensity of at least one lumen at the floor or stair tread level at all times. Every common hallway and stairway in structures devoted solely to dwelling occupancy and containing not more than four dwelling units may be supplied with conveniently located switches controlling an adequate lighting system which may be turned on when needed instead of full-time lighting.

§ 118-25 **Screening.**
During that portion of each year when the FVHD deems it necessary for protection against mosquitoes, flies and other insects, every door opening directly from a rental dwelling ~~unit~~ to outdoor space shall have supplied screens and a self-closing device. ~~Every window or other device with openings to outdoor space used or intended to be used for ventilation shall likewise be supplied with screens, provided that such screens shall not be required during such period in rooms deemed by the FVHD to be located high enough in the upper stories of buildings as to be free from such insects and in rooms located in areas of the Town of Farmington which are deemed by the FVHD to have so few insects as to render screens unnecessary.~~

§ 118-26 Basement windows.

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Every basement or cellar window used or intended to be used for ventilation and every other opening to a basement which might provide an entry for rodents or other pests shall be supplied with a screen or such other device as will effectively prevent their entrance.

Article V
General Maintenance Requirements

§ 118-27 **Compliance required.**
No person shall occupy as owner-occupant or let to another for occupancy any rental dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements.

§ 118-28 **Foundations, ceilings and roofs.**
Every foundation, floor, wall, ceiling and roof shall be reasonably weathertight, watertight and rodentproof, shall be capable of affording privacy and shall be kept in good repair.

§ 118-29 **Windows and exterior doors.**
Every window, exterior door and basement hatchway shall be reasonably weathertight, watertight and rodentproof and shall be kept in sound working condition and good repair.

§ 118-30 **Stairways and porches.**
Every inside and outside stair, every porch and every appurtenance thereto shall be maintained and kept in sound condition and good repair.

§ 118-31 **Plumbing fixtures.**
Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.

§ 118-32 **Floor surfaces.**
Every water closet compartment, floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

§ 118-33 **Conveyance of rainwater.**
All rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the walls, ceilings or floors of any habitable room or of any bathroom or water closet compartment. All gutters must be maintained to shed water away from the building.

§ 118-34 **General construction and installation requirements.**
Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

§ 118-35 **Discontinuance of services.**
No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this chapter to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies when discontinuance of service is approved by the FVHD.

§ 118-36 **Units to be fit for human occupancy.**
No owner shall occupy or let to any other occupant any vacant dwelling unit unless it is clean, sanitary and fit for human occupancy.

Article VI
Minimum Space, Use and Location Requirements

§ 118-37 **Compliance required.**
No person shall occupy or let to another for occupancy any rental dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements.

§ 118-38 **Sleeping areas.**
Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of usable floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 additional square feet of usable floor area for each additional occupant thereof.

§ 118-39 **Ceiling height.**
Ceiling height shall conform to the standards as required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.

§ 118-40 **Cellar space.**
No cellar space shall be used as a habitable room or dwelling unit.

§ 118-41 **Basement space.**
No basement space shall be used as a habitable room or dwelling unit unless, in addition to the other provisions of this chapter:

A. The floor and walls are impervious to leakage of underground and surface runoff water and insulated against dampness; and

B. The minimum aggregate glass area of windows as required under § **118-19** is located entirely above the grade of the ground adjoining such window area.

§ 118-42 **Floor space; calculation.**
Every rental dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of the total habitable room area.

Article VII
Responsibilities of Owners and Occupants

§ 118-43 **Additional nature of responsibilities.**
The following responsibilities of owners and occupants are in addition to those specified elsewhere throughout this chapter.

§ 118-44 **Maintenance of shared or common areas.**
Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the dwelling and premises thereof.

§ 118-45 **Maintenance of unit by occupant.**
Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.

§ 118-46 **Rubbish disposal.**
Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish containers required by § **118-15** of this chapter.

§ 118-47 **Garbage disposal.**
Every occupant of a dwelling or dwelling unit shall dispose of all his garbage and any other organic waste which might be food for rodents in a clean and sanitary manner by placing it in the garbage disposal facilities or garbage storage containers required by § **118-15** of this chapter.

§ 118-48 **Hanging of screens.**
It shall be the responsibility of the owner to hang all screens for all rental dwelling units in a dwelling containing more than two dwelling units and for all dwelling units located on premises where more than two dwelling units share the same premises.

§ 118-49 **Extermination of pests.**
Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only dwelling unit within the dwelling that is infested. Notwithstanding the foregoing provisions of this section, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or reasonably insectproof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling or in the shared or common parts of any dwelling containing two or more units, extermination thereof shall be the responsibility of the owner.

§ 118-50 **Plumbing fixtures.**
Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Article VIII
Rooming Houses

§ 118-51 **Compliance required.**
No person shall operate a rooming house or shall occupy or let to another for occupancy any rooming unit in any rooming house, except in compliance with the provisions of every section of this chapter, except the provisions of Articles **III** and **VII**.

§ 118-52 **Bathroom facilities.**
At least one flush ~~water closet, lavatory basin~~ toilet, sink and bathtub or shower, properly connected to potable ~~a~~ water and sewer system approved by the FVHD and/or Public Works Department and in good

working condition, shall be supplied for each five persons or fraction thereof residing within a rooming house, including members of the operator's family wherever they share the use of said facilities, provided that, in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than 1/2 the required number of water closets. All such facilities shall be located with the dwelling so as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times in accordance with the provisions of § **118-16**. No such facilities shall be located in a basement except by written approval of the FVHD.

§ 118-53 **Changing of linen.**
The operator of every rooming house shall change supplies, bed linen and towels therein at least once a week and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

§ 118-54 **Minimum usable floor area.**
Every room occupied for sleeping purposes by one person shall contain at least 70 square feet of usable floor area and every room occupied for sleeping purposes by more than one person shall contain at least 50 square feet of usable floor area for each additional occupant thereof.

§ 118-55 **Means of egress.**
Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the statutes, ordinances and regulations of this State of Connecticut and the Town of Farmington.

§ 118-56 **Sanitary maintenance.**
The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for maintenance of a sanitary condition in every other part of the rooming house. He shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.

§ 118-57 **Applicability to hotels and motels.**
Every provision of this chapter which applies to rooming houses shall also apply to hotels and/or motels, except as provided in § **118-58** and except to the extent that any such provision may be found in conflict with the laws of this state or with the lawful regulations of any state board or agency.

§ 118-58 **Restrictions on eating of meals.**
No meals may be prepared or eaten in a rooming house, other than in a dwelling unit contained therein, unless such meals are prepared and eaten in communal kitchens and dining rooms conforming to the standards of §§ **118-59** and **118-60**, except that this section shall not apply to the eating of meals in establishments which are operating a valid restaurant business and which have the rooming house and restaurant operations integrated as a single business enterprise.

§ 118-59 **Communal kitchens.**
A communal kitchen shall comply with the following standards:

A. It shall contain at least 60 square feet of floor area in every case and at least 100 square feet if meals are both prepared and eaten therein.

B. If occupants are permitted to eat meals therein, it shall be supplied with one dining chair and two lineal feet of dining table space, in addition to the surface area for food preparation required under Subsection **F** below, for each occupant of the rooming house permitted to eat in the kitchen, the surface of each dining table to be smooth and easily cleanable.

C. It shall contain at least one supplied kitchen sink, 3 bay or dishmachine of an approved type which shall be supplied with hot water at all times in accordance with the provisions of § **118-16**.

D. It shall contain at least one supplied kitchen gas stove or electric stove, every such stove to have at least two top burners and an oven.

E. It shall contain one supplied electric or gas refrigerator with an adequate food storage capacity.

F. It shall contain one or more supplied tables or other facilities having a total surface area for food preparation of not less than six square feet, the surface of each table or other facility to be suitable for the preparation of food, smooth and easily cleanable.

G. It shall contain at least one supplied cabinet of adequate size for and suitable for the storage of food and eating and cooking utensils.

H. It shall be supplied by the operator with the rubbish storage facilities and the garbage disposal or storage facilities specified by § **118-15**.

I. It shall be located within a room accessible to the occupant of each rooming unit sharing the use of such kitchen without going outside of the dwelling and without going through a dwelling unit or rooming unit of another occupant.

§ 118-60 **Communal dining rooms.**
Where a communal kitchen does not conform to the provisions of § **118-59** relating to the eating of meals therein, meals shall be eaten in a communal dining room that complies with the following standards:

A. It shall contain at least 70 square feet of floor area.

B. It shall be supplied with one dining chair and two lineal feet of dining table space for each occupant of the rooming house permitted to eat in the dining room, the surface of each dining table to be smooth and easily cleanable.

C. It shall be located on the same floor of the rooming house as the communal kitchen in which the meals are prepared and shall be as nearly adjacent to the communal kitchen as is practicable.

D. It shall be located within a room accessible to the occupant of each rooming unit sharing such dining room without going outside of the dwelling and without going through a dwelling unit or rooming unit of another occupant.

§ 118-61 **Posting of no-cooking signs.**
The operator of any rooming house shall post in every rooming unit a sign on which shall be written or printed in letters not less than 3/8 inch in height the following words: "No cooking permitted in this room," and such sign shall remain so posted at all times the room is occupied.

Article IX
Unfit Dwellings

§ 118-62 **Compliance with procedure required.**
The designation of dwellings or dwelling units as unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the following requirements.

§ 118-63 **Defects constituting unfit dwelling.**
Any dwellings or dwelling units which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the FVHD and/or Public Works Department:

A. One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

B. One which lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public as prescribed by the provisions of this chapter.

C. One which because of its general condition or location is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

§ 118-64 **Vacation of placarded building.**
Any dwelling or dwelling unit condemned as unfit for human habitation and so designated and placarded by the FVHD and/or Public Works Department shall be vacated within a reasonable time as ordered by the FVHD.

§ 118-65 **Removal of placard.**
No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the FVHD and/or Public Works Department. The FVHD and/or Public Works Department shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based has been eliminated.

§ 118-66 **Defacing or illegal removal of placard.**
No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided in § 116-65.

§ 118-67 **Hearing.**
Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request, in writing, and shall be granted a hearing on the matter before the Code Enforcement Committee under the procedure provided by §§ **118-6** through **118-11**.

Article X
Property Conditions

§ 118-68 Vegetation.

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The growth and maintenance of all landscaping on any premises, including, but not limited to, shrubs, hedges, weeds, trees, grass and plants, shall comply with the standards as outlined below:

Grass, Weeds and/or Vegetation shall comply with the following standard:

(1) No owner or occupant of any premises shall permit grass, weeds, or vegetation to grow to a height greater than one foot on any premises with a building or a dwelling, throughout property line and up to the curbline, unless such weeds or similar vegetation is planted as a crop to be harvested or for ornamental purposes;

Shrubs, Hedges, and/or Trees shall comply with the following standards:

(1) Not block or interfere with the use of any public sidewalk and/or public or private street or right-of-way or obstruct the sighting of any road sign or sight lines.

(2) Not obstruct utility lines or other cables to and around the premises.

§ 118-69 Accumulation of debris on property.

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The owner or occupant of any premises shall be responsible for maintaining such parcel of land in a clean and sanitary condition and free from garbage, rubbish, or other refuse, and limit the accumulation of debris throughout the property.

Debris shall mean material which is incapable of immediately performing the function for which it was designed, including but not limited to, abandoned, discarded, or unused objects; junk comprised of equipment such as parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers, and garbage. This definition shall not be applicable to premises that are a junkyard licensed by the State of Connecticut.

§ 118-70 Enforcement.

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The Town's Enforcement Officer or agent is authorized to issue an order to a violator of these regulations. If such violation has not been remedied within 10 days of the date of issuance of the order, or schedule set forth therein, the Enforcement Officer, or such other Town official or employee designated by the Town Manager to issue citations, unless such time has been extended for good cause by the Enforcement Officer, shall issue a citation to the violator.

Article XI
Miscellaneous Provisions

§ 118-~~68~~71 **Penalties for offenses.**
[Amended 7-28-1992]

Any person who ~~shall~~ violates any provision of this chapter ~~may~~shall be subject to a citation of not more than $100~~,~~ ~~,upon conviction, be punished by a fine of not more than $100~~, and each day's failure to comply with any such provision shall constitute a separate violation.

§ 118-~~69~~72 **Conflicts with other laws.**
In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety, public health or other ordinance or code of the Town of Farmington or the Connecticut Public Health Code~~,~~ the provisions which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

§ 118-~~70~~73 **Permit required to create certain dwelling units.**
No dwelling unit or rooming unit shall be created within an existing structure or converted, remodeled or altered so as to create an additional dwelling unit or rooming unit unless the Building Official has issued a written permit certifying that the plans and specifications for such work indicate that the provisions of this chapter will be complied with.

§ 118-~~71~~74 **Enforcement.**
[Added 3-28-1995]

This chapter has been specifically designated for enforcement by citations issued by designated municipal officers or employees, and the citation hearing procedure established by Chapter **91** of the Farmington Code shall be followed.

MOTION: Agenda Item N-2

To disband the Farmington High School Survey Ad-Hoc Committee and the Facility & Financial Ad-Hoc Committee and thank them for their hard work.

NOTE: The Farmington High School Farmington High School Survey Ad-Hoc Committee and the Facility & Financial Ad-Hoc Committee have completed their charges. The Farmington Town Council thanks the Committees for all their hard work.

MOTION: Agenda Item N-3

To approve the attached Board of Education statement of needs for the Farmington High School Renovation Project.

NOTE: The Farmington Board of Education approved the Statement of Needs at their January 28, 2019 Board meeting. Per Chapter 53 of the Farmington Town Code, the Board of Education is required to submit an approved Statement of Needs to be approved by the Town Council.

/Attachment

FARMINGTON PUBLIC SCHOOLS
Pioneers | Scholars | Contributors | Citizens

N-3

SUPERINTENDENT OF SCHOOLS
Kathleen C. Greider

MEMORANDUM

TO: **Farmington Town Council**
Nancy Nickerson, Chair
Bruce Charette
Edward Giannaros
CJ Thomas
Patti Boye-Williams
Paul Cianci
Beth Kinter

FROM: Chris Fagan, Chair, Farmington Board of Education

SUBJECT: Farmington High School Renovation Project

DATE: January 30, 2019

The Board of Education discussed a motion that outlines the "statement of need" regarding the Farmington High School renovation project. The motion presented below was approved by the Board at the January 28, 2019 Board meeting in compliance with Farmington Town Code section 53-2.

Motion:

1. *Whereas, the Farmington Board of Education has engaged in a comprehensive school feasibility study with TECTON that included multiple observations of existing conditions, age of equipment, facility, review of history of site, building and additions, analysis of energy efficiency and options for improvement, review of existing reports (OCR, NEASC, School Safety), focus groups with faculty, administration and students, assessment of education space needs and conceptual solutions to address needs.*
2. *Whereas, the FHS NEASC study summary highlights a need to improve travel distances for faculty and staff, improve circuitous and crowded corridors and intersecting/converging students and faculty, create informal collaboration spaces for students, faculty and staff, address building systems for a controllable interior environment and address accessibility to interior and exterior areas.*
3. *Whereas, several spaces at FHS do not meet ADA requirements as outlined by the OCR report issued in 2013-2014, including but not limited to the auditorium, stage, music instructional spaces, some classrooms, outdated chair lift in the weight room, media center, bathrooms, portions of 2nd and 3rd floors of 1928 building, culinary space, gymnasium and outdoor athletic facilities.*
4. *Whereas, the FHS Safety and Security Study highlights accessibility issues (23 separate entry points to building), sight line issues, public/private use of building , inadequate interior and*

exterior lighting levels, building orientation difficulty and various issues around the multiple additions.

5. *Whereas, FHS has experienced several additions over many years, with an aging 1928 building in need of significant renovation as well as several additions with an inefficient building envelope impacting energy costs and efficiencies (insulation, façade, windows-except for 900 wing) as well as aging mechanical, electrical, plumbing, fire alarm and protection building systems not in code compliance.*
6. *Whereas, FHS building energy performance is inadequate and in need of a "Green Design" (new or renovated MEP systems could save an average of 35%-45%of annual costs depending upon solution).*
7. *Whereas, the auditorium (poor acoustics), cafeteria, and library are undersized, impacting high school scheduling, educational programming as well as state and federal requirements on food services.*
8. *Whereas, the additions have primarily addressed enrollment increases, but have resulted in a very large, inefficient facility footprint impacting not only energy costs, but security, insufficient student classroom space, a need for students to travel outside the building to travel to classes (696 student cross intersection between classes 9 times per day and 1070 feet from one side of the building to another), significant hallway congestion, inadequate use of space (30% unused space), a lack of space for robotics, lack of space for whole school staff professional learning and collaboration as well as constraints on educational programming for students.*
9. *Whereas, with current and emerging educational requirements and demands on comprehensive high schools, FHS is in need of an efficient, functional, flexible learning facility that meets state and federal requirements and serves the diverse needs of all students.*
10. *Whereas, the current parking is inadequate and requires expansion to accommodate the school and public use of Farmington High School's building.*

The Board, therefore, directs administration to begin planning a renovation of appropriate and necessary school space at Farmington High School to accommodate new MEP needs, educational programming needs, Connecticut school safety expectations, NEASC standards and OCR/ADA regulations not currently being addressed in their entirety:

- *Maximize square footage for educational programming (see #2, #8, #9)*
- *Create multiple levels to the building to address inefficient sprawl and "maze" like building to increase classroom space, space for robotics and other current and emerging learning spaces (see #2, #8, #9)*
- *Address undersized auditorium (acoustic issues), stage cafeteria and media center (see #7)*
- *Address multiple ADA compliance issues (see #3)*

- *Address Mechanical, Electrical and Piping (MEP) code compliance issues (see #2, #5, #6)*
- *Address Security compliance issues (see #4)*
- *Address overcrowded Town Hall office space as well as off-site Farmington Alternative High School space needs (#8)*

Motion:

It is Hereby Resolved, that the Farmington Board of Education recommends to the Farmington Town Council, as required in Section 53-2 in the Farmington Town Code and the Conn. General Statutes 10-220, that a comprehensive building project (renovate, renovate with additions, renovate as new or new construction) of Farmington High School as noted above and further, that the Farmington Town Council consider this statement of needs as soon as possible.

Cc: Board of Education Members

MOTION: Agenda Item N-4

To Award Bid # 280, the acquisition of One (1) New, Unused Pumper Engine to Firematic Supply Company, Inc. of Rocky Hill, CT, acting as agent for Pierce Manufacturing, Inc. of Appleton, Wisconsin at a contract price of $678,178.00.

NOTE: The purpose of this bid is to award a contract for the acquisition of one (1) new unused fire pumper engine to replace the Town's existing Engine #2. The Town opened bids for this pumper engine on Tuesday, January 22, 2019. One bid was received, from Firematic Supply Company, Inc. of Rocky Hill, CT acting as agent for Pierce Manufacturing, Inc. of Appleton, Wisconsin. The proposed price for the apparatus is $678,178.00. Staff from the Fire Department has reviewed Firematic's bid submittal, have found it to be acceptable, and recommend award of a contract to Firematic.

Although the price of $678,178 exceeds the $650,000 appropriation approved by the voters in May of 2018, there are incentives included in the bid proposal that will reduce the price of the apparatus to within the available funding. These incentives include prompt contract award and a down payment at the time of contract signing.

Town staff will be available at the Town Council meeting to answer any questions.

MOTION: Agenda Item N-5

To Award Bid # 283, "Town Hall Parking Lot Reconstruction Project" to Clover Construction Company of Bristol, CT at a contract cost of $368,785.

NOTE: The purpose of this motion is to award a contract to a qualified vendor who will provide all of the labor, materials and equipment necessary for the installation of granite curbing, concrete sidewalks and drainage at the parking lot area of town hall. This work would be done prior to the paving of the parking lot. Bids were opened on January 30, 2019. Staff has reviewed the bids and checked references of the lowest bidder. Based upon their review and reference check, they recommend that the bid be awarded to Clover Construction Company as the lowest responsible bidder. Sufficient funds for this project are included in the capital budget under the Town Hall Improvements account.

Staff will be available at the meeting to answer questions regarding this motion.

/Attachment

N-5

SCHEDULE OF PRICES
FARMINGTON, CT
BID #283
Town Hall Parking Lot Reconstruction Project
Bid Opening: 1/30/19 at 11:00am

ITEM NUMBER	UNIT	ESTIMATED QUANTITY	BRIEF DESCRIPTION;	BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4	BIDDER 5	BIDDER 6
				Clover Construction Company Bristol, CT	Colossale Concrete, Inc. Berlin, CT	Nunes Companies Ludlow, MA	J. Iapaluccio, Inc. Brookfield, CT	Genovesi Construction, Tolland, MA	Mizzy Construction, Inc. Plainville, CT
0302950.1A	S.Y.	200	2" WASHED NATIVE STONE (LANDSCAPING)	$18.00 $3,600.00	$16.00 $3,200.00	$48.00 $9,600.00	$0.00	$22.96 $4,592.00	$57.00 $11,400.00
0921001A	S.F.	10	ROCK IN TRENCH EXCAVATION	$5.00 $50.00	$75.00 $750.00	$75.00 $750.00	$0.00	$22.00 $220.00	$210.00 $2,100.00
0921001A	S.F.	11,700	CONCRETE SIDEWALK	$9.50 $111,150.00	$11.00 $128,700.00	$12.25 $143,325.00	$0.00	$16.40 $191,880.00	$14.62 $171,054.00
0921005A	S.F.	600	CONCRETE SIDEWALK RAMP	$15.00 $9,000.00	$16.00 $9,600.00	$16.00 $9,600.00	$0.00	$16.00 $9,600.00	$15.83 $9,498.00
0921039A	E.A.	3	DETECTABLE WARNING STRIP	$150.00 $450.00	$180.00 $540.00	$150.00 $450.00	$0.00	$220.00 $660.00	$300.00 $900.00
813041	L.F.	1,600	6" X 18" GRANITE CURB	$45.00 $72,000.00	$36.00 $57,600.00	$41.00 $65,600.00	$0.00	$65.65 $105,040.00	$66.25 $106,000.00

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813051	L.F.	575	6"X 18" CURVED GRANITE CURB	$53.00 $30,475.00	$49.00 $28,175.00	$48.00 $27,600.00	$0.00	$112.46 $64,664.50	$93.04 $53,498.00
813031	L.F.	125	6" X 12" GRANITE CURB	$41.00 $5,125.00	$34.00 $4,250.00	$39.00 $4,875.00	$0.00	$62.91 $7,863.75	$60.80 $7,600.00
817116	L.F.	61	6" X 12" CURVED GRANITE CURB	$49.00 $2,989.00	$44.00 $2,684.00	$46.00 $2,806.00	$0.00	$95.00 $5,795.00	$72.13 $4,399.93
944002	S.Y.	2817	FURNISHING AND PLACING TOP SOIL	$7.00 $19,719.00	$8.00 $22,536.00	$12.00 $33,804.00	$0.00	$6.90 $19,437.30	$4.05 $11,408.85
950005	S.Y.	2817	TURF ESTABLISHMENT	$1.00 $2,817.00	$3.00 $8,451.00	$1.00 $2,817.00	$0.00	$2.39 $6,732.63	$3.02 $8,507.34
0992114A	E.A.	1	STORAGE SHED	$49,000.00 $49,000.00	$54,000.00 $54,000.00	$65,000.00 $65,000.00	$0.00	$55,000.00 $55,000.00	$78,000.00 $78,000.00

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0601353A	S.F.	100	CONCRETE DUMPSTER PAD	$15.00 $1,500.00	$16.00 $1,600.00	$20.00 $2,000.00	$0.00	$34.08 $3,408.00	$36.00 $3,600.00
0905107A	L.F.	60	8' STOCKADE FENCE	$89.00 $5,340.00	$100.00 $6,000.00	$90.00 $5,400.00	$0.00	$220.00 $13,200.00	$250.00 $15,000.00
00001521	L.F.	100	CUT BITUMINOUS CONCRETE PAVEMNT	$1.00 $100.00	$3.00 $300.00	$2.00 $200.00	$0.00	$5.07 $507.00	$12.00 $1,200.00
1008127	L.F.	200	2" SCH40 PVC ELEC CONDUIT WITH PULL STRING	$15.00 $3,000.00	$40.00 $8,000.00	$10.00 $2,000.00	$0.00	$16.59 $3,318.00	$34.50 $6,900.00
0302950A	C.Y.	212	2" WASHED NATIVE STONE (DRAINAGE)	$40.00 $8,480.00	$98.00 $20,776.00	$48.00 $10,176.00	$0.00	$80.19 $17,000.28	$150.94 $31,999.28

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0507167A	E.A.	5	TYPE "CM" CATCH BASIN TOP	$700.00 $3,500.00	$800.00 $4,000.00	$1,200.00 $6,000.00	$0.00	$1,783.76 $8,918.80	$1,040.00 $5,200.00
0507157A	E.A.	1	TYPE "CM" CATCH BASIN	$2,000.00 $2,000.00	$2,600.00 $2,600.00	$3,600.00 $3,600.00	$0.00	$2,988.70 $2,988.70	$4,800.00 $4,800.00
0507224A	E.A.	2	TYPE "CL" CATCH BASIN TOP	$700.00 $1,400.00	$800.00 $1,600.00	$900.00 $1,800.00	$0.00	$1,998.70 $3,997.40	$1,000.00 $2,000.00
05074491A	E.A.	1	TYPE "CL" CATCH BASIN 4' SUMP	$3,000.00 $3,000.00	$2,900.00 $2,900.00	$3,000.00 $3,000.00	$0.00	$4,332.90 $4,332.90	$4,800.00 $4,800.00
0507897A	E.A.	2	CONCRETE YARD DRAIN	$1,000.00 $2,000.00	$1,100.00 $2,200.00	$1,650.00 $3,300.00	$0.00	$2,127.40 $4,254.80	$4,800.00 $9,600.00
507594	E.A.	1	15" CATCH BASIN TRAP HOOD	$400.00 $400.00	$150.00 $150.00	$80.00 $80.00	$0.00	$1,113.20 $1,113.20	$2,600.00 $2,600.00

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0686245.18A	L.F.	35	18" HDPE PERFORATED	$90.00 $3,150.00	$80.00 $2,800.00	$80.00 $2,800.00	$0.00	$109.74 $3,840.90	$42.86 $1,500.10
0755016A	S.Y.	640	GEOTEXTILE (SEPARATION TYPE A)	$1.00 $640.00	$2.50 $1,600.00	$3.00 $1,920.00	$0.00	$2.06 $1,318.40	$11.41 $7,302.40
0686250.60A	L.F.	425	6" HDPE PERFORATED	$20.00 $8,500.00	$30.00 $12,750.00	$40.00 $17,000.00	$0.00	$19.33 $8,215.25	$27.53 $11,700.25
210200	S.F.	2,000	TEMPORARY SLOPE PROTECTION	$0.50 $1,000.00	$1.50 $3,000.00	$3.00 $6,000.00	$0.00	$1.00 $2,000.00	$1.10 $2,200.00
219003	L.F.	500	STAKED SILT FENCE	$3.00 $1,500.00	$4.00 $2,000.00	$5.00 $2,500.00	$0.00	$2.05 $1,025.00	$9.60 $4,800.00
219005	L.F.	500	SILT SOCK	$3.00 $1,500.00	$6.00 $3,000.00	$5.00 $2,500.00	$0.00	$2.67 $1,335.00	$9.60 $4,800.00

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219001	E.A.	11	SEDIMENT CONTROL AT CATCH BASIN	$100.00 $1,100.00	$100.00 $1,100.00	$120.00 $1,320.00	$0.00	$88.34 $971.74	$263.64 $2,900.04
0975002A	L.S.	1	MOBILIZATION	$7,500.00 $7,500.00	$15,000.00 $15,000.00	$18,000.00 $18,000.00	$37,000.00 $37,000.00	$3,330.00 $3,330.00	$6,000.00 $6,000.00
0980001A	L.S.	1	CONSTRUCTION STAKING	$4,500.00 $4,500.00	$20,000.00 $20,000.00	$7,500.00 $7,500.00	$13,000.00 $13,000.00	$5,500.00 $5,500.00	$24,000.00 $24,000.00
051235.80A	L.F.	40	8" HDPE	$50.00 $2,000.00	$50.00 $2,000.00	$45.00 $1,800.00	$30.00 $1,200.00	$58.71 $2,348.40	$58.33 $2,333.20
923001	TON	3	BITUMINOUS CONCRETE FOR PATCHING	$100.00 $300.00	$180.00 $540.00	$220.00 $660.00	$220.00 $660.00	$790.90 $2,372.70	$300.00 $900.00
TOTAL BASE BID				$368,785.00	$434,402.00	$465,783.00	$539,173.00	$566,781.65	$620,501.39

MOTION: Agenda Item N-6

To schedule a Special Town Council Meeting (if needed) on Friday April 26, 2019 in the Town Hall Council Chambers at 4:00 p.m. to approve the Town Council's 2019-2020 Second Recommended Budget.

NOTE: This meeting will only be necessary if the Referendum on April 25, 2019 fails.

MOTION: Agenda Item N-7

To set a public hearing on March 12, 2019 at 7:00 p.m. in the Town Hall Council Chambers on the Town Manager's 2019-2020 Recommended Budget.

NOTE: This is the Town Manager's Public Hearing on the FY 2019-2020 Operating Budget.

Budget Workshop Sessions	
Wednesday, March 13 Board of Education	4:00 - 9:00 p.m.
Thursday, March 14	4:00 – 9:00 p.m.
Saturday, March 16	9:00 a.m. – 12 p.m.
Monday, March 18	4:00 – 9:00 p.m. (if needed)
Tuesday, March 19	4:00 – 9:00 p.m. (if needed)

MOTION: Agenda Item N-8

To correct the ending date of Richard Berlandy's term as an alternate for the Conservation and Inland Wetlands Commission to September 30, 2021.

NOTE: At the January 8, 2019 Town Council meeting, Richard Berlandy was appointed for the balance of a four-year term beginning immediately and ending September 30, 2019. The end term for this position should be September 30, 2021.

MOTION: Agenda Item N-9

To approve the following property tax refunds.

NAME	REASON	AMOUNT
Abu-Hasaballah Khamis	Assessor adjustment	$158.76
Aniello William	Assessor adjustment	$785.00
Croal Josephine	Assessor adjustment	$334.48
Daimler Trust	Assessor adjustment	$589.76
Desai Falguni	Assessor adjustment	$13.56
Farnham Felicia	Assessor adjustment	$19.16
Fifty Thousand Plus LLC	Assessor adjustment	$42.67
Jain Rajeev	Assessor adjustment	$29.08
Madden Kathleen	Assessor adjustment	$421.86
Masse Construction	Assessor adjustment	$84.88
Mulroy Brian	Assessor adjustment	$18.21
JP Morgan Chase	Assessor adjustment	$125.29
Lazarus Tysen	Assessor adjustment	$33.56
Loveland Kevin	Assessor adjustment	$50.00
Murphy Joseph	Assessor adjustment	$88.34
Murphy Maria	Assessor adjustment	$62.51
Newell Richard N Jr.	Assessor adjustment	$454.39
Porsche Leasing LTD	Assessor adjustment	$883.29
Rider James	Assessor adjustment	$72.70
Roca Jose Roca Diane	Assessor adjustment	$85.94
The Essex Family LTD	Assessor adjustment	$168.53
Thomaston Savings	Assessor adjustment	$1,384.82
Toyota Lease Trust	Assessor adjustment	$2,485.24
VW Credit	Assessor adjustment	$956.00
Total		**$9,348.03**

MOTION: Agenda Item O-1

Executive Session—To discuss matters concerning the sale or acquisition of real property.

To adjourn the meeting to executive session as permitted by Connecticut General Statutes Section 1-225 (a) for the following purposes as allowed by Section 1-200(6), that is

> 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.