

Minutes of the Town of Farmington  
Regular Town Council Meeting  
July 12, 2016

Present:

Nancy W. Nickerson, Chair  
Jon Landry  
Peter M. Mastrobattista  
Gary Palumbo  
Amy Suffredini  
Meredith A. Trimble  
John Vibert

Kathy Eagen, Town Manager  
Paula B. Ray, Clerk

**A. Call to Order**

The Chair called the meeting to order at 7:00 p.m.

**B. Pledge of Allegiance**

The Council and members of the public recited the pledge of allegiance.

The Chair thanked the Farmington Police Department for their service and read the letter that was sent to the Police Department from the Town Council recorded with these minutes as Agenda Item B-1. She then called for a moment of silence in honor of the slain Dallas police officers.

**C. Presentations and Recognitions**

There were no presentations or recognitions.

**D. Public Hearing**

1. A Public Hearing to amend Chapter 156 "Sewers" of the Farmington Town Code.

The Chair called the hearing to order at 7:05 p.m. and the Clerk read the legal notice recorded with these minutes as Agenda Item D-1. Mr. Russell Arnold, Director of Public Works and Planning Services reviewed the proposed changes to Chapter 156 "Sewers." He emphasized the amendments were for the most part a codification of the current practices and the other changes were required for the Clean Water Fund Grant for the sewer treatment plant upgrade. The biggest change was the requirement for a second legal notice after the new rates were set stating the new approved rates. He told the Council the Town Attorney, the State of Connecticut DEEP and the WPCA had all reviewed and approved the proposed amendments. The Chair opened the hearing for public comments.

Adrian McIlveen of 17 Oakland Avenue questioned whether he would be receiving two tax bills as a result of the amendments. Mr. Arnold explained he would still be receiving just one bill.

Hearing no further questions the Chair closed the hearing at 7:10 p.m.

**E. New Items**

Motion was made and seconded to add to Agenda Item L-7 Appointment to the Economic Development Commission.

Adopted unanimously.

**F. Public Comment**

There were no public comments made.

**G. Reading of Minutes**

1. June 14, 2016 Regular Town Council Meeting

Motion was made and seconded (Trimble/Mastrobattista) to approve the minutes of the June 14, 2016 Regular Town Council Meeting.

Adopted unanimously.

2. June 28, 2016 Regular Town Council Meeting

Motion was made and seconded (Trimble/Mastrobattista) to approve the minutes of the June 28, 2016 Regular Town Council Meeting.

Adopted unanimously.

**H. Reading of Communications and Written Appeals**

There were no communications or written appeals to the Council.

**I. Report of Committees**

1. UCONN Committee(s)

The Chair reported the next meeting was July 22, 2016.

2. Land Acquisition Committee

Mr. Mastrobattista reported the Town had closed on the Audi property on South Ridge Road, and the Town would be applying for Open Space Grant money to offset the purchase.

3. Green Efforts Committee

There was no report for Agenda Item I-3.

4. Joint Town of Farmington/City of Hartford Committee

The Chair reported the Town would be meeting on July 19, 2016 with Adam Cloud to discuss the Batterson Park property.

5. Bicycle Advisory Committee

There was no report for Agenda Item I-5.

6. Farmington Gateway Committee

The Manager reported the Committee had met with the Consultant and walked the Parson's area. Over the next month the Consultant would be conducting a Phase One Brownfield study and traffic and marketing analysis. Once the data was gathered from the studies the Committee would be meeting with the Consultant to review the results. The staff was planning on meeting with the State of Connecticut Department of Transportation to review the status of the grant that had been received for the area.

7. Web Page Sub-Committee

There was no report for Agenda Item I-7.

8. Farmington High School Renovation Committee

Mrs. Trimble reported the Committee was meeting the next evening to continue their discussion of RFP responses for architectural services with the possibility of moving forward with one of the finalist firms. She clarified that once a firm was chosen the next step would be to have the firm get input from all the stake holders including the public, students, faculty and Board of Education. They envisioned the architect as a facilitator for the process.

**J. Report of the Council Chair and Liaisons**

1. Chair Report

The Chair reported that Tunxis Hose had had a successful Fireman's Parade and jamboree; the Farmington Historical Society was holding a Revolutionary War Encampment including a colonial dinner July 16<sup>th</sup> and 17<sup>th</sup> and encouraged the public to visit their website to find out about the schedule of events; the Council was planning a joint meeting with the other elected bodies on September 13, 2016 to review the Freedom of Information law including Executive Session; the burn building had broken ground that morning.

2. Board of Education Liaison Report

There was no report for Agenda Item J-2.

3. Unionville Village Improvement Association Liaison Report

Mrs. Trimble reported the first free movie was being held that Friday, July 15<sup>th</sup> at dusk. The movie was Kung Foo Panda 3 and was sponsored by both the UVIA and the Farmington Community Chest.

4. Town Plan and Zoning Liaison Report

There was no report for Agenda Item J-4.

5. Water Pollution Control Authority Report

Mrs. Trimble reported the next meeting was the following evening July 13, 2016.

6. Economic Development Commission Liaison Report

There was no report for Agenda Item J-6.

7. Human Relations Commission Report

Mrs. Suffredini reported the Commission was having a meeting to discuss the sidewalk renovations along Route 177 on August 4<sup>th</sup> and commended Matt Blume, Chief of Engineering Services for his work to keep all the stake holders informed about the project.

8. Chamber of Commerce Report

Mr. Landry reported the next Business After Hours Meeting was being held the next evening at the Tunxis Plantation Golf Course.

9. Other Liaison Reports

There were no other liaison reports.

**K. Report of Town Manager**

Connecticut Water Company

The Manager reported the Town had worked on a project with the Connecticut Water Company to plant native trees and shrubs and deal with invasive species.

Budget Update

The Manager reported the preliminary report was that the fiscal year had ended well. The Finance Director was preparing a report for the first meeting in September and a grant update workshop for the second meeting in September.

Motion was made and seconded (Trimble/Mastrobattista) to accept the report of the Town Manager.

Adopted unanimously.

**L. Appointments**

1. Plainville Area Cable TV Advisory Council (R)
2. Plainville Area Cable TV Advisory Council (R)
3. North Central Regional Mental Health Board, Inc. (Wienke) (R)
4. Building Code Board of Appeals (Schadler) (R)
5. Unionville Historic District and Properties Commission Alternate (Hoffman) (R)
6. Human Relations Commission (Bernard) (R)

7. Economic Development Commission (Bernard) (R)

Motion was made and seconded (Trimble/Mastrobattista) that Carole King be appointed to the Economic Development Commission for the balance of a two-year term beginning immediately and ending September 30, 2017.

Adopted unanimously.

**M. Old Business**

There was no Old Business conducted.

**N. New Business**

1. To amend Chapter 156, "Sewers," of the Farmington Town Code.

Motion was made and seconded (Trimble/Mastrobattista) to approve the motion recorded with these minutes as Agenda Item N-1.

Adopted unanimously.

2. To cancel the August 9, 2016 Regular Town Council Meeting.

Motion was made and seconded (Trimble/Mastrobattista) to cancel the August 9, 2016 Regular Town Council Meeting.

Adopted unanimously.

3. To award Bid # 249 for Maintenance and Repair of Police Vehicles.

Mr. Vibert recused himself from participation on this agenda item.

Motion was made and seconded (Trimble/Mastrobattista) to award Bid #249 Maintenance and Repair of Police Vehicles, to Farmington Motor Sports of Farmington, CT in accordance with their bid proposal dated June 21, 2016.

Adopted unanimously.

4. To award Bid # 241 for Dial-A-Ride Transportation Services.

Motion was made and seconded (Trimble/Mastrobattista) to award Bid #241, Dial-A-Ride Transportation Services, Inc. of Plainville, CT at a cost of \$37.00 per hour in years 1 and 2 and \$35.00 per hour in year 3.

Adopted unanimously.

5. To approve a resolution in support of State Project #51-269 Reconstruction of South Main Street at New Britain Avenue and Railroad Avenue.

Motion was made and seconded (Trimble/Mastrobattista) to approve the motion recorded with these minutes as Agenda Item N-5.

Adopted unanimously.

6. To approve property tax refunds.

Motion was made and seconded (Trimble/Mastrobattista) to approve the following tax refunds:

NAME	REASON	AMOUNT
1)Ari Fleet	Assessor's adjustment	\$232.92
2)Cab East LLC	Assessor's adjustment	\$86.21
3)Ehrlich Interiors LLC	Assessor's adjustment	\$139.82
4)Honda Lease Trust	Assessor's adjustment	\$362.80
5)R. & A. McIntyre	Assessor's adjustment	\$1,270.31
6)Ryder Truck Rental LT	Assessor's adjustment	\$103.99
7)Vault Trust	Assessor's adjustment	\$52.21
	<b>Grand total:</b>	<b>\$2,248.26</b>

Adopted unanimously.

**N. Executive Session**

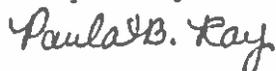
There was no Executive Session held.

**O. Adjournment**

Motion was made and seconded (Trimble/Mastrobattista) to adjourn the meeting at 7:28 p.m.

Adopted unanimously.

Respectfully submitted,



Paula B. Ray, Clerk

# Agenda Item B-1

**From:** Kathy Eagen  
**Sent:** Friday, July 08, 2016 4:10 PM  
**To:** Police; Police Supervisors  
**Subject:** To the Members of the Farmington Police Department

On behalf of the Town of Farmington, I write to extend my support to the Farmington Police Department and all Police Officers in the wake of the horrific shootings in Dallas, Texas. I am grateful for your service and commitment to our community and stand with you as we mourn the brave officers who lost their lives in the line of duty. Your bravery and dedication truly make Farmington a better place to live and work. Farmington is very fortunate to have a tremendous Police Department.

Please stay safe and thank you for your service.

Kathy

Kathleen Eagen  
Town Manager  
Town of Farmington  
860-675-2350

**LEGAL NOTICE  
TOWN OF FARMINGTON  
PUBLIC HEARING**

A Public Hearing will be held on Tuesday, July 12, 2016 at 7:05 p.m. in the Town Hall Council Chambers to amend the Code of the Town of Farmington, Chapter 156 "Sewers" to include Section VI Sewer Use Charge System.

Dated at Farmington, Connecticut this 30th day of June 2016.

Kathleen A. Eagen  
Town Manager

MOTION:

Agenda Item N-1

To amend Chapter 156, "Sewers," of the Farmington Town Code as attached.

Attachment

## Article VI Sewer Use Charge System

### 156-52: Purpose

An ordinance establishing user charges in the town of Farmington for the purpose of providing funds for the operation, maintenance and replacement expenses associated with the municipal wastewater collection, conveyance, and treatment facilities.

As provided for under Section 7-255 et seq. of the Connecticut General Statutes, the Water Pollution Control Authority (WPCA) is empowered to establish and revise fair and reasonable charges for the use of the municipal sewerage system. The owner of property against which any such use charge is levied shall be liable for the payment thereof. Municipally owned and other tax-exempt property which uses the sewerage system shall be subject to such charges under the same conditions as are the owners of other property.

No charge for the use of the municipal sewerage system shall be established or revised until after a public hearing before the WPCA, at which owners of property which use the sewerage system shall have an opportunity to be heard concerning the proposed charges. Notice of the time, date, and place of such hearing shall be published at least ten days before the hearing in a newspaper having a general circulation in the municipality, and a copy of the proposed charges shall be on file in the office of the Town Clerk for public inspection at least ten days before the date of the hearing.

Within ten days of having established such charges, the WPCA shall cause the same to be published in a newspaper having a general circulation in the municipality.

### 156-53: Calculation of Charges

The total cost of the operation and maintenance of the sewerage system, including replacement fund, (OM&R cost) shall be recovered from the users of the system. Each user's share of the OM&R cost of the sewerage system shall be in proportion to the user's contribution to the total wastewater loading of the sewerage system. All residential users shall be charged on the residential basis of their total wastewater contribution. All commercial, industrial and public agencies shall be charged on the quantity of water consumed for the year and shall be based upon water consumption values provided to the Town of Farmington by the appropriate water company that supplies those users. Surcharges shall be added to the volume based charges for wastewater discharges whose BOD or suspended solids concentrations are in excess of 300 ppm, or for discharges whose other constituents result in an identifiable increase in wastewater conveyance, treatment, or disposal costs. Should the WPCA determine that there has been a discharge that exceeds the maximum concentration as defined within this ordinance and/or within other applicable state codes or other discharges that impedes the daily nutrient removal and daily workings of the plant, the person(s) who allow the unauthorized discharge shall be responsible for any and all costs, damages and expenses incurred to the Town of Farmington for the removal of such discharge and rectification costs and expenses that enable the WPCA to return the plant operation to normal nutrient removal levels. Normal nutrient removal levels are defined to be those levels of which the plant operates during any given day or time period throughout the year.

The WPCA will review the sewer user charges annually and revise the rates as necessary to ensure that adequate revenues are generated to recover all OM&R costs and that the rate structure continues to distribute the costs of wastewater collection and treatment among the users in proportion to their contribution.

**156-54: Collection and Payment of Sewer Use Charges**

All sewer use charges shall be billed yearly through the Town for the WPCA and shall be paid in full within a period of thirty days after same is declared due and payable unless otherwise stated on the billing form. The billing form shall state the amount owed by the property owner for sewer use and the portion of the bill that is dedicated to pay for debt service.

Any charge for the use of a sewerage system, not paid within thirty days of the due date, shall thereupon be delinquent and shall bear interest from the due date at the rate and in the manner provided by the general statutes for delinquent property taxes. Each addition of interest shall be collectible as a part of such connection or use charge. Any such unpaid connection or use charge shall constitute a lien upon the real estate against which such charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens and encumbrances except taxes and may be foreclosed in the same manner as a lien for property taxes.

All revenues collected under the provisions of this ordinance shall be kept separate from any other funds of the municipality and shall be used solely for the purposes stated in Article 1 of this ordinance, and for no other purpose. Fiscal year-end balances shall be used to defray the following year's costs, or shall be deposited in a non-lapsing fund established for replacement of major mechanical components which could reasonably be expected to require replacement during the useful life of the treatment works. If, as a result of a shortfall, funds have been transferred from other sources into the sewerage funds account, those funds shall be repaid at the beginning of the next fiscal year, and the sewer user charge shall be increased to cover the transfer of these funds.

**156-55: Appeals and Adjustments**

Any person aggrieved by any charge for the use of the sewerage system may make written appeal to the WPCA within thirty days of the billing date, requesting a review of the user charge. This request shall, where necessary, show the actual or estimated flow and/or strength of the discharge in comparison with the values upon which the charge is based, including how the measurements or estimates were made.

Should an agreement not be reached between the person(s) making such a request to review their charge and the WPCA, those person(s) aggrieved by any charge for the use of a sewerage system may appeal to the superior court for the judicial district wherein the municipality is located and shall bring any such appeal to a return day of said court not less than twelve or more than thirty days after service thereof. The judgment of the court shall be final.

**156-56: Septage**

The Town of Farmington WPCF does not accept for disposal or treatment of any private septage wastewater in any manner.

**Definition:** PPM – Parts Per Million

MOTION:

Agenda Item N-5

To Approve the Attached Resolution in Support of State Project #51-269,  
Reconstruction of South Main Street at New Britain Avenue and Railroad Avenue.

Attachment

N-5

**Town of Farmington  
Resolution  
State Project #51-269 Reconstruction of South Main Street at New Britain  
Avenue and Railroad Avenue**

WHEREAS, the Town of Farmington has published a legal notice display ad, mailed a news release to required officials and agencies, and mailed a formal letter to abutting property owners, announcing a public informational meeting on the proposed STP Urban Transportation project known as State Project #51 - 269 Reconstruction of South Main Street (State Route 177) at New Britain Avenue and Railroad Avenue.; and

WHEREAS, a public informational meeting was held on June 20, 2016 at 7:00 pm in the Farmington Community and Senior Center located at 321 New Britain Avenue, at which meeting the residents had an opportunity to voice their concerns; and

WHEREAS, the Capital Region Council of Governments has selected this project as a regional priority and has agreed to utilize federal funds for design, rights-of-way and construction activities; and

WHEREAS, all phases (preliminary engineering, right of way and construction) will be performed by the Town of Farmington or its consultant, utilizing 80% Federal funds, 10% state funds and 10% Town of Farmington for all phases.

WHEREAS, the Farmington Town Council has considered the concerns of the residents from the public informational meeting and previous public meetings and finds that the proposed project, State #51 - 269 Reconstruction of South Main Street at New Britain Avenue and Railroad Avenue is in the best interest of the Town of Farmington, and will promote the health, safety and general welfare of its residents and provide for convenience and safety of the motoring public. The Town will continue to address the concerns of residents and other interested parties as the design development of the project proceeds.

NOW THEREFORE, the Town of Farmington, based on the above information, and by virtue of this resolution, hereby fully supports the proposed project.