

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

Date: June 13, 2017
(Council Members are asked to call the Town Manager's Office if they are unable to attend.)

Time: 7:00 p.m.

Location: Town Hall Council Chambers

Agenda

- A. Call to Order
- B. Pledge of Allegiance
- C. Proclamations and Recognitions
 - 1. Kyle Kraut- Boy Scout Proclamation
 - 2. Brennan Reynhold - Boy Scout Proclamation
 - 3. Evan DaSilva - Boy Scout Proclamation
 - 4. Andrew Kralik - Boy Scout Proclamation
- D. Public Hearing - None
- E. New Items
- F. Public Comment
- G. Reading of Minutes
 - 1. May 9, 2017 Regular Town Council Meeting
 - 2. May 23, 2017 Regular Town Council Meeting
- H. Reading of Communications and Written Appeals
 - 1. Legislative Correspondence
 - 2. Department of Transportation Correspondence
 - 3. Resident Correspondence
- I. Report of Committees
 - 1. UCONN Committee(s)
 - 2. Land Acquisition Committee
 - 3. Green Efforts Committee
 - 4. Joint Town of Farmington/City of Hartford Committee
 - 5. Bicycle Advisory Committee
 - 6. Farmington Gateways Committee
 - 7. Farmington High School Building Committee

J. Report of the Council Chair and Liaisons

1. Chair Report
2. Board of Education Liaison Report
3. Unionville Village Improvement Association Liaison Report
4. Town Plan and Zoning Liaison Report
5. Water Pollution Control Authority Report
6. Economic Development Commission Liaison Report
7. Human Relations Commission Report
8. Chamber of Commerce Report
9. Other Liaison Reports

K. Report of the Town Manager— Police Grant, State Budget Update, Pending Retirement

L. Appointments

1. Plainville Area Cable TV Advisory Council (R)
2. North Central Regional Mental Health Board, Inc. (Wienke)(R)
3. Building Code Board of Appeals (Hammerberg)(D)
4. Housing Authority (Lawless) (R)
5. Joint Green Efforts Committee (Foote)
6. Farmington Valley Health District (Parlow) (D)
7. Human Relations Commission (Sliwinski) (R)
8. Human Relations Commission (Berzins) (D)
9. Human Relations Commission (Mambrino) (R)
10. Tourism Central Regional District (Bernier) (R)
11. Retirement Board Committee (Local 60 CILU) (Wilson)

M. Old Business – None.

N. New Business

1. To approve the purchase of 440 and 8658 Plainville Avenue owned by Robin E. Herman (Trustee) and George Grevalsky (approximately 13.0 acres) for a purchase price of \$950,000, and to authorize the Town Manager to sign a purchase and sales agreement for this acquisition.
2. To recommend a Conservation Easement across Town property abutting Serra Drive to the Town Plan and Zoning Commission for a CGS 8-24 report and to the Conservation Commission for acceptance.
3. To approve the Town Council meeting schedule for 2018 and to set the date of the Annual Town Meeting.
4. To approve the 2018 Town Council Budget Special Meetings.
5. To cancel the June 27, 2017 Regular Town Council Meeting and to schedule a Special Town Council Meeting on _____, 2017 at _____pm in the Town Hall.

6. To approve property tax refunds.

O. Executive Session

1. Land Acquisition.
2. Pending Litigation

P. Adjournment

PROCLAMATION

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

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

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

WHEREAS, Kyle Kraut from Troop 68 Boy Scouts of America recently completed the requirements for Eagle Scout, and

WHEREAS, Kyle Kraut interviewed Farmington Veterans about their experiences during their time in the service, and these interviews were digitally compiled and given to each veteran, the Veterans of Foreign Wars Organization, as well as the Farmington Public Library, and thus provided tangible memories of the veterans for the veterans, their families and the community, and,

WHEREAS, Kyle Kraut has demonstrated superb leadership skills by earning 32 merit badges, attending the 2013 National Youth Leadership Training and the 2014 Alaska High Adventure, and through his participation on the Farmington High School Crew Team, and,

WHEREAS, as a result of Kyle Kraut's work, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Kyle Kraut our best wishes and we hereby proclaim June 13, 2017 as Kyle Kraut Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 11th day of June 2017.

Nancy W. Nickerson
Chair Farmington Town Council

PROCLAMATION

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

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

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

WHEREAS, Brennan Reynhold from Troop 68 Boy Scouts of America recently completed the requirements for Eagle Scout, and

WHEREAS, Brennan Reynhold's project benefitted the East Farms School Pond by assembling and installing an informational kiosk, allowing the school's Parent Teacher Organization to post necessary information, and,

WHEREAS, Brennan Reynhold has demonstrated leadership through his attendance at the 2013 National Youth Leadership Training, and the 2014 Alaska High Adventure, as well as distinction by earning 42 merit badges and being the recipient of the Conservation Challenge Award from the National Wild Turkey Federation, and

WHEREAS, as a result of Brennan Reynhold's work, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Brennan Reynhold our best wishes and we hereby proclaim June 14, 2017 as Brennan Reynhold Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 11th day of June 2017.

Nancy W. Nickerson
Chair Farmington Town Council

PROCLAMATION

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

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

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

WHEREAS, Evan DaSilva from Troop 68 Boy Scouts of America recently completed the requirements for Eagle Scout, and

WHEREAS, Evan DaSilva's project involved rehabilitating woodland trails behind the Hill-Stead Museum by installing two underground pipes and placing a bridge over a small stream on the trail, and as a result of his efforts the trails are now protected from run off by the adjacent mountains, and,

WHEREAS, Evan DaSilva is an active member in the community through his participation on the Farmington High School Robotics Team, Men's Ensemble Chorus, and volunteering as the mascot for the Dream Ride and Rebuilding Hartford, and,

WHEREAS, as a result of Evan DaSilva's work, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Evan DaSilva our best wishes and we hereby proclaim June 15, 2017 as Evan DaSilva Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 11th day of June 2017.

Nancy W. Nickerson
Chair Farmington Town Council

PROCLAMATION

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

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

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

WHEREAS, Andrew Kralik from Troop 68 Boy Scouts of America recently completed the requirements for Eagle Scout, and

WHEREAS, Andrew Kralik's project included the clearing a portion of the science courtyard at Irving A. Robbins Middle School and planting various trees and plants native to Farmington to create a mountain habitat for birds to dwell, and

WHEREAS, Andrew Kralik's project enables middle school students to enjoy an area to closely observe the life and behavior of birds without interrupting the birds daily routine, and,

WHEREAS, Andrew Kralik has demonstrated bravery and leadership, especially when he saved the lives of his family during a house fire and was awarded the Lifesaving Award and Commissioners award from the Boy Scouts, and

WHEREAS, as a result of Andrew Kralik's work, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Andrew Kralik our best wishes and we hereby proclaim June 16, 2017 as Andrew Kralik Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 11th day of June 2017.

Nancy W. Nickerson
Chair Farmington Town Council

INCORPORATED 1645

THE TOWN OF FARMINGTON



TOWN HALL
1 MONTEITH DRIVE
FARMINGTON, CONNECTICUT 06032-1053

H-1

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

June 5, 2017

Senator Beth Bye
Legislative Office Building, Room 3100
Connecticut General Assembly
Hartford, CT 06106

Representative Michael Demicco
Legislative Office Building, Room 400
Connecticut General Assembly
Hartford, CT 06106

Senator Terry Gerratana
Legislative Office Building, Room 3100
Connecticut General Assembly
Hartford, CT 06106

Representative Derek Slap
Legislative Office Building, Room 400
Connecticut General Assembly
Hartford, CT 06106

Dear Senator Bye, Senator Gerratana; Representative Slap, Representative Demicco:

For more than 70 years, the state has chronically unfunded teachers' pensions, resulting in tremendous increases in the amount the state has had to contribute to the fund to address unfunded pension liabilities. Currently, the Teachers' Retirement System faces an unfunded liability of \$13.2 billion. Based on the bond covenant that the state entered into with investors, the state cannot reduce its contribution. Requiring towns to bear the burden of funding the state-run, state-managed Teachers' Pension Fund is patently unfair.

Shifting teachers' pension costs to towns virtually guarantees steep increases in property taxes, which will devastate homeowners and businesses. By 2032, based on projections of the state's contribution, teachers' pension costs will consume between 10-15% of a town's budget, if the state requires towns to pick up 1/3 of the costs.

Furthermore, the Governor's proposal slashes funding for the Education Commission of the States (ECS) for many communities and it eliminates the Special Education Excess Cost grant which might shift even more of the burden onto Farmington's residents.

Instead of shifting millions of dollars of teachers' pension costs onto towns, the state should act now to reform the teachers' pension system to rein in costs, including creating a tier for new hires.

The Town of Farmington respectfully requests that you speak to your colleagues in the appropriations committee regarding these issues and vote against any bill that would support these cuts. Thank you for your attention to these matters.

Please do not hesitate to contact my office at 860.675.2350 with further questions.

Sincerely,


Kathleen A. Eagen
Town Manager

KAE/as

cc: Town Council

AN EQUAL OPPORTUNITY EMPLOYER





Conesp
H-2

May 22, 2017

Mr. Scott A. Hill
Engineering Administrator
Office of Engineering
Department of Transportation
2800 Berlin Turnpike
P.O. Box 317546
Newington, CT 06131-7546

Dear Mr. Hill:

On behalf of the Farmington community, especially the handicapped population, I would like to express my sincere appreciation to you and the Department of Transportation (DOT) maintenance group for the painting of the pedestrian railing system on the Unionville Bridge.

As you know, the bridge is in the heart of Unionville center. The bridge carries over 16,000 vehicles per day. It is also used heavily by pedestrian traffic as well as a large disabled population who traverse the bridge on a daily basis going to and from Unionville center to their residence, New Horizons Village.

All your hard work is greatly appreciated and I look forward to our continued partnership. Once again, please pass along my personal thanks to everyone involved.

Sincerely,

Kathleen A. Eagen
Town Manager

KAE/as

CC: James P. Redeker, DOT Commissioner





Kenneth & Kaye Gnazzo

92 Pinnacle Road • Farmington, CT 06032

H-3
CC: RISS

JUNE 1, 2017

Town of Farmington
Highway Department

To whom it may concern,

I would like to acknowledge the excellent work that has been completed on the Pinnacle Road, Pinnacle Bridge, Sunset Terrace, & Old Pinnacle Road project by the Farmington Highway Department. It is a credit to the community. I commend all Town employees who participated in this endeavor. Thank you

Respectfully yours,



MOTION:

Agenda Item K

Report of the Town Manager— Police Grant, State Budget Update, Pending Retirement

Police Grant
See Attachment

State Budget Update
See Attachment

The Town Manager and Finance Director will provide an update at the meeting.

Pending Retirement
Director of Fire and Rescue Services

Mary Ellen Harper, Director of Fire and Rescue Services, has announced her retirement from the Town of Farmington. She and her family will be relocating to Florida this summer. Mary Ellen has been with the Town for 20 years and has been an invaluable member of both the Fire Department and my executive management team. Mary Ellen is more than willing to assist the Town through the transition period as we recruit for her replacement.

The organizational structure of the Fire Department is outlined in Chapter 29 of the Code of the Town of Farmington. Within Chapter 29 the Director's powers and duties are outlined. However, we reviewed the code and the job description to see if there was a need to restructure or make any other changes to how the fire department operates. There was clear desire to keep the system we have in place. With the strong consensus of the three Fire Chief's, it is my intent to start recruiting for the Director's position.

The Director of Fire and Rescue Services position is somewhat unique in the State. This could pose a challenge in filling the position. We will seek a candidate with a strong administrative background, fire experience and who will be a strong supporter of Farmington's long history of a volunteer system supplemented by a small staff of career firefighters. If an appropriate pool of candidates is not found we will consider alternatives at that time.

I will update the Town Council on this position as the recruitment progresses.

K

Chief of Police Memorandum

To: Kathleen A. Eagen
Town Manager

From: Paul J. Melunson
Chief of Police

Date: May 15, 2017

Subject: CERT Canteen Truck

The Farmington Police's Community Emergency response Team (CERT) has been developing a plan to fund a canteen trailer. This trailer would be deployed to emergency scenes in order to provide food and drink to first responders and victims. The Farmington Community Chest has agreed to collaborate on a fundraising effort to purchase a canteen trailer. The overall fundraising goal is \$40,000. The Farmington Community Chest has agreed to manage donations made to the Farmington CERT Team under their 501C3 designation and has also donated \$15,000 to the project from their general fund. The Farmington Community Chest intends on purchasing the trailer and then donating it to the Town of Farmington for use by the Farmington CERT Team.

The trailer is projected to be an 8.5' x 18' mobile kitchen outfitted with an oven, range, flat top griddle, refrigerated storage, and space to prepare meals. The trailer includes the necessary water, propane, and electrical supply and comes with a 3 sink package plus a hand washing sink along with a water heater, 43 gallon fresh water tank, and 50 gallon grey water tank.

The trailer would respond to major emergency scenes at the request of the incident commander. The primary response area would be Farmington and surrounding towns but mutual aid requests from other Connecticut towns would be considered based on factors such as current weather conditions, need or potential need by the Town of Farmington, available personnel, and the incident type. Approval from the Emergency Management Director is required for deployment of the canteen trailer and a formal CERT activation would be completed.

FY2016/2017
STATE GRANT ESTIMATES
AS OF MAY 31, 2017

K

| ACCOUNT DESCRIPTION | FY16/17 ADOPTED BUDGET | PER STATE OPM* | VARIANCE | RECEIVED TO 5/31/2017 |
|----------------------------------|------------------------------|-------------------|-----------------|--------------------------|
| PILOT: STATE PROPERTY | 3,086,385 | 3,134,814 | 48,429 | 3,134,814 |
| PILOT: COLLEGES & HOSPITALS | 29,924 | 29,691 | (233) | 29,691 |
| PEQUOT/MOHEGAN FUND GRANT | 29,874 | 29,796 | (78) | 19,864 |
| REVENUE SHARING-PROJECTS | 545,804 | 545,804 | - | 545,804 *** |
| REVENUE SHARING- SALES TAX | 241,319 | 335,287 | 93,968 | 335,287 |
| TOWN AID ROADS | 373,341 | 373,438 | 97 | 373,438 |
| EDUCATION GRANTS (ECS) | 1,181,846 | 1,036,863 ** | (144,983) | 1,036,574 |
| PUBLIC SCHOOL TRANSPORTATION GRT | 16,577 | - | (16,577) | - |
| TOTAL | 5,505,070 | 5,485,693 | (19,377) | 5,475,472 |

* Source: State of Connecticut FY2015, FY2016 and FY2017 Estimates of State Formula Aid to Municipalities
August 11, 2016

** On December 29, 2016 the Governor announced mid-year budget reductions to education grants and to the LOCIP program. The amount shown is the estimate of what the Town will receive for the ECS grant based upon the reduction.

In January 2017 the Town learned that an audit adjustment to the Farmington Public Schools 2015-2016 Excess Costs Grant in the amount of \$58,217 would be taken against the Town's FY2016/2017 ECS Grant. This is in addition to the reduction made by the Governor in December of 2016.

*** Actually Received on June 5, 2017

MOTION: Agenda Item L-1

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, 2018. (R)

MOTION: Agenda Item L-2

That _____ be appointed to the North Central Regional Mental Health Board, Inc. for the balance of a two-year term beginning immediately and ending September 30, 2017. (Wienke) (R)

MOTION: Agenda Item L-3

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) (D)

MOTION: Agenda Item L-4

That _____ be appointed to the Housing Authority for the balance of a five-year term beginning immediately and ending September 30, 2021. (Lawless) (R)

MOTION: Agenda Item L-5

That _____ be appointed to the Joint Green Efforts Committee beginning immediately for an indefinite term. (Foote)

MOTION: Agenda Item L-6

That _____ be appointed to the Farmington Valley Health District for the balance of a three-year term beginning immediately and ending December 31, 2019. (Parlow) (D)

MOTION: Agenda Item L-7

That _____ be appointed to the Human Relations Commission for the balance of a two-year term beginning immediately and ending June 30, 2018. (Sliwinski) (R)

MOTION: Agenda Item L-8

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2019. (Berzins) (D)

MOTION: Agenda Item L-9

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2019. (Mambrino) (R)

MOTION: Agenda Item L-10

That _____ be appointed to Tourism Central Regional District for a three-year term beginning immediately and ending June 30, 2020. (Bernier) (R)

MOTION: Agenda Item L-11

That _____ be appointed to the Retirement Board for the balance of a two-year term beginning immediately and ending January, 2018. (Wilson) (CILU Local 60)

MOTION:

Agenda Item N-1

To Approve the Purchase of 440 and 8658 Plainville Avenue owned by Robin E. Herman (Trustee) and George Grevalsky (approximately 13.0 acres) for a purchase price of \$950,000 subject to receipt of an acceptable Phase I Environmental Site Assessment Report; and Subject To Due Diligence, Including but Not Limited To Title Search; And To Authorize The Town Manager To Sign A Purchase and Sales Agreement For This Acquisition.

NOTE:

- Acquisition Type: Open Space/Recreation
- Property Size: 13.0 acres
- Zone: R20 – Single family residential minimum 20,000 sq. ft. lots
- Resource Values: Last significant open space in densely developed neighborhood
- Acquisition Cost: \$950,000

These properties are the last vacant properties of significant size remaining in the Lake Garda neighborhood, which, as shown below and on provided maps, has a very high population density along with a low percentage of Town-owned open space as compared to other areas of Town:

- Lake Garda Neighborhood:
 - Population Density: 5.3 people/acre
 - % Open Space: 12% Town-owned Open Space
- South Unionville/West District Neighborhood:
 - Population Density: 2.7 people/acre
 - % Open Space: 23% Town-owned Open Space
- Total Town:
 - Population Density: 1.4 people/acre
 - % Open Space: 17% Town-owned Open Space

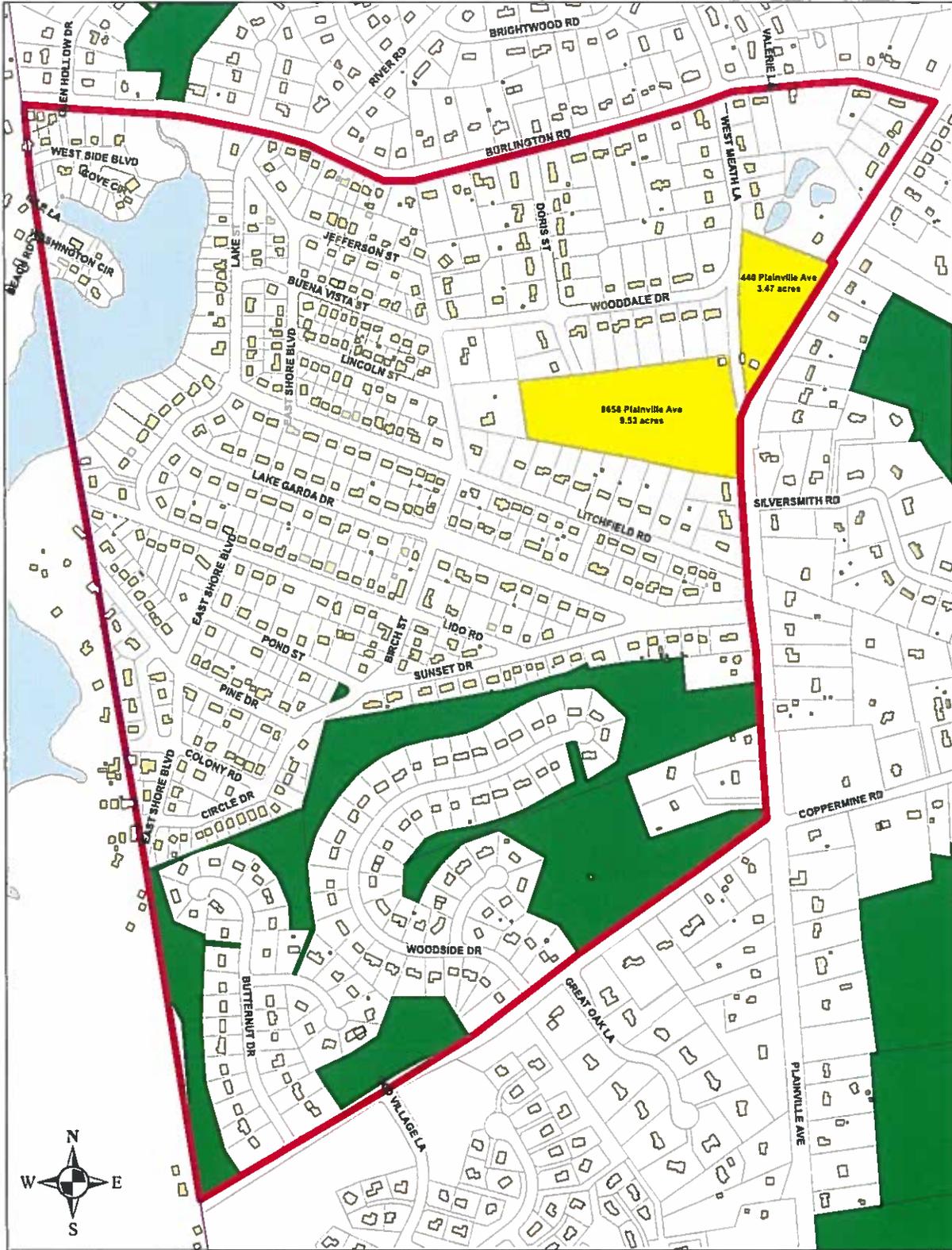
As open space these properties provide an important visual break from surrounding development both within Lake Garda and along Plainville Avenue, while preventing additional curb-cuts that would likely result along the busy Plainville Avenue. Additionally, the wooded parcel is level and dry and could provide for neighborhood recreation in the future.

Acquisition Timeline:

| | Action | Date |
|---|---|-------------|
| 1 | Set Public Hearing with Town Council | 5/9/2013 |
| 2 | Public Hearing with Town Council | 5/23/2017 |
| 3 | Town Council Referral to TPZ for 8-24 | 5/23/2017 |
| 4 | TPZ 8-24 Recommendation Received by Council | 6/13/2017 |
| 5 | Town Council Recommendation to Purchase | 6/13/2017 |

Map of Proposed Open Space Acquisition: 440 and 8658 Plainville Avenue

N-1



Legend

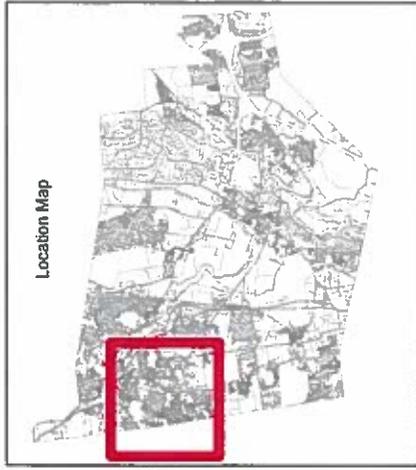
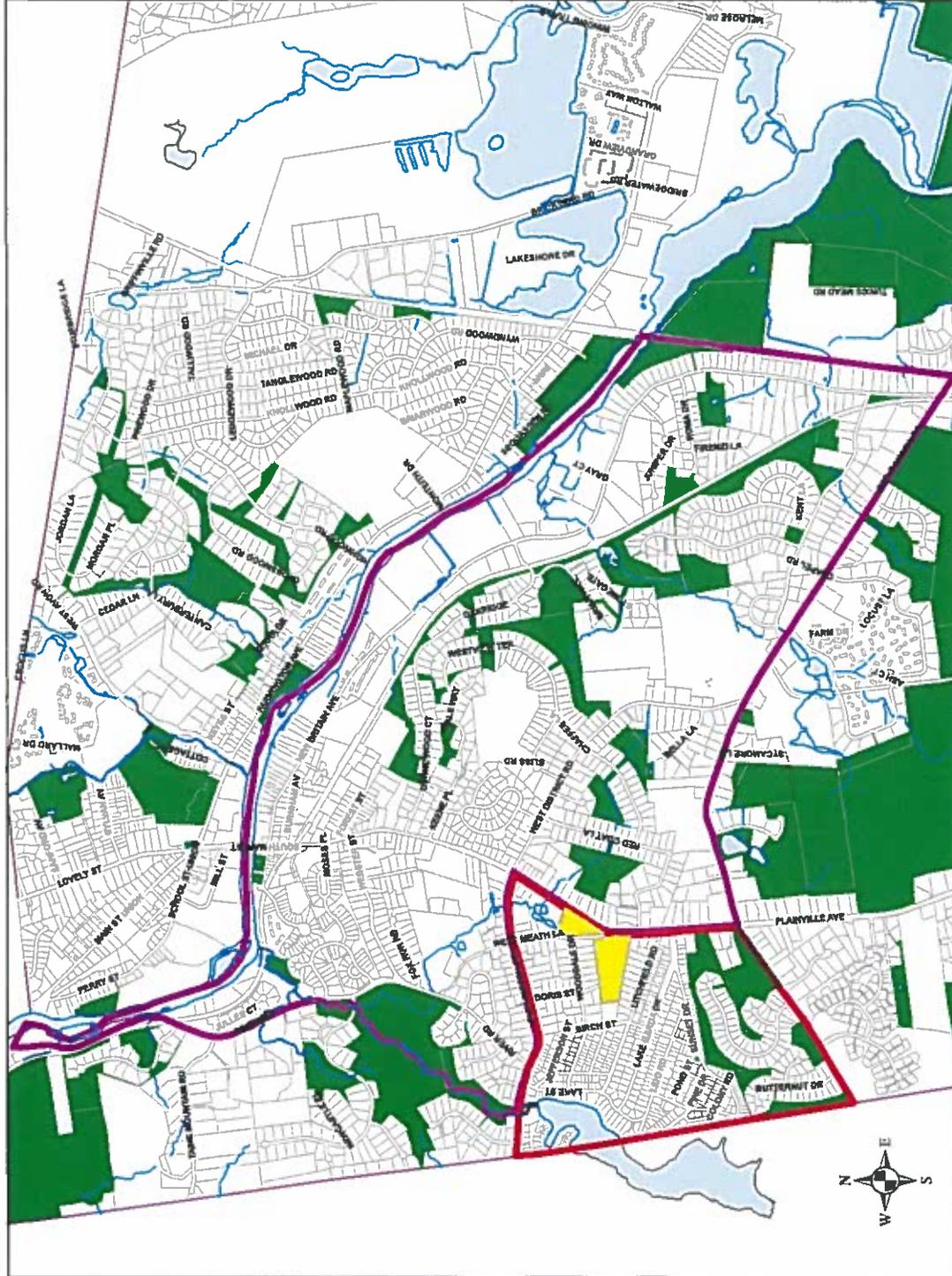
- Proposed Open Space Acquisition
- Lake Garda Neighborhood *
- Town-Owned Open Space

* Based on 2010 Census

Town of Farmington
Land Acquisition Committee
(Map Prepared by L. Dolphin)
4/28/2017



Map of Population Density and Open Space Comparison



Legend

- 440 & 8658 Plainville Ave
- Lake Garda*
Population Density: 5.3 people/acre
Town-Owned Open Space: 12%
- South Unionville/West District*
Population Density: 2.7 people/acre
Town-Owned Open Space: 23%

Existing Open Space

- Town-Owned Open Space

* Based on 2010 Census

Town of Farmington
 Land Acquisition Committee
 (Map Prepared by L. Dolphin)
 4/28/2017

MOTION:

Agenda Item N-2

To recommend the attached Conservation Easement across Town property abutting Serra Drive to the Town Plan and Zoning Commission for a CGS 8-24 report and to the Conservation Commission for acceptance.

NOTE: Currently the status of the parcel of land abutting Serra Drive is unclear. The proposed conservation easement would clarify and finalize the status of the town property abutting Serra Drive. The easement will declare the property to be permanent and protected open space.

Timeline:

| | Action | Date |
|---|--|-------------|
| 1 | Town Council Referral to TPZ for 8-24 | 6/13/2017 |
| 2 | Conservation Commission Acceptance of Easement | 6/22/2017 |
| 4 | TPZ 8-24 Recommendation Received by Council | 7/11/2017 |
| 5 | Town Council Final Approval of Easement | 7/11/2017 |

/Attachment(s)

GRANT OF CONSERVATION RESTRICTION AND EASEMENT

KNOWN ALL MEN BY THESE PRESENTS, that the Town of Farmington, CT a municipal corporation having its territorial limits within the County of Hartford and State of Connecticut ("Grantee") __, (Grantors) for the consideration of One (1) Dollar and other good and valuable consideration received to their full satisfaction of the TOWN OF FARMINGTON Conservation Commission, (Grantee) a municipal agency created by Section of the Town of Farmington Code of Ordinances, does hereby give, grant, bargain, sell and convey unto the Grantee, its successors and assigns, forever, a perpetual Conservation Restriction and Easement within the terms of C.G.S. Sec. 47-42a in, over, along and across that certain piece or parcel of land situated in the Town of Farmington ("Property") and more particularly shown as the "Conservation Area" on a map entitled "_____” and dated _____, and more particularly described in Exhibit A attached hereto, for the following purposes:

PURPOSES

1. To have the Property remain in its present natural and open condition in order for it to fulfill its present historic, scenic, vegetative, wildlife and/or hydrological functions.
2. To permit the Grantee to enforce by proceeding in equity, pursuant to C.G.S. Sec. 47-42b and Sec. 47-42c, the covenants hereinafter set forth, including but not limited to the right to require the restoration of the Property to the condition at the time of this grant. Any costs incurred by Grantee in enforcing the terms of this easement against any violator including without limitation, costs of suit and attorneys fees, shall be borne by the violator.
3. To enable the Grantee to enter the Property at all reasonable times for the purpose of inspecting the Property to determine if the Grantors, its successors and assigns, are complying with the covenants and purposes of this grant.

COVENANTS

And in furtherance of the foregoing affirmative rights, the Grantors, for ___ self, heirs, successors and assigns, makes the following covenants, which covenants shall run with and be binding upon the Property in perpetuity:

1. No buildings, camping accommodations, or mobile homes shall be placed or erected upon the Property.
2. No signs, billboards or other such advertising materials or structures of any kind or nature will be placed or erected upon, below or above the Property.
3. The topography of the landscape of the Property shall be maintained in its present condition, and no topographic changes shall be made. Topographic changes shall include,

without exclusion, cutting of trees (except as may be required by good tree husbandry and maintenance after receiving written approval of the Grantee), filling, excavating, dredging, mining or drilling, removal of topsoil, sand, gravel, rocks, or minerals, alteration of natural or existing watercourses or drainage, or the construction and installation of roads, driveways, or utilities.

4. There shall be no use of pesticides, poisons, biocides or fertilizers, draining of wetlands, burning of marshlands or disturbance or change in the natural habitat of the Property.

5. There shall be no manipulation or alteration of natural watercourses, lakeshores, marshes or other water bodies, nor shall any uses of or activities upon the Property be permitted which uses or activities could be detrimental to water purity or to any vegetative, wildlife or hydrological function.

6. There shall be no operation of vehicles, snowmobiles, dune-buggies, motorcycles, mini-bikes, go-carts, all-terrain vehicles, or any other type of motorized vehicle upon the Property.

7. There shall be no dumping or placing of trash, ashes, leaves (except for a limited number in a sightly manner in nonwetland/wetland buffer areas), waste, rubbish, garbage or junk upon the Property. In the event that such materials are placed on the Property, the Grantors, upon notice from the Grantee, will remove said materials within 30 days of such notice.

8. There shall be no storage or placement of any equipment, natural or man-made materials or substances upon the Property.

The Grantee, or its successors or assigns, does not waive or forfeit the right to take action as may be necessary or required in order to insure compliance with said covenants and/or the purposes of this grant by any prior failure to act.

EXCEPTIONS

The Grantors with the written consent of the Grantee, acting by and through its Town Planner, may enter upon the Property to conduct the following activities:

1. Removal of debris, dead trees, or brush for the purpose of promoting safety and aesthetic quality;

2. Pruning and thinning of live trees and brush for the purpose of promoting safety and aesthetic quality;

3. Planting of trees, shrubs, or other vegetation for the purpose of enhancing wildlife or aesthetic quality.

The Grantors shall notify the Grantee by written notice to its Town Planner of an intention to undertake any activity in question Grantee's approval for exempted activities may be withheld only upon a reasonable determination by the Grantee that the action as proposed would be inconsistent with the purpose of this easement. Consideration shall be given to the manner in which such activity is to be undertaken to insure no detrimental impact to the natural character of the land. In addition the wildlife value of brush and dead trees proposed to be removed shall be considered and weighed against the purpose of the request.

The above procedure shall not abrogate the requirement to acquire any permits required by local, state, or federal law.

The Grantors before commencement of any site work on the Property shall mark the proposed activities with flagging and /or wooden stakes. Conservation markers provided by the Town shall be mounted along the Property boundary on trees, or cedar or pressure treated posts (maximum 48" high). Such markers should be located at each change of boundary direction or a maximum of 50 feet apart. The actual layout of the posts and markers shall be approved by the Town Planner.

LIMITATION ON RIGHT TO AMEND

If circumstances arise under which an amendment to or modification of this easement would be appropriate, Grantors and Grantee may jointly amend this easement, provided that no amendment shall be allowed that will affect the qualification of this easement or the status of the Grantee under any applicable laws including Sections 47-42a through 47-42c of the Connecticut General Statutes, Revision of 1958, as amended, or Section 170(h) of the Internal Revenue Code of 1954, as amended; and any amendment shall be consistent with the purpose of this easement and shall not affect its perpetual duration. Prior to any such amendment the Conservation Commission shall conduct a public hearing with notice in accordance with Article IV Section 12(C) of the Farmington Zoning Regulations and there shall be an affirmative vote of the Conservation Commission and 8-24 report from the Planning and Zoning Commission and an affirmative vote of the Town Council. Any such amendment shall be recorded in the land records of the Town of Farmington, Connecticut.

ACCEPTANCE OF EASEMENT

Acceptance of the easement by the Grantee shall be evidenced by an affirmative votes of the Farmington Conservation Commission/.

CONDEMNATION

If said Property, or any part thereof, shall be taken by condemnation, then this easement shall automatically terminate as to that property taken, so that the Grantors, its successors and assigns, may be fully compensated as though this easement had never been granted.

HABENDUM

N-2

EXHIBIT A

A certain piece or parcel of land, containing 1.456+/- acres, depicted as "known as Parcel No. 3" on a map entitled "Walnut Heights, Subdivision Plan, Property of Edmund J. Haverty, June Remigino and Girard E. Haverty, prepared for Frazao Building Corporation, Walnut Street, Farmington, Connecticut, scale 1"=40', dated Feb. 1985, revised to Nov. 1990, and recorded in Town of Farmington Land Records as map 4612, being further bounded and described as follows:

Beginning at a point, said point being in the westerly line of land now or formerly Michael K. & Katherine D. Ward and the northeasterly corner of land now or formerly Lucille S. Burk, said point also being the southeasterly corner of herein described parcel;

Thence running northwesterly the following four courses and distances along land of said Burk, land now or formerly George F. Beyer and land now or formerly Donald A. & Nancy R. Peltier, N57°37'12"W 240.43 to a point, N55°40'33"W 139.42' to a point, N56°36'33"W 124.79' to a point, N53°16'03"W 117.63' to a point, said point being the northwesterly corner of said Peltier, a westerly corner of land now or formerly Frazao Building Corporation and the southwest corner of herein described parcel;

Thence running northeasterly along the easterly line of said Frazao Building Corporation, N86°08'18"E 50.20' to a point in the southerly line of Serra Drive, said point being the northeasterly corner of said Frazao Building Corporation and the northwesterly corner of herein described parcel;

Thence running easterly and northeasterly the following six courses and distance along the southerly and easterly line of Serra Drive, along a curve to the left having a radius of 445.00' and an arc length of 84.53' to a point, S52°55'20"E 236.00' to a point, along a curve to the left having a radius of 325.00' and an arc length of 103.14' to a point, continuing along a curve to the left having a radius of 199.34' and an arc length of 249.41' to a point, along a curve to the right having a radius of 20.00' and an arc length of 17.45' to a point and along a curve to the left having a radius of 50.00' and an arc length of 43.63' to a point in the westerly line of land now or formerly Town of Farmington, said point being the northeasterly corner of herein described parcel;

Thence running southerly along the westerly line of said Town of Farmington, land now or formerly C.M.C. – Farmington Associates Limited Partnership and said Ward, S37°12'27"W 248.50' to the point or place or beginning.

Said parcel is subject to building lines, easements, restrictions and notes, as set forth on said map or plan, and to any restrictions, covenants, and easements as of record may appear.

MOTION:

Agenda Item N-3

To approve the following Town Council Meeting schedule for 2018 and to set the date of the Annual Town Meeting.

TOWN COUNCIL MEETING SCHEDULE

| | |
|-------------------|------------------------------|
| January 9 | January 23 |
| February 13 | February 27 (6:00 p.m start) |
| March 13 | March 27 |
| April 2* (Monday) | April 24 |
| May 8 | May 22 |
| June 12 | June 26 |
| July 10 | |
| August 14 | |
| September 11 | September 25 |
| October 9 | October 23 |
| November 13 | |
| December 11 | |

*April 2nd is the Town Council Public Hearing on the budget.

ANNUAL TOWN MEETING(S) AND REFERENDUM(S)

| | |
|----------|--|
| April 16 | First Annual Town Meeting |
| April 26 | First Referendum |
| April 30 | Second Annual Town Meeting (if needed) |
| May 10 | Second Referendum (if needed) |

NOTE: April 9-13 Farmington Public Schools Spring Break

MOTION:

Agenda Item N-4

To approve the following 2018 Town Council Budget Special Meetings.

BUDGET WORKSHOP SESSIONS

| | |
|----------------------|------------------------------------|
| March 14 (Wednesday) | 4:00 p.m. to 9:00 p.m. |
| March 15 (Thursday) | 4:00 p.m. to 9:00 p.m. |
| March 17 (Saturday) | 9:00 a.m. to 12:00 noon |
| March 19 (Monday) | 4:00 p.m. to 9:00 p.m. (if needed) |
| March 20 (Tuesday) | 4:00 p.m. to 9:00 p.m. (if needed) |

MOTION:

Agenda Item N-5

To cancel the June 27, 2017 Regular Town Council Meeting and to schedule a Special Town Council Meeting on _____, 2017 at _____pm in the Town Hall.

NOTE: Due to a scheduling conflict(s) the June 27, 2017 meeting is cancelled. This meeting is to discuss the Town Manager's yearly performance evaluation. The Town Council typically meets with the Town Clerk at the same meeting.

MOTION:

Agenda Item N-6

To approve the following property tax refunds.

| NAME | REASON | AMOUNT |
|--------------------------|-----------------------|------------|
| 1)Ari Fleet LT | Assessor's adjustment | \$1,227.75 |
| 2)Lynn Bouchard | Assessor's adjustment | \$293.65 |
| 3)Cab East LLC | Assessor's adjustment | \$185.87 |
| 4)Stacia Cottone | Assessor's adjustment | \$5.92 |
| 5)JP Morgan Chase Bank | Assessor's adjustment | \$200.08 |
| 6)Michael & Penney Odell | Double payment | \$3,424.10 |
| 7)Wendy Robinson | Overpayment | \$30.00 |
| 8)Vault Trust | Assessor's adjustment | \$3,352.96 |
| 9)Wheels LT | Assessor's adjustment | \$107.64 |
| | | |
| | TOTAL: | \$8,827.97 |

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.

MOTION:

Agenda Item O-2

Executive Session – To Discuss Matters Concerning Pending Litigation.

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)(B), that is

Strategy and negotiations with respect to pending claims or pending litigation to which the public agency or a member thereof, because of his conduct as a member of such agency, is a party until such litigation or claim has been finally adjudicated or otherwise settled;

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